



3 Ways to Win More Cases in Harris County

In this recording, Owen Byrd, Greg Lambert and Andrew Judson discuss Lex Machina's latest expansion into Harris County State Court, and what this means for you.

Lex Machina gathers legal data from Harris County Court and Harris County District Court about cases and the underlying documents, and then uses a unique technology to turn this data into valuable insights.

The specific functionalities that were covered include:

- Searching by judge, law firm, attorney name, or party
- Timing analytics, trial resolutions, trial damages, and trial rulings
- Keyword searching within docket entry text and documents
- Filtering by court or viewing analytics throughout all state court modules
- Court-specific filters

Speakers:



Greg Lambert
Chief Knowledge Services Officer
Jackson Walker



Owen Byrd
Chief Evangelist and General Counsel
Lex Machina



Andrew Judson
Product Manager
Lex Machina

Owen Byrd ([00:08](#)):

Hello. Welcome to today's webcast presented by Lex Machina about three ways to win more cases in Harris County. My name is Owen Byrd. I am the Chief Evangelist and General Counsel of Lex Machina. Lex Machina provides legal analytics, which is what we'll be talking about today.

Owen Byrd ([00:32](#)):

I'm delighted to have as our guests, Greg Lambert, the Chief Knowledge Services Officer of Jackson Walker. He's located in Houston. Greg is a leader in law department and law firm deployment of technology to help lawyers win clients and win cases. He sets overall strategy for his library research acknowledged services for Jackson Walker. He's also been a fellow of the College of Law Practice Management, the past president of the American Association of Law Libraries and many other things. I'm also delighted that we're joined by my Lex Machina colleague, Andrew Judson. Andy is a product manager with Lex Machina. He lives in Houston. He's a member of the Texas bar. And as the product manager, he's responsible for the development and delivery of new practice area modules for Lex Machina. He uses his legal expertise to design new practice areas and then trains and manages our team of legal analysts to deliver high quality legal analytics. He's previously worked as a need discovery attorney with Donovan Watkins in Houston and is also a certified mediator. Greg and Andy, welcome to today's webcast. I'm delighted that you both are joining us. [crosstalk 00:02:01] Yes.

Owen Byrd ([02:03](#)):

Let's jump right into legal analytics and then we'll turn to legal analytics specifically there in Harris County in Houston. The short version of what legal analytics is is that it's a way of uncovering data-driven insights into the behavior of people and organizations in the litigation ecosystem. That can be court systems or specific judges, it can be parties, it can be law firms and attorneys. And one of the easiest ways to understand what legal analytics is is by saying what it isn't. It is not traditional legal research. It's not a platform intended to reveal what is the control of the authority, what is the case law or statutes or rules that apply to a case. Instead, it is a way to obtain data-driven insights into the behavior of organizations and people. With that, I'd like to turn it over to Andy who will give us a couple of examples of legal analytics for Harris County and then we'll be inviting Greg to comment on how his firm has employed legal analytics previously in federal litigation and now intends to deploy a news legal analytics for state court cases in Harris County. Andy, take it away.

Andrew Judson ([03:42](#)):

Thanks, Owen. So today I have a few examples from our new Harris County and Harris district court module that I want to share with everyone to just highlight how we use the data that we got from the courts here in Harris County in order to create legal analytics for Harris County.

Andrew Judson ([04:03](#)):

So the first thing that I want to show you is ... And first thing, can you see the screen? I just want to make sure it's sharing correctly.

Owen Byrd ([04:13](#)):

I'm still seeing our three smiling faces. And I should say to everyone who's listening that you can resize on the screen. You can resize the box that is showing the demonstration so that you can see the details more clearly.

Andrew Judson ([04:36](#)):

Right. Yeah, if you use the audience view, you should be able to see what's going on on my screen. But so today the first thing I want to do is let's do a council search because the first thing that our users usually ask is

they want to see their own cases and the second thing they want to see are their opposing counsel cases. So I thought the first thing that we could do is a council search.

