

Data Analytics, Fastcase 7 and Docket Alarm

By Erin Page and David Nayer

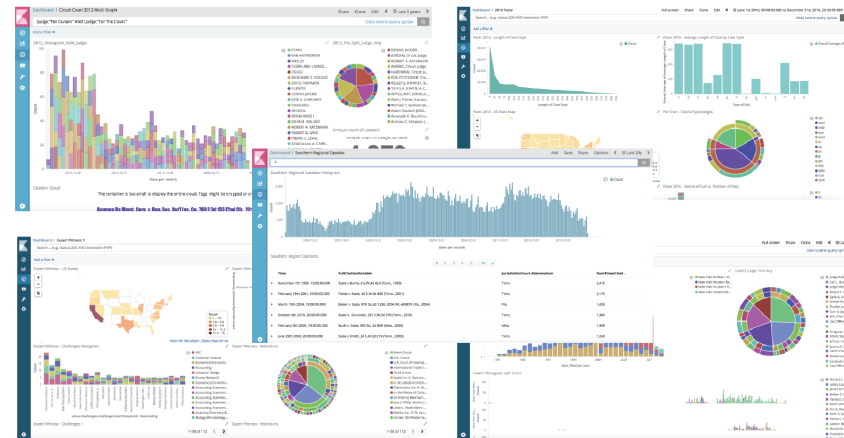
“Statistics are no substitute for judgment.”

— Henry Clay



What are data analytics

- ▶ Data analytics are the interpretation of sets of information (data) which lead to new conclusions that were not visible from the raw data



Type Ahead

<u>marb</u>		
Suggested Terms	Marbury v. Madison	
	Marbury v. Madison (1803)	
Suggested Documents	Marbury v. Madison, 5 U.S. 137, 2 L. Ed. 60, 1 Cranch 137 (1803)	Case Law
	Marbury v. Sullivan, 957 F.2d 837 (11th Cir., 1992)	Case Law
	Marble Design Intern., Inc. v. Stevens, 678 S.E.2d 276, 54 Va. App. 299 (Va. App., 2009)	Case Law
	Burkey v. Marberry, 556 F.3d 142 (3rd Cir., 2009)	Case Law
	Oil Company v. Marbury, 91 U.S. 587, 23 L.Ed. 328 (1875)	Case Law
	Marben v. State, Dept. of Public Safety, 294 N.W.2d 697 (Minn., 1980)	Case Law
	Marble Co. v. Standard Gas Co., 155 Va. 249, 154 S.E. 518 (1930)	Case Law
	Marbury v. Marbury, 352 S.E.2d 564, 256 Ga. 651 (Ga., 1987)	Case Law
	Durham v. Marberry, 356 Ark. 481, 156 S.W.3d 242 (Ark., 2004)	Case Law
	Lissner v. Marburger, 926 A.2d 890, 394 N.J. Super. 393 (N.J. Super., 2007)	Case Law

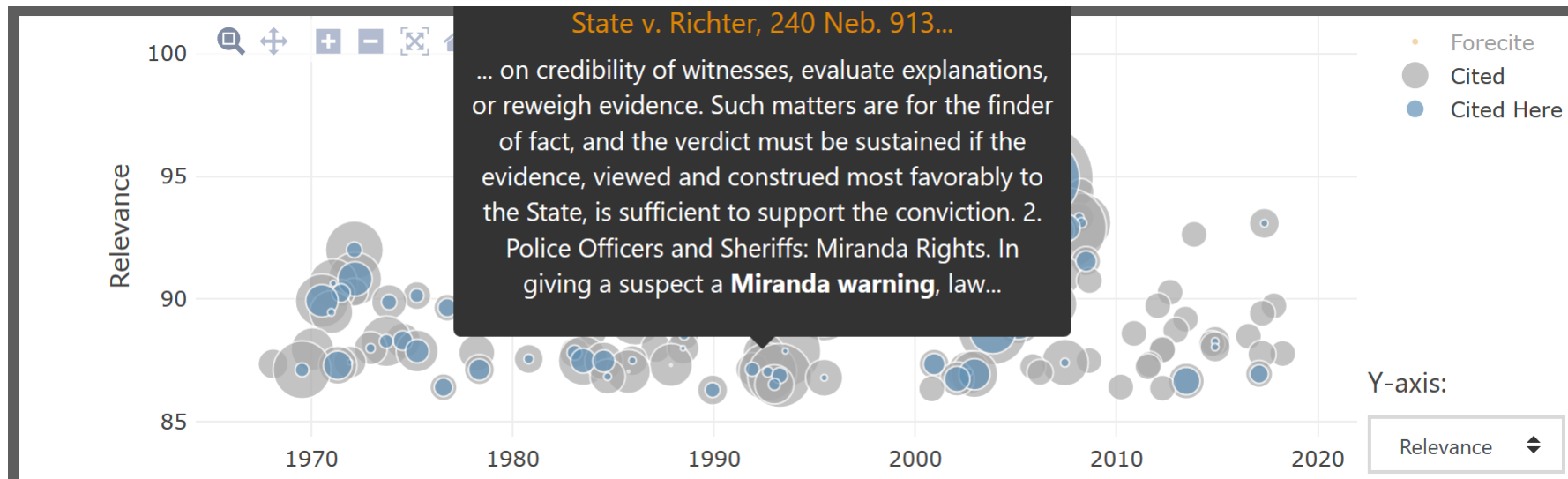
- ▶ Start entering your case name, citation, or search topic and see suggested search terms and specific documents.

