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Legal Analytics is one of the hot topics in litigation. Join Jeff Dailey, Esq. of Dailey LLP., and Neil Magenheim, Director of Client Relations at Lex Machina, as they discuss how Legal Analytics can help you to improve your business results and better serve your clients.

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- Better serve their clients
- Find new clients
- Increase profitability

Speakers:



Jeff Dailey
Esq.
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Neil Magenheim
Sales Director
Lex Machina

Neil Magenheim (00:00):

Welcome everyone to the Lex Machina webcast, where we will be discussing how legal analytics can help you to improve your business results and better serve your clients. By way of introduction, Lex Machina is legal analytics. Lex Machina's, our client base, our subscribers use Lex Machina to help them win. Our law firm subscribers use Lex Machina and help them win business and help them optimize outcomes on behalf of their clients in their firms. The most recognizable corporate brands and logos throughout the world use Lex Machina to make more informed data-driven decisions on business transactions, on case strategy, on mitigation strategy. Also to select, evaluate and benchmark through outside counsel.

Neil Magenheim (00:56):

[inaudible 00:00:56] everyone and welcome. My name is Neil Magenheim. I am the director of Client Relations here at Lex Machina. I'm really excited to introduce to you our guest speaker today, Jeff Dailey. Jeff spent nearly 20 years at Akin Gump, 10 of them as a partner. He is one of the few attorneys to obtain a full trial defense victory on behalf of one of the world's largest investment research firms. Jeff recently joined up with other big law partners to form a business litigation boutique with offices in New York, Philadelphia, and Delaware. Jeff and his firm are truly changing the way legal services are delivered to businesses, and that is how our paths cross. Jeff, thank you so much for your time today. I know you're busy, we really appreciate it. Looking forward to your insights.

Jeffery Dailey (01:46):

Thanks for having me Neil.

Neil Magenheim (01:48):

Awesome. Before we get into your wealth of knowledge here, Jeff, I'm looking forward to this conversation. Before we get into any specific details, hoping to help kind of frame the conversation a little bit. Maybe you can open up, tell us a little about yourself and your big law experience and how that translates to success and opening your own firm. Any insights you could share there with the audience?

Jeffery Dailey (02:12):

Yeah, sure. I spent, like you said, nearly 20 years at Am Law 100 firm, Akin Gump. I had a fantastic experience there. I loved it. I had the opportunity to work on some fantastic cases, to litigate around the country, to work with some fantastic lawyers. I had access to unlimited resources when you're at a firm like that. I had an opportunity, I saw an opportunity in the market, in the legal marketplace, as well as an opportunity with a couple of particular clients, that led me to, to form our current firm with a few other folks. I was very fortunate to do that. But having that big firm background, I'm very familiar with the resources that big firms bring to bear versus what other firms bring to bear.

Neil Magenheim (03:04):

That's awesome. Thank you. I'm sure your big firm experience and your daily LLP experience, there's a lot of overlap with the types of clients that you're serving. Based on, going back 20 years to when you first started practicing to now, what types of questions are your clients asking? Do you see any changes in what it was like then versus now and how you would go about approaching these questions and answering them?

Jeffery Dailey ([03:33](#)):

Well, I think that the questions are very similar, how you go about answering them has fundamentally changed. I think depending on how long someone's been practicing, and I'm not sure where the natural break is, but I think it's somewhere between 15 to 20 years out. Meaning if you're 15 to 20 years and beyond, you have a recollection of a day when you were going through bankers boxes full of documents, and you had to check your voicemail when you were away from the office and email was being introduced. There wasn't this access to tremendous amounts of data, electronic data. But the questions that clients were asking back then were very much the same. What's the strategy to resolve my particular case? What are my chances of success? Can you give me a ballpark?

Jeffery Dailey ([04:25](#)):

Some of them will even go so far as to want you to put percentages on it, which is always very difficult. But ultimately they'd want to know the strengths and weaknesses. They'd want to know how long is this going to take in this particular court? How long do these disputes sit? Some courts obviously move faster than others. What's your experience or what do you know about this particular judge? What do you know about the lawyers on the other side?

