



Agenda Item 29

DATE: February 24, 2015
TO: Board of Supervisors
FROM: Lisa A. Smittcamp, District Attorney-Public Administrator
SUBJECT: Agreement with LexisNexis for Legal Research

Lisa Smittcamp

RECOMMENDED ACTION:

Approve and authorize the Chairman to execute the LexisNexis Subscriber Agreements for legal research and public records database access for the period of March 1, 2015 through February 28, 2018 (\$100,590).

This will allow the District Attorney-Public Administrator's Office to continue to conduct the legal research necessary to perform their job duties, with no additional net County cost.

ALTERNATIVE ACTION:

If the Agreement is not executed, the District Attorney-Public Administrator's Office will not have access to a legal research database.

FISCAL IMPACT:

There is no increase in net County cost associated with this action. Since this is a continuation of an existing service, adequate appropriations are included in the FY 2014-15 District Attorney-Public Administrator Org 2860 Adopted Budget. The current Agreement with Westlaw is \$36,982 per year. The recommended LexisNexis Agreement is \$32,544 the first year with a 3% increase for year two and year three. If approved, this Agreement will reduce legal research costs by 12% over the next twelve months.

DISCUSSION:

The District Attorney-Public Administrator was previously part of a multi-agency Agreement with Westlaw for legal research services. The current Agreement with Westlaw approved by your Board on February 21, 2012 will expire at the end of February 2015.

ADMINISTRATIVE OFFICE REVIEW

Jeanne Z. Dixon

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Official Action of
Board of Supervisors
Susan Bishop
Deputy

APPROVED AS RECOMMENDED

UNANIMOUS ☒ BORGES _____ MENDES _____ PACHECO _____ PEREA _____ POOCHIGIAN _____

There are only two vendors capable of supplying the legal research and public records database necessary for a law office: Westlaw and LexisNexis. The District Attorney-Public Administrator's (DA-PA) Office accepted proposals from both vendors and assembled an evaluation team that was comprised of four attorneys, two management staff, and one Information Technology (IT) analyst. During the selection process, the evaluation team was allowed access to both products on a trial basis. The team met to discuss their findings and found LexisNexis better met the needs of the DA-PA's Office. LexisNexis offered a lower cost than Westlaw and offered a superior product for the needs of the department both in content and software user interface.

The proposed Agreement with LexisNexis will allow legal staff to access electronic research databases in order to conduct legal research, prepare and respond to legal motions, argue to the court, maintain competence as the law changes, and locate witnesses. The Lexis for Microsoft Office is an added feature that integrates with Microsoft Outlook and Microsoft Word to drastically reduce the time it takes to draft or respond to legal documents. Other unique offerings include Lexis Advance platform, access to full Witkin library databases, briefs, pleadings, motions and online access to LexisNexis books. These tools improve efficiency and have repeatedly demonstrated their cost effectiveness. Additionally, this research and database service helps alleviate the need for paperbound books and journals necessary to perform these functions, thus reducing library costs and saving staff time through the elimination of manually updating resources.

The Agreement with LexisNexis consists of three separate documents requiring signature: (1) LexisNexis Subscriber Agreement (the base licensing agreement including monthly costs), (2) Lexis for Microsoft Office end user license agreement and (3) Contract Addendum which amends and supplements the terms of the LexisNexis Subscriber Agreement.

The DA-PA worked diligently with LexisNexis to arrive at a cost that is less than the costs under the current Westlaw contract. The reduction in cost per month combined with the increased content made it superior to the WestLaw product. The cost in the first year of the LexisNexis contract, which includes Lexis for Microsoft Office, will be \$2,712 per month. The recommended Agreement contains annual increases of three percent each year for years two and three.

REFERENCE MATERIAL:

BAI #27, February 21, 2012