Forecite

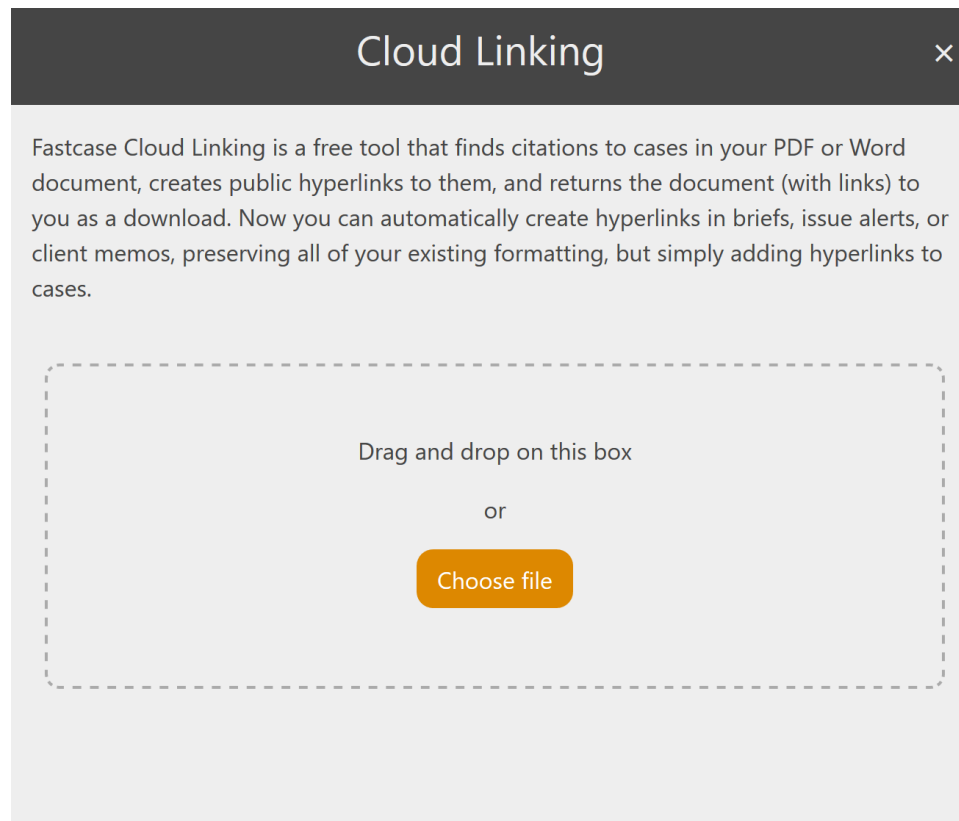
Forecite		
Miranda v. State of A...		
384 U.S. 436	Cited: 50.2k	Cited Here: 6.60k
Strickland v. Washing...		
466 U.S. 668	Cited: 110k	Cited Here: 1.08k

- ▶ Don't forget to check the Forecite information in the Suggested Results pane on the right side of your results screen. This can help you locate cases that are related, but are not located in the original search.
- ▶ The Suggested Results pane can also include suggested statutes and secondary source selections through our partnership with HeinOnline.