Jeffery Dailey ([04:49](#)):

And so they would want to get the landscape, the lay of the land of all the different moving parts of that particular matter. When I started practicing, you would answer those questions by drawing on the resources. For me as someone who was at a big law firm, you draw on those resources by consulting with the more senior people in the firm. You would walk down the hall and talk to the person with the most gray hair and find out what their experience was with a particular judge. Or somebody with really specific experience in a particular area and what has been their experience, what arguments seem to resonate with judges, what don't?

Jeffery Dailey ([05:28](#)):

Of course you'd do research and you'd kind of start around a conference room table and you'd come up with a whole bunch of different potential arguments, and then your research would flow from there. And then you'd weed out those that are less likely to be successful and you'd focus on the stronger arguments. And you would do that entire process to try to answer the questions of, what are the strengths and weaknesses, what are my chances of success? The timing, judges, all that.

Jeffery Dailey ([05:55](#)):

Now, how get to those answers is very different. We now have access to information that we didn't have access to 20 years ago. Lawyers very much are in the business of information. I mean, what we are constantly providing to our clients is insights into the law. That comes about through our access to information, our ability to interpret that information. So having now at our fingertips data about cases that are in a particular area of law, and what the results are. How long it takes for a typical motion to be decided, and even drilling down further on, well, how long does it take this particular judge to decide this particular type of motion? Figuring out a judge's tendencies. Some judges might like to grant motions to compel arbitration or other types of motions where others might be less apt to do that.

Jeffery Dailey ([06:56](#)):

And so it used to be, you'd get the anecdotal information from the more senior experienced people down the hall and your access to information was limited to that which you could find in reported cases

within the anecdotes of the people that you were working with. Large law firms obviously have access to a lot more people to gather that information from.

Neil Magenheim ([07:21](#)):

Yeah. So many different ways we can take that. That's all acquainted, appreciate the positioning on that. Jeff, how would you say data has leveled the playing field? In two parts. One, going back to your big law experience, where you were a younger associate and you were going to try to find the gray hairs and understand their anecdotal experiences at the time, maybe we can call that anecdota. And then secondarily, how would you say data has and can level the playing field, whether you're a solo practitioner or a smaller firm versus one of those Am Law 100 firms that you came from?

Jeffery Dailey ([08:00](#)):

Well, I think it can certainly level the playing field in that, the advantage to larger firms was more significant before access to data became widespread. Because just by having access to more people with experience in a particular industry, a particular area of law or particular judges and courts, it allowed you to drill down and do that case assessment a lot faster. But now you don't need to get that what you called anecdota, which is a interesting term. You don't need to do that. And so for folks that are at smaller firms or boutique firms, you have that same access to information through products like Lex Machina or other ways to find information. So you can drill down on a lot of this without having the masses.

Neil Magenheim ([08:57](#)):

Yes. I love it. So spot on. Jeff, I thank you for your insights on that. I'm going now to transition over to Lex Machina and we're not going to spend a ton of time going through the platform, but really wanted to discover and talk a little bit more, bring to light, how you can use Lex Machina and data in general and legal analytics to help improve some of these outcomes. As we were preparing for our time together, I thought it was kind of interesting to start the conversation just to help by using data to help find clients. And then finding clients leads to helping clients, et cetera. But what I thought might make sense, given your background is taking a quick look at securities cases. There are filed in calendar year Q2 of 2021. Just take a quick look at here. Let me just break this data down real quick, and then we could launch into it. I'm curious to get some of your insight.

Neil Magenheim ([10:03](#)):

And then we could launch into, I'm curious to get some of your insight here on not only where the cases are happening, but ultimately, who's involved in these cases. Any sort of takeaways you see from this, Jeff?

Jeffery Dailey ([10:17](#)):

Yeah. So when we look at new matters or new clients, I see there's really four critical components to, and different people have different breakdowns, but there's four critical components that you're looking at. It's trying to identify potential ways that you can help clients, whether that's through identifying new filings against a particular client or identifying new trends, and then looking at those new trends. What are the types of claims that are being filed? What are the types of industries that are under attack? Then doing the case assessment that I talked about earlier, that chance of success, the timing, the judges, the counsel.