Andrew Judson ([05:03](#)):

So here we can search for law firms or attorneys. So I thought we would use one of the bigger plaintiff's firms in Houston, which is the [Daspit 00:05:12] law firm. And we can do a law firm search for the firm. And here you can see they have 2,232 cases. When we click on the firm. We get to see both their federal court cases and their state court cases. And here this is a firm that would have almost not shown up at all in our federal court product having only 14 federal cases, but they have 2087 cases in state court. So if we click through to state court and then we click on Harris district court, which is where almost all of their cases are located, we get to see all sorts of interesting analytics specifically about the Daspit law firm. So my question to Greg is if you were looking at a plaintiff's firm, what kind of info would you want to know about them if you were opposing them in court?

Greg Lambert ([06:13](#)):

Thanks. Well, one of the things I would want to check is there's really a couple of things that will drive up, say, cost for our clients, and one of them would be who the opposing counsel is. So I want to know as much about that opposing counsel that I can, I want to see what kind of filings they do, who are the people that are most likely that we would go up against and the tactics that they would be able to take. And by looking at their history of how they've attacked certain issues will let me know whether or not I can budget for this to be a normal routine or if I'm going up against somebody that's going to challenge everything that we do. So obviously the more we know about the opposing counsel, the better prepared we can be, not only to address the issue but to communicate with our clients on what to expect.

Andrew Judson ([07:23](#)):

Greg, let me jump in there and ask you to also comment on the use of this law firm data upstream of designing tactics and strategy for litigation, but in also in your biz dev efforts to land new clients. If you, for example, know that you're in a beauty contest to represent a party on a particular matter, how is it helpful to your firm to know how the law firm you're competing with can get that business handled similar cases?

Greg Lambert ([08:03](#)):

Yeah, that's a great question. One of the things that we want to be able to do when we are comparing ourselves to other firms or we want to figure out where we fall in the ranking of how we're handling matters is obviously looking at ourselves and the timelines that we take, how we approach matters, and then compare that to the other firms. We've been able to do this on a federal level for quite a while now, and so the holy grail has always been how do we compare on the state level because a lot of our work, being a regional law firm, is on the state level. And being able to take a list of here's the top five and are we in that top five? Hopefully, we're number one but not necessarily are we. So there's a couple of aspects that we could look at and that is, where are we succeeding and where are we failing and compare ourselves. And a couple of things we could do is, one, is either shore up that information and be able to pitch that to a client or a prospective client of how we're handling that. Or two, this works really well in attracting laterals as well. So if we know there's somebody out there that's doing it really well, they may be very attractive for us to go out and recruit.

Andrew Judson ([09:38](#)):

Oh that's an interesting use case. I'll bet you run the analytics on your own firm in order to be able to brag on your specific expertise with a given 2,232 cases [inaudible 00:09:50].

Greg Lambert ([09:51](#)):

Yeah, that's the easiest thing to do. And we have a great marketing team that helps, and client relations, and so we're constantly looking at what we're doing and who's the top people within our firm on doing that. And we package that and when we go to pitch, that information is right there in the pitch.

Owen Byrd ([10:23](#)):

So at the beginning, Greg mentioned that one of the reasons that they would look at opposing counsel was so that they could look at their litigation strategy and talk about budgeting costs. So looking at this firm, you see that they're almost entirely a personal injury plaintiff's firm, they have 2000 cases and these are only cases filed since 2016, so they filed more than a case and a half a day. But what's really interesting about this is though they have 2018 cases, they only have about 19 cases that have gone to trial. So this firm really wants to settle. So if you come across this firm, you might know that they are looking to settle cases, they're not really looking to go to trial if they can help it. You can also see looking at the resolutions, out of the 20 cases that they've gone to trial, if they go to a jury verdict, they lose more often than they win. They've lost six times and only won twice. They also settle even at the trial phase once they get there.