Interactive Timeline

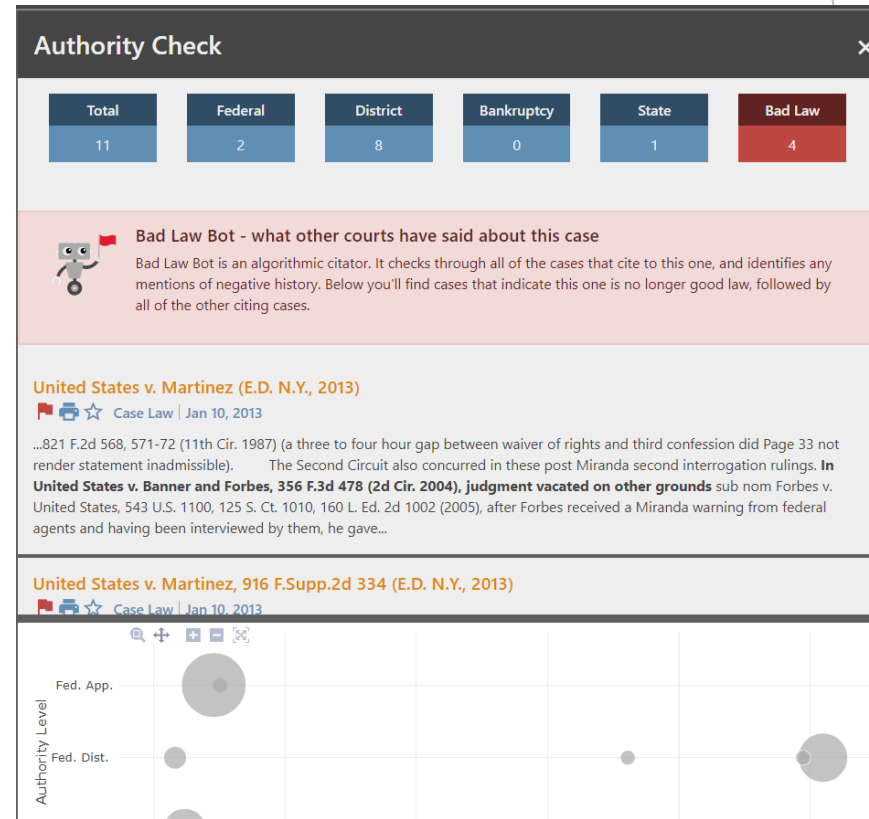


Cloud Linking



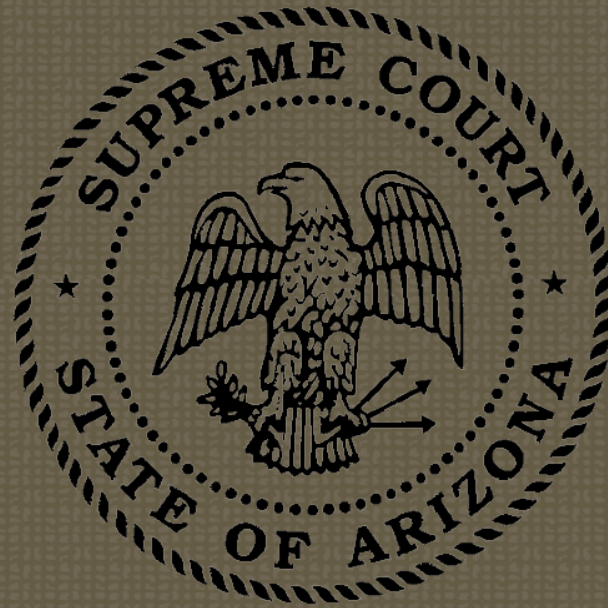
Authority Check

- ▶ Authority Check alerts you to negative citation signals associated with your case, but it also contains a list of all citing cases.
- ▶ This is a good feature to use when you find your first helpful case.



BIAS

What lurks in the black box?



Justice for All

Report and Recommendations of the Task Force on Fair Justice for All:
Court-Ordered Fines, Penalties, Fees, and Pretrial Release Policies

An Timely Challenge

TASK FORCE ABBREVIATED RECOMMENDATIONS

The annotated recommendations are set forth in more detail in the body of the report. Below is an abbreviated list with links to the full recommendations.

1. Authorize judges to [mitigate mandatory minimum fines](#), fees, surcharges, and penalties if the amount otherwise imposes an unfair economic hardship.
2. Use [automated tools](#) to determine a defendant's ability to pay.
3. Create a [Simplified Payment Ability Form](#) when evaluating a defendant's ability to pay.
4. Use [means-tested assistance program qualification](#) as evidence of a defendant's limited ability to pay.
5. Seek legislation to [reclassify certain criminal charges](#) to civil violations for first-time offenses.

The task force discussed concerns of potential bias with the PSA tool when addressing minority populations. This same matter was addressed by the Arnold Foundation when the risk assessment was developed, however, and “researchers found that defendants in each category failed at similar rates, regardless of their race or gender. The results confirmed that the assessment does not over-classify non-whites’ risk levels, which has been a concern in some other areas of risk assessment.”³⁴ While no issues have been found with the PSA instrument to date, some other assessments have been found to be problematic, indicating that this is an area that requires careful and constant examination.