Jeffery Dailey ([11:02](#)):

And then really drilling down on successful strategies, and so when you look at things like the quarterly securities report. So what are some of the things that I'm looking at when I look at this type of data? I'm looking at what am I seeing? Is there a huge uptick in types of cases, and if there is, what's explaining that, or are there filings against a particular industry or are there particular types of claims being filed, and so let's take the last year, for example. If you drill down on securities cases over the last year, you will see a type of securities case that is relatively new. They're securities cases brought based on statements that people made about their ability to offer products or services related to COVID-19.

Jeffery Dailey ([11:56](#)):

And so if you have a client that either has a claim brought based on that, or you're just tracking the trends to advise your clients on what to say, what not to say, you can drill down pretty specifically on those types of cases. So when I look at this, I'm looking at all that information we talked about before. Who are the parties? So as I'm looking, you have the parties one right now, so you're just scrolling through, you're looking at what are those businesses?

Jeffery Dailey ([12:25](#)):

What types of businesses are being sued, and then you can drill down further what types of claims are being brought against those companies, and so if I'm somebody that represents, and let's just say McDonald's corporation or Peloton, or the top defendants. You've got the Grubhub, is there something unique about the claim that Grubhub or is there something broader going on that's causing people to file these types of claims?

Neil Magenheim ([12:56](#)):

Yeah, that's great, and then you could see it going down that path of, linear path of data here, looking at the high level set of data, we saw 675 security cases that were filed in Q2 of calendar year of 2021, and you can see here how we're able to take it to that next level of analysis. Are there shareholder derivative suits or not, securities fraud suits or not, and it allows you to, like you're saying, to understand the threat or risk pose on these certain types of cases and those claims.

Jeffery Dailey ([13:32](#)):

Right.

Neil Magenheim ([13:34](#)):

Yep. That's great. The next piece that we wanted to dive into a little bit is talking about the case assessment perspective. So if you're representing the defendant in a securities case, you know who the judge is going to be and there's only certain things you can control. So I thought it was interesting to take a look at Judge Connolly and his securities cases in Lex Machina and taking a look at the trend line, but I wanted to start the conversation here a little bit, just get your thoughts on what the trend line tells us, and then start looking at some of the different outputs here. We can start thinking about chances of success and really what are those key insights that you're looking to take away from here?

Jeffery Dailey ([14:25](#)):

Yeah. So when you're looking at trend lines, I mean, if you look historically at securities cases, there's been a shift in the types of cases that have been filed over the years. It used to be your classic

misrepresentations in the financial statements or disclosures in the financial statements or some revelation of a financial fraud or a company going bankrupt all of a sudden, and so there were security cases brought out of that, but now in recent years, you've seen really a proliferation in event driven securities litigation, and those are suits brought out of things like COVID-19, the MeToo movement, diversity initiatives going on and statements that companies make about those.

Jeffery Dailey ([15:10](#)):

So those are what they call event driven litigation. If you look at just the trends in dismissal rates, the trends in dismissal rates between those two types of cases, the traditional cases and the event driven, they're very different, but if I'm going to drill down on the data, whether it's for a particular judge or in a particular area of law, I do want to know how are these cases being handled? Are they being dismissed at the motion to dismiss stage? So this one, you have case resolutions. You have to drill down on some of this information to really understand it, but this'll tell you where have cases been decided at a motion to dismiss? Where they been decided at trial? Where are they settled?

Jeffery Dailey ([15:59](#)):

And so depending on whatever stage of your case that you're at, you can drill down in that particular area. So if I'm preparing a motion to dismiss, I can go there. So I'm representing a defendant. I'd obviously be focused here in the data that's about claim defendant win. I'd be looking at those areas, and so you see, there's a couple of trial victories. There's a couple of judgment on the pleading victories. There's a summary judgment victory. Given the limited set there, I'd probably pull them all and take a look at them in my particular case, especially if I had a case before Judge Connolly. I'd want to get a sense of what are the issues he's decided before? Does he have opinions that deal with market efficiency, loss causation, [inaudible 00:16:42], whatever particular issue is relevant in my case, has he decided that in any of these contexts? So I'd start to drill down here to see what's worked.