Andrew Judson ([11:35](#)):

So, in other words, an opposing counsel now with access to this information is able to perhaps design a strategy, if it's the right thing to do, to push toward trial knowing that this law firm is more likely to settle and probably knows that it has had less experience with winning at trial. And that may give your firm a leg up in litigating with or against Daspit because you know more about them than they think you know.

Greg Lambert ([12:18](#)):

Yeah, that's one of the key things is having that information obviously gives you the ability to understand and communicate with opposing counsel with the expectation of how they've reacted in the past. I mean, I don't think I'm telling anybody anything new on this, but sometimes it's good to hear it out loud.

Greg Lambert ([12:41](#)):

If you know you need to play hard ball with them, then you can gear up for that. If you know that they really want to settle and you can come to something that if this is a time sensitive matter and you know that they're more apt to settle, and that's what your client wants to do, then you can counsel them and get to the resolution that works for everybody. So it's the old adage of the more you know, the better that you can attack the situation.

Andrew Judson ([13:14](#)):

Now, Greg, having said that, we try to stay humble about legal analytics. It's a supplement. It doesn't replace traditional legal research, traditional legal reasoning and the accumulated wisdom of your experienced lawyers. And so they're going to have to analyze whatever case is at hand and use what they already know. But what I'm hearing you say is that having this supplemental information, having these insights can perhaps move the needle just a little bit, but it might be enough to set a winning strategy.

Greg Lambert ([13:55](#)):

Yeah. The one thing that I always remind my staff, especially when we're doing analytics, is that attorneys are professional issue spotters. And so you can bring the data to them, you can lay it out to them and they can take that, but they're almost always prepared to handle what they think may hit them outside of what the data's telling them. So it is a tool, but it obviously does not replace the intuition and the experience and

another tool to use to help them work toward a solution. And really that's what we're doing, we're trying to create solutions for the client. And the better the data you have, then the, hopefully, faster you can get to that solution.

Andrew Judson ([14:57](#)):

So the next thing that I want to jump into to show you is a case specifically to show you the value that we've added to these cases in order to build this platform. So let's take a look at one of their trials.

Andrew Judson ([15:17](#)):

So here we have Joseph Miller vs Ross Stores Inc. So there's a lot of things going on in this case page that I want to discuss. So first we have case types, this has an injury or damage case, which we have major case types that were given to us by the state Supreme court that we use that are filterable, but we also have case subtypes as well. So this is an assault personal injury case. We have the judge that this case was in front of, we also have your plaintiff and your defendant, but when you click on those you also get the law firms that they're represented by and the attorneys that are on the case.

Andrew Judson ([16:01](#)):

So here the plaintiff was represented by Daspit and you have the two attorneys from Daspit. The defendant was Ross represented by Ashcraft and you have the attorney listed as well. And this is information that we crawled directly off of the cases with our natural language processing team has done a lot of work to get this information, specifically from pleadings and answers. If you look at a docket entry in the case, we can go and we can look at the actual petition for the case. So this is the original pleading in the case that we get from the clerk's office. And if you scroll to the bottom, you have what we call the SIG block or the signature block at the end of the case. And so what our team does is they're able to extract this information from every single case in both Harris County and Harris district court.

Andrew Judson ([17:01](#)):

So here you have the law firm and you have the attorneys that are listed on the case and you also have attorneys for plaintiff. So we're able to accurately place both the party and the firm together in order to create these analytics. Because this information, we can't get from directly from the court. When the information comes to us, we get the PDFs and the docket and we just get the filing attorney and the parties and that's it. So we add all of this extra information in order to add all this extra value to these cases.

Owen Byrd ([17:34](#)):

So Andy, your team is creating data that is even more accurate and enriched than what is available directly from the court, is that right?

Andrew Judson ([17:47](#)):

That's correct. Right, we add more information that we get from the court in order to make it easier for our users to search for parties, search for judges, search for firms and attorneys.

Owen Byrd ([18:02](#)):

And on your screen, everything that's in blue means that that's a hot link. So if you wanted to drill in and look at the analytics for that specific lawyer at Daspit, you can do that through this interface, is that right?

