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Review: TrialDirector Version 5

By Ted Brooks

Technoscore: 4.8

1 = Lowest Possible Score; 5 = Highest Possible Score

www.indatacorp.com**INTRODUCTION**

As a long-time user of TrialDirector, when I first saw version 5, I was amazed at the difference from previous versions. It seems that inData has really focused on making this stuff simple for the occasional user — and after looking at the program thoroughly, I think it has succeeded in its effort.

Now, a TrialDirector user no longer needs to also be a database expert — however, my opinion remains as it has with previous versions: If you have a big, important, high-profile and/or high-stakes case, do not wait until trial to learn a new software program or save a few bucks.

(Disclosure: As a Trial Consultant, I have worked with inData to provide feedback regarding issues and features for several years. I have not been compensated by inData for this, however, inData and other software companies including [Verdict Systems \(Sanction software\)](#) and [Summation](#) have referred work to my firm.)

INSTALLATION

Installing TrialDirector is relatively simple, and has a few options you may want to consider with respect to what goes where — although the default settings will work just fine.

I normally make sure to modify the “Cases” location first (in priority, not installation, order). Rather than burying my database somewhere about 5 levels down in Windows Explorer (C:/Program Files/in-Data/Cases/Case0001), I would rather start with the setting of C:/Cases (or D:/Cases, if running multiple hard drives). I do this by simply creating the new folder named “Cases” at the root of the

C:\ drive. Then, when it's time to create a new case and begin populating folders with images, videos, and documents, I will first create a subfolder for that new case. I will create the new case inside this new case folder (named per the matter), which places a “.dat” file in that folder as well, enabling TrialDirector to “see” the case(s) located within that folder. Otherwise, each new case results in a case folder with the next sequential number. Try guessing which case is in folder “CASE0054”.

Although you can now name the case folder with the name of the matter, this can get messy, and is much better organized in the following fashion: C:/Cases/Smith_v_Jones. The first database created within the Smith_v_Jones folder will be Case0000, next will be Case0001, and so on. This is not the name that you will see in the database — it is only

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the folder name which contains the actual database. One additional advantage is that if you choose to copy the case and all materials to another location, everything stays all together in one place. Caution: stay out of the Case0000 database folder, unless you really know what you're doing. Databases do NOT have “undo” features. You whack it, there's no getting it back.

You can also choose which Program Folder to install to. If you have previous versions and want to keep them installed (I recommend this), let the program defaults create a new group for you. If you don't,

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choosing to install in your existing TrialDirector folder may make it difficult to get to your previous version. I have always kept the previous versions available, especially during upgrades. You never know when you might need to get back to a familiar version and do some “magic.”

COMPATIBILITY WITH EARLIER VERSIONS

Again, I recommend keeping any previous versions of TrialDirector installed. When TrialDirector 5 first came out, as expected, there were a few issues to be worked out. Having the “old standby” ready is always a good plan. Now, inData has worked out the kinks in most of these initial issues, and will roll out another update soon — a good reason to take advantage of inData’s TrialDirector Online Update feature, first appearing in version 4. In the Program group for TrialDirector, you’ll find a link to their Web site which checks their latest version available against the version installed on your computer. If an update is available, you are prompted to download and install. I would recommend shutting down TrialDirector prior to downloading.

TrialDirector 5 has incorporated everything into one running application.

You may have more than one version of TrialDirector installed on a computer, and they will all work fine, but you should only run one version at a time. Otherwise, you end up accessing the same database from two different sources. It may work; it may not — feeling lucky?

Another nice thing is that no matter which version you use, it will still open the last case you were working in — even if you were not working in that particular version of TrialDirector.

INTERFACE/CUSTOMIZATION

The new interface design found in version 5 is such a significant change that users of previous versions may feel lost at first. Everything is still in there — it’s

just been moved around a bit.

The first-time user (assuming all else being equal) will likely dive in and feel right at home.

When I first saw this in development, I wondered, but why? It worked just fine before. But then, so did my DOS operating system (geek-speak for antiquated computing software).

While in previous versions you opened and accessed each program in the Suite separately and individually, TrialDirector 5 has incorporated everything into one running application. Instead of opening another program, you can use convenient tabs located within the program window to access the Case Library (master view), Document Manager (similar to DocumentDirector in earlier versions, for working with exhibits), Transcript Manager (a la DepositionDirector), and Coding. Selecting a tab opens the corresponding window views, similar to what you would find in each individual program in previous versions.

This feature greatly reduces the time it takes to get back and forth between and to start up separate applications. This works fine between Document Manager and Transcript Manager, keeping the active document there when you come back to it, after reviewing some deposition video. When the Case Manager is selected, however, it will close all open folders in the Document Manager. This is not necessarily a bad thing, but something to remember if you just “hunted down” some document. You’ll find it similar to selecting the “All” tab in previous versions. It will not affect the Transcript Manager.