Neil Magenheim ([16:53](#)):

That's great. And you mentioned earlier, you're trying to gather, going back to the banker box days at Aiken, trying to get your head around some timing events. Yeah. Your clients are asking you, how long is this case going to take? How much is this case going to cost? So I thought it'd be interesting, just very quickly to highlight some of these timing analytics here in Lex Mach and through the lens of Judge Connolly's securities cases, and so you mentioned contested dismissal, but when you see timing outputs like this, what is this suggesting to you and how can you best leverage this to satisfy your client?

Jeffery Dailey ([17:35](#)):

Well, I mean, the first thing that jumps out at me is he had a whole bunch of cases that terminated early on, and so that means they were either consolidated somewhere else and taken off of his docket, or they were quick strike suits that were settled. I would probably want to drill down on, get a little bit of flavor of why so many cases terminated so early on his docket, but for my particular clients matter, obviously dismissal is important. So I'm looking at how long has it taken him to get there, and so what's great about this is it tells, gives a range of the number of days from when he's decided those dispositive motions, the motion to dismiss. That factors into costs and budgets for clients.

Jeffery Dailey ([18:24](#)):

If you give them a budget, it's going to cost you X. Well, over what period of time because that might matter, but also, they may have relevant company events that they have down the pike so they may

have a need to see cases move faster, and so they could be interested in any one of these case developments for any number of reasons, and so you really want to lay out for them, here's the timeline. Not only here's our strategy, but here's the timeline in which this is likely to play out based on other cases in front of this particular judge.

Jeffery Dailey ([19:01](#)):

And if you find, obviously, there's a range of cases here where some were decided much earlier than others and what is it about those cases? Is my case more like the one he decided motion to dismiss at 254 days, or is mine more like the one that took him 511 days and what happened in that case that took almost two years to decide the motion to dismiss that caused that? Can we avoid that in our case or do we not care?

Neil Magenheim ([19:29](#)):

Those are great points, and you keep, excuse me, keep using the term drill down a little bit. So I wanted to just show the audience very quickly, what that means in Lex Mach, and I clicked on that number there, and you could see here are all of those cases. So what we're doing from a technology perspective is we're building out those charts and graphs that we were just looking at at the case level and in turn, the document and docket entry-level. So if I pull up this case, for example, we could see here's the case.

Neil Magenheim ([20:02](#)):

Here's the case. And we could see that the defendant went on trial and here's the underlying docket entry that supports that particular outcome. All right. So we're just able to continue to start the high level and then work our way backwards and deeper based on the task at hand.

Jeffery Dailey ([20:24](#)):

Right. And so let's talk about that for a second, because earlier I talked about when I started my career, a lot of early stage stuff that we did was you'd get a complaint in a case, you'd sit around a conference room table and everyone would talk about their thoughts of potential defenses or strategies. And then you'd start to map that out, you'd start to do research, you'd start to refine that process. And what you can do now is start to gather up some of those ideas and some of that information prior to sitting down that first time as a team. Complaint comes in, we know it's in front of Judge Connolly, we know it's in this particular court, we know that it's got these particular claims. We can task someone on our team to drill down on those right now so they can come in and instead of initially we're all brainstorming and we come up with 12 ideas and then four or five of them fall to the wayside as we develop our research, someone can come in with some data driven ideas right in that initial meeting when people have done their first analysis of the complaint. So I think you can start to identify, and I do use the term drill down a lot. You can identify and drill down on those successful strategies a lot faster than you could pre-availability of a lot of this information.

Neil Magenheim ([21:50](#)):

That's great. Yeah. One last piece we'll focus on here with Judge Connolly in the spirit of drilling down here and talking about earlier kind of connecting the dots from our previous conversation, which is kind of chances for success. What are the strengths and weaknesses, how long, and various strategy and all the different data points that are at your fingertips. And I think it would be remiss to not share with the audience very quickly, Judge Connolly's motion practice as it relates to his securities cases. Okay, so you can see here, here are the 63 orders issued by Judge Connolly in his securities cases. Okay, so we could

see his grant rate and denial rate as it compares to the national average. Everything from contested dismissal, to stay, to summary judgment. Anything in particular, Jeff, that jumps off the screen at you here, as you think about using this data to connect some of the dots that we've been talking about earlier?