To ensure these concerns are addressed over time, the task force considered requesting that PSA data be periodically reviewed by the Arnold Foundation and, if appropriate, incorporate adjustments to the tool as necessary to remediate any bias found. Additionally, the task force discussed concerns that the PSA does not take into consideration the immigration status of defendants and recommend that additional research be conducted

“

“The court of appeals certified the specific question of whether the use of a COMPAS risk assessment at sentencing ‘violates a defendant's right to due process, either because the proprietary nature of COMPAS prevents defendants from challenging the COMPAS assessment's scientific validity, or because COMPAS assessments take gender into account.’”...

State v. Loomis, 371 Wis.2d 235, 881 N.W.2d 749 (Wis., 2016)

“

“A recent analysis of COMPAS's recidivism scores based upon data from 10,000 criminal defendants in Broward County, Florida, concluded that black defendants “were far more likely than white defendants to be incorrectly judged to be at a higher risk of recidivism.”⁴¹ Likewise, white defendants were more likely than black defendants to be incorrectly flagged as low risk.⁴² Although Northpointe disputes this analysis, this study and others raise concerns regarding how a COMPAS assessment's risk factors correlate with race.”

State v. Loomis, 371 Wis.2d 235, 881 N.W.2d 749 (Wis., 2016)

“

“Northpointe, Inc., the developer of COMPAS, considers COMPAS a proprietary instrument and a trade secret. Accordingly, it does not disclose how the risk scores are determined or how the factors are weighed. Loomis asserts that because COMPAS does not disclose this information, he has been denied information which the circuit court considered at sentencing.”

State v. Loomis, 371 Wis.2d 235, 881 N.W.2d 749 (Wis., 2016)

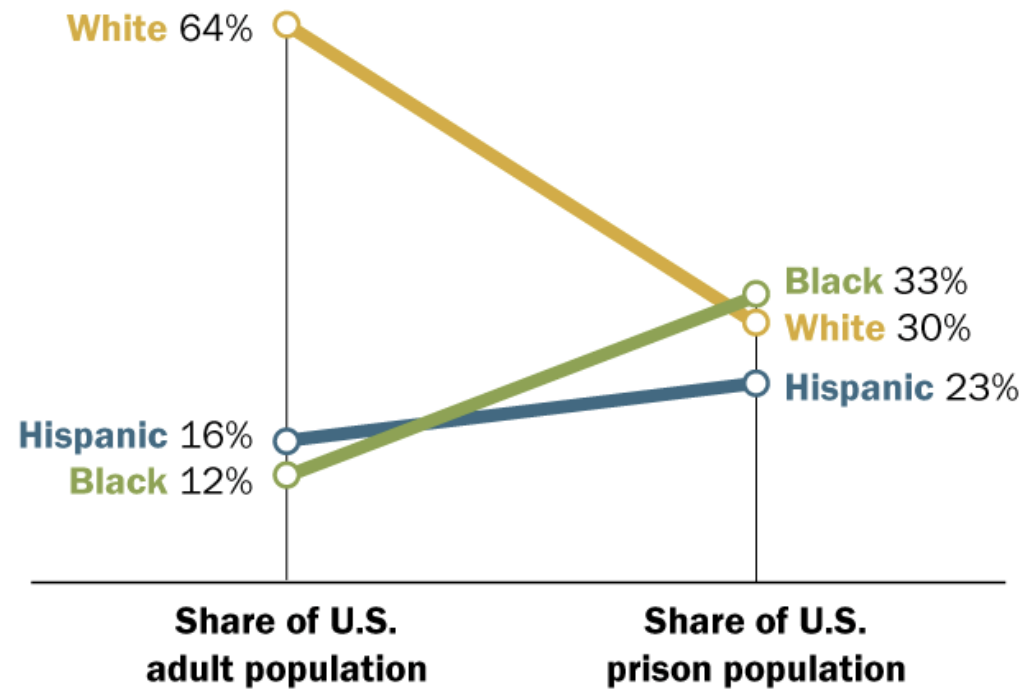
“

"We determine that because the circuit court explained that its consideration of the COMPAS risk scores was supported by other independent factors, its use was not determinative in deciding whether Loomis could be supervised safely and effectively in the community."

State v. Loomis, 371 Wis.2d 235, 881 N.W.2d 749 (Wis., 2016)

Blacks, Hispanics make up larger shares of prisoners than of U.S. population

U.S. adult population and U.S. prison population by race and Hispanic origin, 2017



Dangerous correlations

“

“On this record, we only know that the IRR authorized intensive supervision. We do not know what the IRR is, what factors led to the recommendation of intensive supervision, or whether the factors were appropriate for consideration in the sentencing context. It is impossible to determine whether the IRR was relevant to the question of sentencing within the meaning of section 901.2(1).”

