



# Business Litigator Uses AI to Hit The Target

## Dremain Moore

Associate at Thompson Coburn

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### About

Dremain Moore is a second-year business litigation associate at Thompson Coburn in Chicago. Drew supports partners and senior associates throughout the litigation process.

"Since I'm a business litigator, my work consists of the many tasks required to keep a case moving. It's my job to be certain that no technical detail is overlooked. This involves researching substantive and procedural issues and distilling rules of law for use in our arguments. Bottom line, I do a lot of reading."

### Goals

Efficiently find cases that fire in a favorable direction to make a point we will raise in our arguments or will likely be raised in an opponent's arguments.

### Approach

Begin with neutral summaries of the law and quickly focus research on persuasive authority in support of the client's position.

## Get to Key Concepts Faster

When Drew is asked to join a file, he takes on a role that is familiar to many litigation associates who have the opportunity to work on high profile cases. "It often turns out that we have a couple of days to turn around a pleading or motion to keep the case on track and pursue your client's case aggressively," Drew said. "When that happens, you really have to be on top of your game, thinking through all aspects, discussing it with colleagues and starting to research as soon as possible."

"A big part of the process is finding the key case or set of cases that summarize legal concepts that can be easily communicated to the senior attorneys I'm working with. You're looking for the decisions that summarize legal concepts into an easily digestible format. And then if those legal concepts are on point for your argument, you have to find similar cases in the same family."

## Find Persuasive Authority Under Pressure

With those pressures in mind, Drew outlined his research process for getting from general statements of the law to winning arguments. "My initial starting point really comes down to being able to find cases that summarize the law in an objective way. That way the team knows what it's dealing with." Then things get a bit harder. "From that vantage point we determine what our argument is going to be. Then you get to the toughest part: determining which cases will persuade the court to rule in your client's favor."

Drew uses ROSS to evaluate the most critical aspect of legal research. "I primarily use ROSS to figure out the persuasive strength of our argument. I use a variety of other research tools--Westlaw is a primary tool here--to map the general landscape. But Westlaw is not really good at filtering general research responses into cases that support specific arguments." Drew regularly deploys the ROSS Find Similar Language function to go from general case law to persuasive authority. "Westlaw just doesn't handle concepts well. So when you're plugging concepts into Westlaw, it just reads keywords and not context. With Find Similar Language, ROSS lets you find similar concepts in other cases in order to get to the best argument faster. The main difference between ROSS and Westlaw is that ROSS is using its background algorithm to build out from what you've highlighted. On the Westlaw side your highlighting is very passive. Find Similar Language is my most used feature right now on ROSS."



## Use ROSS and Stop Shooting in the Dark

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## ROSS Is A Force Multiplier

Drew also identified the distinctive way ROSS helps him focus his research: "When you're making an argument to a court, you want to demonstrate that the argument is not based on a narrow set of cases. You want to show that there are a variety of cases that come to the same result. You want to present a universe of decisions to show that a favorable legal concept is generally applicable.

Say, for example, that I'm looking for a case with very specific wording concerning acceptable service under the Illinois Rules of Civil Procedure. Westlaw might give me the basics, but ROSS delivers a collection of cases that are favorable to our position. ROSS is helping me confirm that Illinois courts have generally reached the conclusion that forms the basis of my argument. So if I need to draft a motion or pleading based on what I've found, I wouldn't merely be relying on the one Westlaw case I found. I would rely on the half dozen analogous cases I found in ROSS.

There is obviously a big difference between the quality of analysis based on one or two cases versus a complete collection of cases. The collection I assemble using ROSS helps me explore concepts from different directions while also helping find favorable decisions to support my specific position. So what ends up happening is that I start in Westlaw to get a few general cases. Then the time I spend in ROSS has a multiplicative effect on my research, increasing its effectiveness two- or three-fold, simply because I'm finding more relevant results.

Before ROSS, my research was based on a lot of trial and error. In Westlaw, you're trying to formulate your search, revise that search, and make it as tight as possible. But the problem is that in the initial phases of research, especially in an unfamiliar area, you're basically just firing into the dark. Since the introduction of ROSS, we're able to close the universe earlier and get very specific faster. ROSS makes it easier to stop shooting in dark and collect cases that are firing in your direction. So something that used to take me three hours in Westlaw I might be able to do in an hour and a half with ROSS.