Jeffery Dailey ([22:53](#)):

Yeah. So one of the hard things as a lawyer is when clients say, "What's my chance of success?" Because the reality is it's either zero or 100, unless less the case settles. I guess there's partial victories along the way, but you don't litigate a case 100 times and you've won 70 times out of 100. You litigate it once. And so, I say it's often zero or 100. And when we talk about percentages and you look at percentages like these, they become helpful, but you do have to get behind the percentages a little bit and you have to... You can't take comfort in the fact that for example, contested dismissal, he granted at 88% of the time. That's huge. That's a huge dismissal rate.

Jeffery Dailey ([23:42](#)):

Why is it so high? Has he never seen a securities case that he didn't want to throw out? Or is there something about the nature of the cases in front of him? And so you'd want to... What I like about this is you can very quickly go from the percentage to the breakdown of how it got there. Like what is the raw data that informs whatever particular metric that you're looking at? So I don't now have to hunt and peck for that information. I see that 88%, it jumps off the table. I love it if I'm representing a defendant, I want to be in that 88%. How do I get there? Well boom, I click a button and now I can start going through these cases and finding out how our case might be like one of these.

Neil Magenheim ([24:29](#)):

That's exactly right. That's spot on. And as you were talking, I did click that number seven. So here are the seven motion chains in which Judge Connolly granted contested dismissal in his securities cases. So we can link right out to the case in Lex Machina, you have access to the entire motion chain so you could see how the argument was framed, what was effective or not on either side. So you're right, it gives you... I don't want to say predictability, but it gives you an understanding of the judge, Judge Connolly in particular, kind of his motion practice and great examples, specific examples of what he's granted in this case or not in other cases.

Jeffery Dailey ([25:11](#)):

Yeah. Look, in framing your arguments, the more you can rely on that particular judge's opinions, the better it is. That's what he's going to do. He's relying on his own experience in every case he's in. So the more you can rely on his prior decisions, whether it's in your briefing or in just framing your arguments, the better off you're going to be.

Neil Magenheim ([25:34](#)):

That's right. And I'll just show the audience quickly, here's one of those... Excuse me, cases where he did grant contested dismissal. And you can see here, if we look at the docket entries... Excuse me, here are all 60 of those docket entries, all within Lex Machina's self-contained platform. So you can get right into the complaint here, all the various pleadings and corporate disclosure statements, orders, et cetera, all within Lex Machina. So you can get the high level and then you can get a 30,000 foot view and then get right down to ground level within seconds. And it's all based on those cases that matter most to you,

because this is what your task at hand is, is to figure out a successful contested dismissal strategy in front of Judge Connolly for a securities case.

Neil Magenheim ([26:28](#)):

So let me go back to Judge Connolly's data here. And kind of the third leg of the stool here, Jeff, as we were preparing for our conversation is, and we started hitting on this a little bit. But really ultimately, and we don't have to necessarily need to go into this particular examples here, but when you think about successful strategies, when we were talking about this, we talked about profitability and the ability to drill down and it's my case there. And ultimately, successful strategies leads to better efficiency. And I think you defined it really so eloquently when you said, "Pay bills and repeat work." So I laid out a little bit there. Maybe we can just unpack some of that and just kind of get your thoughts on that.

Jeffery Dailey ([27:21](#)):

Yeah. I have this conversation with clients all the time about... And litigation is an interesting animal for many companies. It's a huge expense to companies, but sometimes it's a necessary expense. And so at the end of the month or at the beginning of the next month when they get their bill, they're going to open it up and they're never going to like having received that bill. No general counsel, no company has ever said, "Yay, this law firm sent me this big bill." But when they look at that bill, you want them to say, "I don't like that I have to pay this bill, but I got the value for that. And the reason I have to pay this bill is not my law firm's fault, it's whoever sued us."

