Deposition Summary Software: How It Works, Which to Consider
- **LiveNote**
- **Summation**
- **E-Transcript**

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Transcript management has become more sophisticated in the past few years. Not only are there tools available to assist you in **managing your transcript analysis** but they can also function as aids during the **deposition process**.

The Deposition Process: What Work's Best for Me In This Case

You need to decide <u>before</u> you take the deposition, what technique you want to use for managing the transcript after the day (s) is done. When the deposition is over, the transcript and or videotape record is what is left. Do you need videoconferencing, videotape, interactive Realtime, etc? Here are some descriptions of the different tools and techniques to consider.

Interactive Realtime
This allows attorneys and others to view the Realtime transcript and interact with it while it is being created by the Court Reporter. You, your expert and partners can add annotations or issue codes while the deposition is taking place. This helps prepare for cross-examination, working with experts, handling objections, assisting witnesses and saves time.

Videoconferencing
This is Realtime audio and video feed. You and/ or others can view and also videotape the deposition (the entire room, participants and exhibits) from different locations. There are many products and vendors available for this service. The necessary hardware can be set up inside your office

or at a vendor's site location. All of the equipment needed is portable. Some firms have chosen to purchase and retain their own videoconferencing facility in house. Special devices and hook ups are required. Therefore, this service is best outsourced.

Internet Communication

Electronic remote access to the reporter's rough draft of the transcript is done via the Internet. If you want other parties to view the transcript and assist in managing it while the deposition is taking place, you'll need to access it in this way.

Encrypted E-mail Service

There is great value in e-mailing transcripts. However, there is risk associated with this process. To assure safe and private transmission, consider a software provider who uses 128-bit encryption.

The downside to Realtime is cost. This will vary depending on region and the individual Court Reporter. Also, you may want to check with the court in your local jurisdiction as to whether they allow Realtime transmission to be used. There are hardware and software requirements that should be compatible. You need to establish this compatibility with the Court Reporter that you are using.

Realtime works well with most laptop and notebook computers. The Court Reporter will bring the cables that you need however it is a good idea to make sure in advance, that they will fit the serial ports on your computer. If you have only one serial port or use a mouse with your laptop, you will need to install a second serial port via a PCMCIA card or other device. Also, check the configuration of your serial port. You may have to reassign the default port on your computer to get the Realtime feed. An experienced Court Reporter may be able to help or do that for you.

Transcript Analysis: Management after the Deposition

You have your transcript, annotated or not, now what can these tools do?

- You can import or export other documents to your transcripts
- Attach notes and files to your annotations
- Create and print reports and transcripts (no need for depositions to be summarized)
- Tailor reports to focus on key issues that you designate
- Exchange data with other software packages
- Execute and save searches across multiple transcripts within a case
- Print multiple pages of transcript per page (like the Old Multi-page transcript from the past)
- Tag key words and phrases
- Scroll text

- Create quick marks
- Perform full text queries across single or multiple transcripts
- Annotations by multiple readers on one transcript
- Create and search databases of evidentiary documents

The ability to do all or some of this means no more folded page corners or dog ears, no investment in sticky tags that fall off, fewer notes all over the transcript, less paper and larger print. All of this can be handled electronically through your portable computer and you have the option of printing it out in more than one format.

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LiveNote has various litigation technology tools available. Their Realtime Internet service allows **LiveNote** users to receive Realtime transcript text at any location either face to face using a serial connection or via the Internet. **LiveNote FT's** latest version is 8.0**. FT** can be used across a LAN. It functions as a transcript management tool. Also, you can view video that is linked to the transcript using **VideoNote.   RT** is used primarily to receive Realtime transcripts from a Court Reporter. It has no network or

multi-user capabilities. It will print reports, but not transcripts. With **RT**, you cannot use full text searching or auto tags.

You need the basic **LiveNote** software (**RT** or **FT**) to use Realtime technology. This requires: IBM PC or compatible, 486 or higher processor, 8-16 MB RAM, one free serial port, Windows 95. 98, NT, or 2000, an Internet Service Provider and an Internet connection. For **VideoNote** you need a Pentium 133 or better processor, 32MB RAM, and a CD ROM drive.