State v. Guise, 919 N.W.2d 635(Table) (Iowa App., 2018)

Washington State Seeks to Root Out Bias in Artificial Intelligence Systems

Author: Brian Higgins

The harmful effects of biased algorithms have been widely reported. Indeed, some of the world's leading tech companies have been accused of producing applications, powered by artificial intelligence (AI) technologies, that were later discovered to exhibit certain racial, cultural, gender, and other biases. Some of the anecdotes are quite alarming, to say the least. And while not all AI applications have these problems, it only takes a few concrete examples before lawmakers begin to take notice.

In New York City, lawmakers began addressing **algorithmic bias** in 2017 with the introduction of legislation aimed at eliminating bias from algorithmic-based automated decision systems used by city agencies. That effort led to the establishment of a **Task Force** in 2018 under Mayor de Blasio's office to examine the issue in detail. A report from the Task Force is expected this year.

At the federal level, an increased focus by lawmakers on **algorithmic bias** issues began in 2018, as reported previously on this website ([link](#)) and elsewhere. Those efforts, by both House and Senate members, focused primarily on gathering information from federal agencies like the FTC, and issuing reports highlighting the bias problem. Expect congressional hearings in the coming months.

Now, Washington State lawmakers are addressing bias concerns. In companion bills **SB-5527** and **HB-1655**, introduced on January 23, 2019, lawmakers in Olympia drafted a rather comprehensive piece of legislation aimed at governing the use of automated decision systems by state agencies, including the use of automated

ARTIFICIAL INTELLIGENCE CAN MAKE OUR JAIL SYSTEM MORE EFFICIENT, EQUITABLE, AND JUST

ARTHUR RIZER* & CALEB WATNEY**

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182 Texas Review of Law & Politics Vol. 23

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Suggested Results

- ▶ As your search phrase and selected libraries change and update, data analytics updates your suggested results to reflect results from libraries you are not currently viewing.

Caselaw Opinions

Johnson v. United States

135 S. Ct. 2551

... the person of another; or"(ii) is burglary, **arson**, or extortion, involves use of explosives, or otherwise involves conduct that presents a serious [135 S.Ct. 2556]potential risk of physical injury...

Stevens v. State

195 So.3d 403

..., Assistant Attorney General, Tampa, for Appellee.SALARIO, Judge.Vernon Stevens appeals his convictions and sentences for first-degree murder, first-degree **arson**...

Partner Suggested Results

Law Journals and ...

11 Crim. Just. & Beha...

... than merely accusations by school authorities, or accusations of more severe criminal activity. However, the presence of the **Miranda warning** also caused subjects to evaluate legal protections...

36 Litigation 21 (200...

... with Gibson, Dunn & Crutcher in Los Angeles, California. LITIGATION Spring 2010 "corporate **Miranda" warning** to everyone you interview during the investigation will help accomplish...

- ▶ Get suggested results from partners such as Hein Online Law review articles, Docket Alarm dockets, and more.

Tag Cloud



- ▶ On the bottom left of your results screen is a semantic tag cloud, which allows you to see words and phrases that appear frequently within your current search. Click on a phrase to refine your search further.

Relevance Algorithm

The screenshot shows a web interface titled "Search Options" with a search bar containing "arson" and a "Search" button. Below the search bar are tabs for "Jurisdiction & Sources", "Guided Search", "Saved Scopes", and "Advanced". The "Advanced" tab is selected, leading to the "Customize your Relevance Algorithm" section. This section includes a warning about skewing results and four sliders for document properties: Responsiveness (set to 8), Importance (set to 6), Authority (set to 7), and Date (set to 4). Each slider ranges from 0 to 10. The interface also shows "Current Sources" as "Entire Database" and a "Document Usage" section at the bottom.

Document Properties	Value
Responsiveness Favors documents that have many of your search terms close together.	8
Importance Favors documents that have been cited many times.	6
Authority Favors documents from sources with greater precedential value, like supreme court decisions or constitutions.	7
Date Favors more recent documents.	4

- ▶ Customize to your preferences
- ▶ Transparent
- ▶ Unique factors

Analytics Workbench

- ▶ A new, user-focused, user-defined approach to legal analytics
- ▶ Specify your own data set, create your own rules - Docket Alarm does the rest



Customizable Analytics

- ▶ Create your own analytics - fully customizable title and sharing settings
- ▶ Define the library your analysis will apply to - any set of cases in the Docket Alarm database
- ▶ Compatible with federal, agency and state courts

The screenshot shows the 'Employment MSJ' analytics configuration page. It is divided into four numbered steps:

- 1 Description**: A text box containing 'Employment MSJ'.
- 2 Library**: A text box containing a complex query: 'is:pacer court:(Michigan and not bankruptcy) and not "case filed" and docket:cv nos:employ! and (motion w/10 ("summary judgement" OR "summary judgment" OR "summary disposition"))'. Below the box, it says '515 dockets selected.'.
- 3 Outcome Tags**: A tag labeled 'MSJ Granted'. Below the tags are two buttons: 'Edit Outcome Tags' and 'Test'.
- 4 Run Your Report**: A purple box with an eye icon and the text 'Visualize Results'. Below this, it says 'Completed processing on 7/30/2018, 4:38:28 PM.' and a green 'Run Again' button.