Jeffery Dailey ([28:08](#)):

Or whatever, if there was some... Maybe it wasn't some business person's best day that resulted in the lawsuit, but whatever the cause of the lawsuit was, either just an aggressive plaintiff, industry under attack, employee's not best day. You want them to look at it and say, "Okay, I don't love that I got to pay this bill, but I love that I got value for this." And too often, you look at every general council survey over the last... Every survey that I've ever read since I've been practicing has said, in-house legal councils, one of their number one criticisms is the size of bills, inefficiencies.

Jeffery Dailey ([28:47](#)):

And when you have tools like this and you can eliminate the hunting and pecking for information, you can eliminate, "Oh, I've come up with 15 arguments during a brainstorming session and now we've sent out junior people to research those 15 arguments. And now we've drilled down and after a lot of spinning our wheels, we've drilled it down to seven arguments." That was necessary 20 years ago. That was really the only way you could sometimes drill down to that. Now you can get to that much faster. And the faster I can get to that, the lower the bills I'm going to send, the more likely the client is to say, "Yeah, this was completely justified and I'm going to pay every cent of it."

Jeffery Dailey ([29:30](#)):

And frankly, that's what we've seen. The more that we focus on efficiency in all of our workflows through our firm, focus on efficiencies and how we are trained on and use tools like this, because lack of utilization is a huge problem at law firms. They have access to unlimited resources but their lawyers are often not sufficiently trained on them and that creates inefficiencies. We have found that our clients pay our bills and they pay them on time. When we hear them talk about the bills and having to pay them-

Jeffery Dailey ([30:03](#)):

... when they, when we hear them talk about the bills and having to pay them, their frustration isn't with us, it's with the plaintiffs and with other people. And that's what you want as a law firm, because that's going to result in them looking at you as someone who's conscientious about the work that you're performing for them, the cost of that work. And they're going to look at you as a trusted advisor, a partner that they're going to turn to the next time they have an issue.

Neil Magenheim ([30:27](#)):

That's just so great. I love hearing the approach. It's mindful, it's thoughtful and it works. It's effective. It's fantastic. I'm going to pause for a second and open up some questions and answers to the audience. You can submit those questions via the Q&A link in the bottom of the zoom meeting panel. And I'm going to just go back to the PowerPoint and get over to the Q&A session here. Give it a second as people are starting to put some questions in here.

Neil Magenheim ([31:09](#)):

One question that is coming, Jeff, is step, I think it's a step beyond Lex Machina and legal analytics, but how is technology helps your new firm with collaboration and productivity, and ultimately help you start building out your firm in and achieving your strategic growth goals?

Jeffery Dailey ([31:39](#)):

Well, I mean, the technology is extremely important in that process, but I think you step back, and one of the things that I had an opportunity to do when we founded our firm, was to really analyze how information flowed into our law firm, through our law firm, and then back out of our law firm, whether that's to courts, clients or whatever constituencies receiving information or work product. So as we evaluated those workflows and how information flowed, we were able to identify a whole series of bottlenecks that existed in the traditional model that we then eliminated. Some of it was eliminated by reshuffling people, reshuffling skillsets, and some of it was eliminated through technology. And what technology does, if you've got the right technology, that talks to one another, and that's important, you don't have layers of technology on top of one another, that doesn't integrate.

Jeffery Dailey ([32:35](#)):

But when you have integrated technology, it allows you to gather information from clients, synthesize that information, and then present it to a court, back to the client, to opposing counsel, in really efficient ways. But first, you have to have a really good understanding of that flow of information, who touches it, do we need all these people to touch it? How many times are people touching it? And really trying to get to minimizing the number of touches on particular information, keeping things flowing to eliminate the bottlenecks.

Jeffery Dailey ([33:07](#)):

And technology, I spent a lot of time talking to people who are on the forefront of legal tech, and I've learned about a lot of really interesting products out there. A lot of them we'll never use because they don't help the way that information flows through our firm. And our firm is very specific.