Andrew Judson ([18:18](#)):

Correct. That's correct, yes. So you could click on the first attorney and you can see that he has no cases in federal court, but 3000 cases in state court. And if you wanted to go farther from there, you could look at him specifically and look at the cases he's been on, look at his trial record, find all of that information here.

Owen Byrd ([18:40](#)):

Well Andy, I know you've got other examples beyond law firm and attorney and I want to stay mindful about our time and invite you to turn to those.

Andrew Judson ([18:51](#)):

Sure. There's one more thing that I wanted to mention here before I move on, and this is about trial damages and resolutions. One thing that we've really focused on for state court specifically is getting trial resolutions, solutions and damages because that's something that no one else can give you. We have a team of attorney analyst who actually read the cases, so the machines have not replaced all of us yet. We are able to go in and look specifically. So this here has a jury charge, and so we will look at the charge itself, which is the document where the questions are asked to the jury, and we go in and we can read the question, we can find out who won, who lost. And most of this is handwritten. And then we can also, we go in and we look at the damages that were granted. So here we have \$90,000 in total damages. And we're able to add that to the case so you can see not only who won and who lost, which is information we wouldn't get from the court, but also the amount of damages that were granted and then also if attorney's fees or costs are added later by the court, we will add that as well. And that's just some of the extra data that we can add to a case.

Owen Byrd ([20:06](#)):

So Lex Machina is able to employ technology, but for those pieces of data that the machine can't handle, you've got experts identifying the accurate information for each case?

Andrew Judson ([20:23](#)):

Correct. A judge because judges in Harris County are elected, and so every couple of years you have new judges coming in, judge turnover is pretty high, and so I thought we could take a look at one of the judges who was elected in the 2018 election. So this is judge Lewis Payne. We can do a search for it. And so here, she is a Harris County district court judge and this is all of the information that we've gathered about this judge. You can see the types of cases that she has overseen since she's been a judge.

Andrew Judson ([21:01](#)):

Something else that I really want to point out here, and we've done a lot of work with judges in these courts, is that there are two judges on a lot of these cases. On almost half of our cases, the previous judge on the court is listed on the case as well. And that's because since judges are elected and they turn over often in state court, a lot of these cases were transferred to her from the previous judge. And that's something else that we don't get from the court. The information that we get from the court is simply we have one judge listed, but sometimes it's the judge originally on the case, sometimes it's the judge who's currently on the case and we don't really have a good way to know that. So we created a canonical list of judges for who was the judge in which court at what time and then we've also matched that with the data that we got from the court in order to give you a comprehensive list of what judge was on which case, at what time for every single case in Harris County.

Owen Byrd ([22:00](#)):

Well, Greg, the analytics about judges in Harris County are obviously new, but your firm has been using judge analytics in federal practice on the Lex Machina platform for a long time. Tell us a little bit about how the

existence of this data improves on the old system, which we're all familiar with of an attorney sending an all hands email saying, "Hey, has anybody ever been in front of judge Payne before?"

Greg Lambert ([22:32](#)):

Yeah, yeah. Well, I mean obviously the easiest thing or rather one of the most valuable things that we get is how a judge will typically rule on certain motions. That's something, again, it's not always, but you can tend to see trends. You can also get to some of the documents behind that and figure out what's going on when maybe the judge, when she deviates from her normal rulings.

Greg Lambert ([23:12](#)):

Now I do want to back up just a little bit because I think there was a couple of things on the last two slides that are really important and that is, one, state court data is messy. I used to work in the Oklahoma Supreme court and we had the County court system, everyone has their own language that they use. And so being able to normalize the data, being able to look at those filings and come up with a standard language is something that you're just not going to get from the court dockets. I mean, even if you had access to everything that the court has, you're still going to have to dive in. So you guys have taken on a yeoman's amount of work to clean up and normalize that data, and that's something that's super important, especially with the state data. And there is no real standard nature of suit at the County levels and so being able, especially as you grow to standardize that is going to be huge for us as well. So that as we're doing our analytics, we're all talking the same language and that's really important. And of course being able to locate additional attorneys and getting the settlements big as well. That helps us immensely. So I just wanted to say that before we get too far.