At the bottom right, there is a 'Publish your report' section with a 'Copy link' icon and a dropdown menu set to 'Public'. A 'Delete' button is in the top right corner.

Create Custom Tags

- ▶ Define your own tags - the legal events and outcomes that Docket Alarm will search for
- ▶ Use Boolean searching to detect outcomes on a document
- ▶ Test your rules by applying them to a sample case

The screenshot shows the 'Tag Editor' interface. At the top, there's a blue header with the title 'Tag Editor'. Below it, a navigation bar contains a back arrow, a 'Test Outcome Tags' button with a magnifying glass icon, and a forward arrow. The main content area has two tabs: 'Setup' and 'Tags', with 'Tags' being the active tab. Under the 'Tags' tab, there's a section 'Select Tag to Edit' with a dropdown menu showing 'Msj Granted' and a 'New Tag' button. Below this is the 'Edit Tag Details' section. It includes a 'Tag Name' field with the text 'MSJ Granted'. Under 'Tag Outcomes', there's a dropdown menu showing 'Denied'. At the bottom, there's a table with two columns: 'Field' and 'Value'. The first row shows 'Contents' in the 'Field' column and '("summary judgement")' in the 'Value' column. To the right of the value is a small grid icon and a pencil icon. Below the table is an 'Add Condition' button.

Tag Editor

Test Outcome Tags

Setup Tags

Select Tag to Edit

Msj Granted

+ New Tag

Edit Tag Details

Tag Name

MSJ Granted

Tag Outcomes

Denied

Field	Value
Contents	("summary judgement")

+ Add Condition

Visualize your data

- ▶ Docket Alarm automatically applies your tags to the library of documents you specialize
- ▶ Visualizations are automatically generated
- ▶ Data points are linked to the underlying documents