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Summation Blaze 5.21 Family

	Summation Blaze®	Summation Blaze is the time-tested, integrated transcript management and document retrieval system that's easy-to-use and familiar to litigation professionals worldwide.The industry standard for managing transcripts and evidentiary documents, and organizing case data. Our flagship integrated litigation support system.
	Summation Blaze® **Litigation Support Suite** **Silver Mobile Edition**	Includes Summation Blaze and Repli-Case (including CopyCase and RepliBase). This suite is ideal for non-image intensive cases with many participants. Repli-Case facilitates collaborative efforts by simplifying data sharing and synchronization.
	Summation Blaze® **Litigation Support Suite** **Gold Mobile Edition**	Includes Summation Blaze with Full Text Imaging (including ocrBase), and Repli-Case (including CopyCase and RepliBase). This suite is ideal for image-intensive cases that include OCRed or other full-text documents. Repli-Case facilitates collaborative efforts by simplifying data sharing and synchronization.

		Includes the following products: Summation Blaze, Summation Full Text Imaging (including ocrBase), Repli-Case (including CopyCase and RepliBase), and OnPoint, a utility for adding bar codes to key evidentiary documents and transcript segments. It's Summation's most comprehensive litigation support package.
	Summation Blaze® **Litigation Support Suite** **Platinum Mobile Edition**	

Summation provides a <u>case management</u> tool as well as a <u>transcript management</u> tool. This enables you to (if you load the software and case information into your laptop or onto a CD ROM) take your case or filing cabinet on the road with you**.** Because you have more information to work with, you are able to research your case file when preparing for or while at a deposition. It becomes an even handier tool if you add Web based storage of RFP documents. You can access them too.

Specifically, **Summation** allows you to: search and annotate transcripts, search electronic notes, create and search databases of evidentiary documents (**Summation** is used in cases with over 1,000,000 database records), search transcripts and document database simultaneously, sort searches by date or issue, create a case profile, view, search and annotate a Realtime transcription via a Court Reporter's live feed or later, organize **Summation** search results with segments of briefs or online searches and your comments in **Summation's** Case Organizer

Here too you need the basic software offered by this vendor, **Summation Blaze®**, to use the Realtime deposition transcript management technology. The hardware requirements: Pentium PC, 32MB RAM, 32MB Hard Drive Space, Windows95/98 or NT 4.0 (or higher). **Summation Blaze®** runs on most networks, including Novell and Windows NT. Preferred File Formats for transcripts are Amicus and ASCII, Database Imports & Exports preferred in ASCII format. For Realtime output the Court Reporter will need to set their serial output option to either CaseView 3 or 4.

Summation Blaze Litigation Support Suite, Silver Mobile Edition is a product that integrates **Summation Blaze®** and **Repli-Case**, in one package. **Repli-Case** includes two components: **RepliBase and, CopyCase.**

RepliBase lets users synchronize transcript notes and database entries from different users working on the same case. When **RepliBase** is told to "merge" new records are automatically merged into the consolidated database. Modifications in existing record fields that don't conflict are automatically merged; modifications in multi-entry fields are also automatically merged. Records containing fields with conflicting
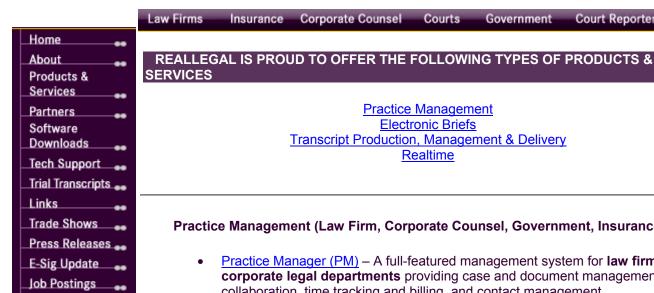
modifications are identified. The user is prompted to decide which record to keep. Information from the record that will be discarded can be copied into the retained record, if desired.

CopyCase lets users transport selected case information to a notebook computer and to other **Summation** users, or from a notebook computer back to a desktop or network system. Users can access case data locally, from their network, or from removable media such as a zip drive. Case information can be transport from a notebook to desktop PC (and vice versa), and to other users with **Summation's** transport wizard. An added benefit too is that **Mobile** users do not take up a concurrent node on their **Summation** network system when accessing data on the network. This feature effectively expands the network to accommodate an extra user.

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- MA3000 - On the desktops of New York **law firms** for over 15 years, this software provides online access to docket information for state and federal courts within the state of New York. Currently, this information is obtained daily in print form exclusively from the New York Law Journal. Gone are the days of searching fine print with MA3000's ability to conduct court searches for you and deliver accurate, comprehensive and timely official notices about your firm's courtroom obligations.