One tab you won’t find is the Query. Instead of an option to view search results in a temporary Query folder (which disappears when accessing the All tab), you can now save your search results in a more permanent folder. In other words, once you select another tab, or shut down and restart TrialDirector, that folder with its results is still there. You may manually delete it if desired. This is a very useful improvement, as you no longer have to repeat or manually save common searches. The option to view the search “hits” one-at-a-time remains available.

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NEW FEATURES

Along with the major changes in appearance and interface, TrialDirector 5 offers a lengthy list of new features, many of which were requested by current users.

One of these improvements is Workbooks. No longer are you restricted to a large group of individual folders in a separate (on top of and always in the way of something else) window, without the ability to create sub-folders. The Workbooks enable you to add folders within folders several levels deep (I stopped counting at 5). However, be careful when deleting Workbooks, as just like Windows Explorer, deleting an upper-level folder will also delete its contents, including sub-folder Workbooks. You may also color-code them for quick visual sorting/organizing.

If you open a case created in a previous version, the folders you created are still there, although they now appear as Workbooks. You can also now color issue-code transcripts, adding the selections into an Issue Workbook. Then you can export these to Word, PDF, etc.

In addition, the clip creation process now features a visual graph of the sound patterns, enabling you to “see” where the speaking begins and ends.

OCR (Optical Character Recognition) files from vendors or in-house scanning software were previously incompatible with TrialDirector. There was an optional add-on module which would enable you to OCR the database, but it would take a considerable amount of time (as does any OCR process), and you could not import “standard” coding data. Now, when loading images, if TrialDirector spots corresponding OCR files, you are given the option to load them. Indexing will take some time, but you can do that at a more convenient time, if desired. It is a very processor-intensive operation.

PRESENTATION

There are a few new options here, but it's pretty hard to improve on TrialDirector's presentation features. One new feature is a movable highlight, similar to the Projection Callout zoom but without the magnification. You can use this to focus

attention on a particular portion of an exhibit or demonstrative, without zooming in on it. Similarly, the Signature tool enables you to zoom and “copy” a selection and continue to show it as you bring up another document for comparison.

TRAINING AND LEARNING THE PROGRAM

inData offers training, as do a number of vendors and Certified Trainers. Even with its great improvements with respect to simplicity, if you really want to get into the “bells and whistles,” of which there are plenty, you might consider getting some training. Often, some valuable experience-related issues are

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shared, offering a more thorough exploration of the program.

Alternatively, one might take the time to explore each menu button to get a feel for what drives this machine. Considering what you plan to use this software for, regardless of whether you opt for training or decide to step through the program one menu at a time, it would be time and/or money well-spent.

THE OTHER SIDE

Three features I liked least of the upgrade:

- A little more time-consuming to do database field editing as a result of changes in the interface.
- The program seems to run a bit slower. I am told by inData that a release will address this issue very soon.
- The Annual Maintenance Program. Although other major litigation support software companies have done this for some time, I'd rather buy the upgrades when I want them.

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Also, in the next version, I would like to see the OCR database use the existing files rather than indexing and creating a new set of OCR text files.

TECH SUPPORT

inData is second to none in this department. I've been working with this software for years, and I have always been very pleased with the response times and solutions to my issues. This is not Microsoft Word. It is a very specialized software application, in which most users never go too far into the bells and whistles. I am an exception, and I have seen updates developed and released within days of my notifying inData of an issue.

CONCLUSION: THE BOTTOM LINE

If you've used TrialDirector before, you're going to like it. If you've never used TrialDirector, you're going to love it.

Can an average attorney or paralegal spend some time learning to use TrialDirector 5 and go to trial? The answer is yes. Would you want to purchase TrialDirector on Friday and then go to trial on Monday? Probably not, but I've heard it has been done.

Other options include hiring a Trial Consultant or Technician to assist with the preparation and/or presentation, should the matter warrant it. Could you call a Trial Consultant on a Friday and expect to be in trial on Monday? Not recommended, but I can tell you with certainty this has happened. Just knowing the software isn't the only issue. A lot of data will

likely need to be prepared and loaded first.

inData has kept its pricing at \$595 per single copy (2 installations), but they have now gone the route of the annual maintenance fee — a common trend in legal software. The downside is you continue to pay each year — the upside is that you never again have to purchase future updates for version 5 (inData's updates often contain new major features, such as version 4.5 last year).

The issues I've noted are actually very minor, and I've been informed we can expect updates soon. Overall, I would give TrialDirector 5 a TechnoScore of 4.8, with TrialDirector retaining its status as the "Gold Standard" in Trial Presentation Software.

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