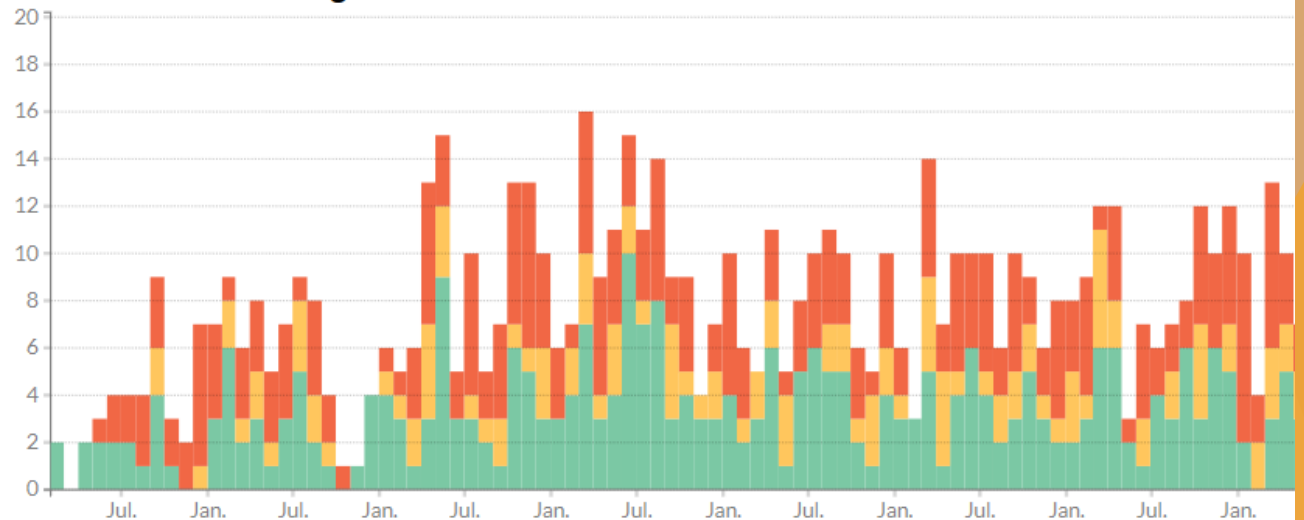
Preliminary Injunction

For All Time

58%



Month-to-Month Histogram





Data Analytics in the AI Sandbox

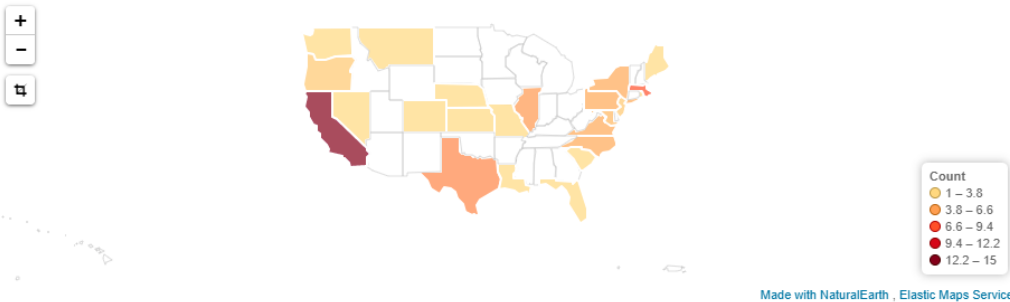
- ▶ Upload the datasets *you* want to analyze.
- ▶ Combine datasets from various partners.
- ▶ Create custom data visualization dashboards to provide your organization with unique analytics.



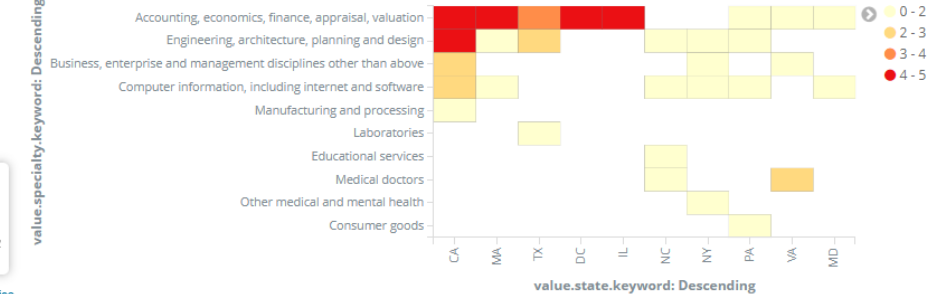
Expert Witness Data

From:  Courtroom Insight &  JurisPro® Expert Witness Directory
Where attorneys look to find experts

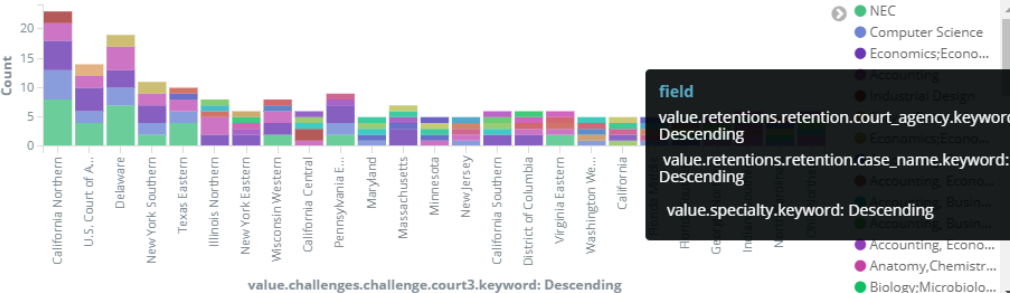
Expert Witness - US States



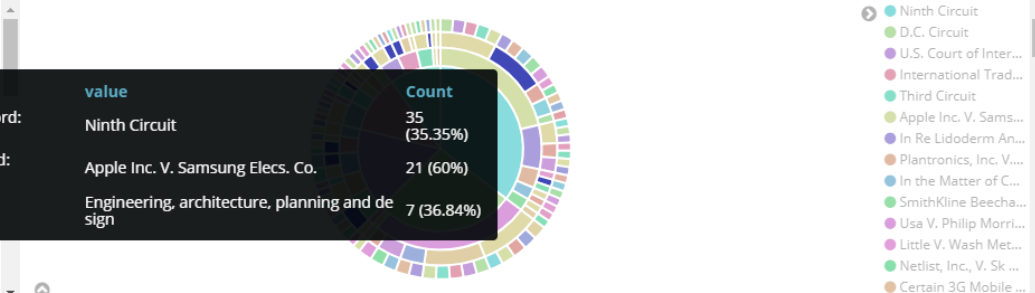
Expert Witness - Heat map



Expert Witness - Challenges Histogram



Expert Witness - Retentions



Expert Witness - Challenges 1

1-50 of 112

value.first_name	value.last_name	value.challenges.challenge.court1	value.challenges.challenge.court2	value.ch
James	Hughes	-	-	-
Jeffery	Stec	-	-	-