Electronic Briefs

- **E-Brief™ -** A RealLegal publishing service that produces an electronic hyperlinked CD-ROM brief at the request of any **attorney** or **court**. It includes all of the documents that constitute a traditional paper brief, as well as all of the referenced documents and exhibits, all digitally stored and hyperlinked.

Transcript Production, Management & Delivery

- **E-Transcript™ -** Desktop software for **court reporters** for electronic transcript standardization, creation, certification and delivery. It quickly imports and standardizes an ASCII transcript from CAT software to create a customized and secure transcript for delivery via e-mail or on diskette.
- **E-Transcript Signatures -** Through the technology of the National Digital Transcript Certification Authority (NDTCA), RealLegal allows **court reporters** to attach printable, secure and verifiable digital signatures to E-Transcripts.
- **E-Transcript Internet™** - A Web-based application that allows **court reporters**, **paralegals** and **attorneys** to create an E-Transcript anytime, anywhere without having to purchase the software.
- **Binder™ -** Desktop software for **attorneys** and **paralegals** for transcript management and receiving realtime transcriptions from their **court reporter**. Manage an unlimited number of transcripts to take control of a complete trial or deposition. Import, file, search, review, annotate and report on everything from depositions and motion hearings to trial testimony and closing arguments.
- **StenAccount™** – RealLegal has transformed **court reporting's** most proven accounting management software program from a DOS to a Windows environment. Powerful and scalable, it offers unlimited records with flexible security for an individual reporter or a large agency. Features include calendar, job tracking, invoicing, cash receipts, reporting, accounts receivable and accounts Payable functions.
- **Exemplaris** - A Web-based application for **courts** and **official court reporters** that allows for complete electronic storage, management, distribution, and retrieval of transcripts, stenographic notes and related dictionaries. Also allows **attorneys** or **judges** to search, order and download transcripts in the E-Transcript format.

Realtime

- **Binder™ -** Desktop software that allows **attorneys** to receive realtime transcripts directly from their **court reporter** in a trial or deposition setting. Final, edited transcripts sync with the realtime version and maintain critical notes and annotations.
- **DepoStream™ -** This Web-based application allows **court reporters** to broadcast the live text feed of remote trial or deposition transcripts (complete with chat functionality) to **attorneys** via a secure Internet connection.

RealLegal E-Transcript™ is an electronic transcript e-mailed or sent on diskette by your Court Reporter. The Reporter must have **RealLegal** software to create the transcript. The E-Transcript™ comes as read-only, password protected and electronically signed. The transcript is searchable and printable. There is no special software needed by the attorney. **Advantages:** Reduced delivery time, consistent formatting, word index electronically linked to page and line numbers, easy copy and paste capability from electronic format, export to other documents, embedded viewer, multi-page version print available, and the ability to create E-Transcript™ via the Internet without Court Reporter input (for a fee).

E-Transcript™ is not a transcript management source. For that you need to purchase **E-Transcript Binder™** 5.0. **Binder™** allows Realtime transcriptions and has an auto-configuration to handle the port connection with your Court Reporter's computer, multi-transcript searching, annotation, reports, e-mail report and transcript export, and the ability to import **LiveNote** case formats. **Binder** is compatible with **CaseMap**, **Sanction II** trial preparation software, and **Timaro Video Systems**. Transcripts can be exported as ASCII, XML or PTF files for use in other litigation support packages such as **LiveNote, Summation and Concordance.**

Inference:

The three products reported here have similar features. Prices and services vary. Some offer limited services for a lesser price while others require that a larger package be purchased to receive the transcript management tools.

Purchasing either of these products in whole or part, offers an advantage. You **save man hours** (therefore do not have to invest time and money into additional personnel and the problems that accompany employees.) Also, as you use the various features, you are **saving more time and producing a more comprehensive analysis** that will better assist you in preparing your case. These aspects need to be considered when factoring the costs associated with this kind of product purchase. Yes, these tools are new and will take some time to get used to using but, remember, you felt that way about electronic cite checking when that was first introduced.

Your personal style has to be considered too. Each product has a unique approach to delivering its service. That approach and your style should communicate freely or you will not benefit fully from what the product has to offer.

Eventually, this kind of legal technology gives the user a **competitive advantage** over their opponent. In trial practice, that alone is worth the time taken to determine if you will gain from purchasing either of these tools and the time expended learning to use them.