most cases. This irrelevant text places a greater demand on computer resources. Another important limitation is the problem of linguistic diversity. Different people describe different events in different ways, hence the difficulty in retrieving all references to a particular subject.

The alternative to a full text system is to summarise each document. Only the summary is entered into the system. The summary may include direct quotes if that is thought useful. The benefit of summarising the documents is standardisation of the language. For these reasons the author prefers summary systems to full text.

His demonstration centred around three packages – Notebook II, a text oriented data base system; Microsoft Word, a word processing package; and Sidekick; a desktop utility package.

These packages are all available off the shelf.

The author concludes that after surmounting the initial learning curve associated with computerised litigation support, the use of computers ceases to be frightening and becomes "exciting and even enjoyable".

THE COMPUTER AS A LITIGATION LAWYER

• by Elizabeth Broderick

The information explosion has meant that now more than ever, lawyers are handling vast amounts of information. The human brain requires assistance. It is here, that computerised litigation support can help.

The use of computers to manage evidence in litigation has been widespread in the United States for several years. Until recently however, Australian lawyers have been reluctant to venture into this area. The authors view is that this has been due to three main factors. Firstly, heavy schedules have meant that litigators have not had time to assess the utility of the technology, secondly many lawyers are uncertain about the benefits, and thirdly there is a widespread fear that the technology is too complex.

How Can a Computer Assist?

Many lawyers tend to think only of data base management systems when they think of computerised litigation support. However, litigation like other complex projects needs to be planned and managed from the beginning. As a result there are many computer applications a lawyer can use cost effectively.

For example:

(i)   project management or scheduling software allows you to plan and manage your case;

(ii)   spreadsheets can be used to calculate potential damages awards and to predict the effect on the overall outcome of a change to one variable – to run "what if" situations;

(iii)   you may wish to access leased data bases such as INFO-ONE or gateway connections such as LINK; and

(iv) graphics may be useful for reconstructing events or schematic presentations in court.

However, this paper concentrates on the construction of data bases and explains in detail the benefits of using computers in litigation, how to get started and the different types of data bases that may be constructed.

Text Versus Data Processing

There are two ways to construct a litigation support data base. The first is to enter the text of the document or transcript – a text processing system. The second way is to enter structured data – a data processing system.

Each of the systems may be further divided. In text systems you can enter either full text or summaries. In data processing you can set up a general system for sorting, listing and calculations or a system specific to document control.

Text Processing

Free text systems allow you to perform word searches. Every word entered into the data base (except for a defined set of common words) is indexed.

The computer does not search the text sequentially, which can be very time consuming if there is a large amount of information. Instead, it searches the indexes to obtain the location of a given word.

The text that is entered may be summaries or full text. One of the problems of full text is that different witnesses describe different events in different ways, hence references to the same events may be missed because the right word has not been used in the search.

To overcome this problem the full text should be enhanced. Enhancement can minimal, for example inserting "Lindy Chamberlain" next to "her" or "15 August 1983" next to "the day before". More complex enhancement involves compiling a list of issues and typing in beside the full text, the issue identifier wherever that issue is discussed.

Data Processing

Data processing data bases are made up of relatively inflexible fixed length records and fields. Each field contains one specific piece of information (e.g. author, name, document data, document type). Each record contains related fields.

Data processing data bases can assist in collating large amounts of background information i.e. keeping information on a large number of companies. Alternatively specific data processing systems called document control systems allow you to generate lists of documents, chronologies, or to retrieve documents relevant to a particular issue or witness.

Getting Started in a Small Way

There are four main steps which will get you started:

1. Choose the type of data base you wish to construct. For your first attempt you should establish either a free text system or a document control system. It may be unwise to construct both free text and document control or an intergrated system initially.

2. Identify a suitable matter. If you are setting up a *document control system* choose a case where:

   • the instructions are recent;
   • preferably a small case;
   • a case where you are familiar with the legal issues.

If you are setting up a *free text system* choose a case that:

- will not reach hearing for a least another month;
- is likely to run for 1 to 2 weeks.

You may also wish to select a Federal Court case because the Commonwealth Reporting Service is now making transcript available on disk.

3. Use your office personal computer – make sure you have at least 20 megabytes of disk storage.

4. Select a commercial software package.

   For example, *document control* packages:

   For **IBM** and **compatibles**:

   - *INMAGIC*
   - *NOTEBOOK*
   - *DBASE III OR IV*
   - *ORACLE*
   - *R:BASE*
   - *Q & A*

   For **Macintosh** computers:

   - *FILEMAKER II*
   - *OMNIS*

For *free text* packages:

For **IBM** and **compatibles**:

- *The Micro Retriever*
- *Zyindex*
- *ISYS*
- *Wordcruncher*
- *Microstatus*

For **Macintosh** computers:

- *Sonar*

- *Solicitor, Blake Dawson Waldron*

THE COMPUTER AS A ROBOT LAWYER

- *by Michele Asprey*

Are you ready for Computer Assisted Drafting (CAD)?

The author, who is currently involved in overseeing the development of the CAD project at Mallesons Stephen Jaques, suggests some matters to consider before embarking on a CAD project, offers suggestions for identifying suitable documents and gives some practical advice on how to get started. Her paper is divided into these three main areas.

How To Start

The three important factors to analyze when considering a CAD project are:

(a) time;
(b) settled text; and
(c) the team.

Computer aided drafting is time consuming and requires a substantial commitment in terms of lawyer time, partner time, paralegal time, computer time, and of course money. If you haven't yet committed resources to general precedent

development then perhaps the scheduling of your CAD project is premature.

You must have the text of your documents settled. If you are not happy with your text there is no point in spending time automating that text. As the author points out, automation will only make it easier and quicker to access unsatisfactory text.

Thirdly, you must be prepared to devote the time of people at several different levels. For example, your paralegal may be the best person to