Expert Witness - Retentions

Michael	Davidson	Medical doctors	-	Hon. Matthew F. Kennelly
John	Freese	Medical doctors	-	Hon. Nora Barry Fischer
Marcus	Paltian	Communications and data transfer	British Columbia	-
Robert	Murphy	-	-	-

MARC STAMPER (SBN 131152)
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Fresno, California 93711
Phone: (559) 436-1753
Facsimile: (855) 866-7834

E-FILED
1/19/2017 9:24:05 AM
FRESNO COUNTY SUPERIOR COURT
By: C. Cogburn, Deputy

Attorneys for Defendant, ALLAN A. DAVIS (erroneously sued herein as ALLEN A. DAVIS)
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF FRESNO
JIRAIR JERRY EKEZYAN,
Plaintiff,
vs.
ALLEN A. DAVIS; and DOES 1 to 25, inclusive
Defendants.

Case No.: 16 CE CG 03545

ANSWER TO UNVERIFIED COMPLAINT

Complaint filed: 11/02/2016

Trial Date: TBA
Assigned Dept: TBA
Assigned Judge: Jeffrey Y. Hamilton

COMES NOW Defendant, ALLAN A. DAVIS (erroneously sued herein as ALLEN A. DAVIS) and answers Plaintiff's Unverified Complaint on file herein as follows: Pursuant to Code of Civil Procedure Section 431.30(d), the answering Defendant generally denies each and every allegation of the unverified Complaint and, further, denies that he is liable or obligated to Plaintiff in any amount or amounts at all.

FIRST AFFIRMATIVE DEFENSE TO ALL CAUSES OF ACTION

The unverified Complaint, and each cause of action therein, fails to state facts sufficient to constitute a cause of action against this answering Defendant.

SECOND AFFIRMATIVE DEFENSE TO ALL CAUSES OF ACTION

Defendant is informed and believes, and thereon alleges, that the injuries and damages allegedly sustained by Plaintiff were, all or in part, proximately caused by the negligent or tortious conduct of persons or entities other than the answering Defendant. Said negligent conduct is either imputed to Plaintiff or comparatively reduces the portion of the alleged negligence, if any, and

Ekezyan v. Davis Answer to Unverified Complaint Case No. 16 CE CG 03545
(16-030826)

corresponding liability, if any, of this answering Defendant.

THIRD AFFIRMATIVE DEFENSE TO ALL CAUSES OF ACTION

Defendant is informed and believes, and thereon alleges, that the injuries and damages allegedly sustained by Plaintiff were, all or in part, proximately caused by the negligent or tortious

New Analysis Task

Task Name

Description

Task Name is required



Add New Data Set

Search...

Search Tags



Search



Reset

California documents

Filename

5 Items Selected

Clear Selected



Darlene Andrews vs. Wal-Mart Stores, Inc., 16CECG03566, Notice of Settlement filed (Cal. St., Fresno Co., Super. Ct. Jul. 13, 2017) - 2019-06-11T16:45:38.543Z.txt

California documents

4.83 KB



Gloria Estillore vs. Trustee's Assistance Corporation (TAC), 16CECG03525, Proof of Service (Cal. St., Fresno Co., Super. Ct. May. 24, 2017) - 2019-06-11T16:45:38.542Z.txt

California documents

3.22 KB



JIRAIR EKEZYAN vs ALLAN DAVIS, 16CECG03545, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 19, 2017) - 2019-06-11T16:45:38.540Z.txt

California documents

6.47 KB



Kelsey Saunooke vs Monique Rivera, 17CECG01011, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jun. 27, 2017) - 2019-06-11T16:45:38.522Z.txt

California documents

9.4 KB



Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt

California documents

10.2 KB

Items per page: 10

1 - 5 of 5



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Comprehend Task Details



Entities



Key Phrases

Filename	Text	Type	Score
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	1/17/2017 2:24:36	DATE	97.62%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	J. Phillips	PERSON	99.68%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	Todd B. Barsotti	PERSON	98.47%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	148862	OTHER	80.04%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	Todd B. Barsotti	PERSON	99.71%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	1/17/2017 2:24:36 PM	DATE	92.91%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	6780 North West Avenue, Suite 102 Fresno Cahifornia 93711	LOCATION	93.09%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	(559) 226-2100	OTHER	99.27%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	J. Phillips	PERSON	99.62%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	(559) 226-7636	OTHER	99.96%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	S. Stamoules	PERSON	86.6%
Steven Alfieris vs.S. Stamoules, Inc., 16CECG03460, Answer Filed (Cal. St., Fresno Co., Super. Ct. Jan. 17, 2017) - 2019-06-11T16:45:38.522Z.txt	California	LOCATION	97.3%

Close

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