Owen Byrd ([24:41](#)):

Well we've only got about five minutes left, so I do want to turn it back to Andy to show his additional examples, but I also want to invite folks on this call to use the Q&A interface and submit any questions you may have so that we can answer them or try to answer them in the few remaining minutes we have.

Andrew Judson ([25:05](#)):

So the last thing that I just wanted to show quickly was so if we focus on injury or damage cases for judge Payne, what you'll see is we can do a law firm's report and you can see all the firms that typically practice in front of this judge. If you were interested to see who has the most cases or who is most likely to be in a court if you're seeing these cases, and our old friend [inaudible 00:25:30] is here, they're at the top, again, they've had 71 cases in front of judge Payne. And that's 71 cases in only two years so they're in her court a lot. And you see a lot of the other big firms, especially some plaintiff's firms on this list from Houston, so you can get a lot of extra information. You can click through any of these to see all of those cases specifically in front of that judge, so click at this list we could see all of the cases that Daspit has had in front of this list, which gives you a great resource to do research on opposing counsel if you need it by being able to search all of their cases, look at their pleadings, look at their arguments, and that's something that we do that other people can't.

Owen Byrd ([26:16](#)):

Terrific. Well Andy, you've given us examples of analytics for law firms and attorneys, analytics for judges. What else?

Andrew Judson ([26:30](#)):

I think I'm ready to take questions with the couple of minutes we have left.

Owen Byrd ([26:35](#)):

Okay. Again, let me invite people to present questions through the Q&A interface. One question has come in saying, what other state court analytics do you intend to roll out? And Andy, let me start with you right there in the Houston area, what else will we be doing in Texas?

Andrew Judson ([26:59](#)):

Right. So we are really excited right now, we are launching Fort Ben, both County and district courts this coming Tuesday on the 24th. So that is coming very soon. It will be a great companion court to the Harris County courts. And then we have lots of other courts that we're working on but we're not ready to announce quite yet.

Owen Byrd ([27:20](#)):

Got it. Well, we've spent 10 years making sense of federal district court litigation and essentially have covered most of the major practice areas in federal court, and so it sounds like your team will turn its attention to other state court systems. And while I know most of our attendees are focused on, and probably in Texas and in the Houston area, we've also just launched analytics for Los Angeles and we'll be tackling similar state court systems in major metro regions throughout this year and the next.

Owen Byrd ([28:03](#)):

If anyone else has questions, feel free to submit them. Otherwise, I want to turn to Greg and ask you or invite you to make closing comments.

Greg Lambert ([28:19](#)):

Really, one of the things that we've chased for years, the holy grail of data analytics is getting state information. I know we're just at the beginning of this, but it's a huge deal. And we're lucky that being based in Texas, that you decided to make Harris County and now Fort Ben, one of your first few that you've released. We've always been able to look at federal data, but every time we do analytics and we take it to an attorney, the first thing they're going to say is, "Hey, you're missing the work that I'm doing at the state level" and we have to hold our hat in our hand and go, "Well yeah, that's not really available yet." So this is that first step to getting to that information. And again, with the fact that you're normalizing that information and you're gathering additional data points out of it, that is icing on the cake for us.

Owen Byrd ([29:22](#)):

Terrific. Well, Greg, thank you for joining us today. We appreciate you doing so in these unusual and busy times.

Owen Byrd ([29:30](#)):

For folks on the webcast who want to learn more, Andy and I have a colleague there in Texas, Kyle Doviken, who would be delighted to connect with you and provide an even more detailed demonstration of legal analytics, so feel free to reach out to us and contact Kyle and learn more about Harris County legal analytics. I want to thank my colleague, Andy. Again, thank you Greg for joining us. Encourage everybody to stay in touch and reach out to Kyle if you want more information. And again, thank you for joining this webcast today. So long everybody. Bye-bye.