Jeffery Dailey ([33:25](#)):

We're a business litigation boutique, other firms, if you're a corporate, or you're an intellectual property firm or some other type of firm, your needs may be different, but the technology can really fit into that process and workflow. And it's so much easier now to, on day one, have a competitive law firm than it was, I think, 20 years ago. And I spend a lot of time talking to people who have founded firms at different points in time. And I think it's never been easier to do what we've done. I'm not saying the whole world should go out and do what we did, but it's been a fun and exciting time to do it because there's a lot of tools out there to really help you compete at a high level.

Neil Magenheim ([34:12](#)):

A follow up question to that is, what role, Jeff, does technology play in the hiring process, from a onboarding, recruiting perspective, as well as from a retention and satisfaction perspective?

Jeffery Dailey ([34:30](#)):

Well, that's something that we're figuring out. I don't have an answer to that. And we're a relatively new firm. We launched in 2019. We have grown from just a few attorneys to we've doubled in size. So we've been very fortunate to have grown during a period that's been very challenging for a lot of law firms.

Jeffery Dailey ([34:48](#)):

So we are trying to figure out and refine that process. For me, it started, I onboarded myself and we documented that entire process. And so every time that we have added somebody new, we have refined that process. The starting point, I think, is always documenting that process. I did that so I could eliminate myself from the onboarding process as much as possible, as we continued to grow. But there's a lot of ways that you can gather information from people to help you with the onboarding process, but I'm not sure there's... And I'm sure there are tools out there that really are focused on that in and of itself. I have not really integrated those into our firm just yet, so I think that's, for me to fully answer that question, it's probably yet to be determined, check back with me in a couple of years.

Neil Magenheim ([35:49](#)):

Fair enough. And we have time for one last question here, Jeff, I'll be sensitive to everyone's time. What role does legal analytics play compared to traditional legal research? How do you see those two working together?

Jeffery Dailey ([36:09](#)):

Well, they absolutely work together. I see the analytics part as a critical part of legal research. I mean, it's a subset of legal research. And I think it's one, in the world that we live today, is an essential piece. We've integrated it into our firm for the efficiency reasons that I've talked about throughout our time together. So I do think it's a critical part of it. And like I said, I mean, all clients from the time I started practicing, until today, they have the same set of questions. What are my chances of success? What are our strategies to win? How long is this going to take? What's your experience in this area? What's your experience with this judge? What's your experience with these lawyers? And data helps you better answer those questions, where before, you were relying on the anecdotes, now you're relying on actual true data.

Jeffery Dailey ([37:05](#)):

And one example is, for year, I'm in Philadelphia, although I do, we also have an office in New York, and I practice up there. We have folks in Delaware, but Philadelphia is one of those jurisdictions that has been listed as a judicial hellhole. Every year, in the surveys, it's considered a judicial hellhole. And so if you listen to that, you think it's an awful place to try cases, and certain types of cases, it probably is.

Jeffery Dailey ([37:33](#)):

But if you look at the actual data, about trying cases in Philadelphia and I haven't looked at this in a couple of years, but I think just a few years ago, I read the data on it, 51% of all cases that go to trial resulted in defense verdicts. And so when you only relied on the anecdotes that Philadelphia was voted a judicial hellhole, you think I never want to litigate there. But then when you look at the data and you look at, well, geez, maybe this isn't so bad. Why is this considered a judicial hell hole? Well, if I have a certain type of injury case or a certain type of plaintiff or defendant, maybe it is, so maybe I want to try to get out of there. But if I have a different type of case, maybe it's not, maybe I don't want to spend my client's money on removing at the federal court, or trying to jump to another jurisdiction or another county. So data helps you get to those questions and figure out what's a real fight, versus a myth.

Neil Magenheim ([38:36](#)):

That's great. That is all for questions, Jeff. Thank you so much. It's so insightful. I wish we could spend a lot more time together to dig in to some of your experience and expertise and insights. I can't thank you enough. I know you're a busy man, so really appreciate your time and your preparation for this. If you'd like to learn more, you could reach out to me directly. You see my contact information here. And with that, that concludes the Lex Machina webcast today. Thank you.

Jeffery Dailey ([39:16](#)):

Great. Thanks everybody. Thanks Neil.

Neil Magenheim ([39:18](#)):

Thanks Jeff.