



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Richard Doyle  
City Attorney

**SUBJECT:** Westlaw Online Legal  
Research Service

**DATE:** December 1, 2005

## **RECOMMENDATION**

Adoption of a resolution authorizing the City Attorney to negotiate and execute a three-year agreement with West Publishing Corporation, doing business as Thomson West, for Westlaw online legal research service, in an amount not to exceed \$150,000.

## **BACKGROUND**

The City Attorney's Office performs legal research using a variety of resources including an online service. The Office has contracted with Westlaw over the past 21 years for online access to a variety of legal databases including statutes, cases, public records, and business information. When the most recent three-year Westlaw agreement expired on June 30, 2005, the Office issued a Request for Quotes from Westlaw and Lexis-Nexis, the other major online legal research vendor.

## **ANALYSIS**

Over the past four months, the City Attorney's Office had online access to both Westlaw and Lexis-Nexis. This enabled staff to conduct a side-by-side comparison of the databases, as well as evaluate the services for ease of use. The resources offered by each vendor are comparable and it was determined that either service would meet the legal research needs of the Office. However, the Office is recommending Westlaw for three reasons. First, the Office's matter management and document management systems include features that integrate with Westlaw only. Second, transitioning to Lexis-Nexis would result in a short-term loss of productivity as it will take time for staff to become fully trained on the new service. Finally, the City would realize a cost savings as the Westlaw proposal is approximately \$9,336 lower than the Lexis-Nexis proposal over the term of the three-year agreement.

The proposed Westlaw agreement is based on a flat rate of \$3,705 per month for the first year, \$3,780 per month during the second year, and \$3,855 for the final year. These rates represent a 20% decrease from the rates in the prior agreement. The flat rate plan includes access to the majority of databases used by the Office, and results in substantially lower costs to the City than rate plans based on actual time used or actual

number of searches performed. Additional costs to access premier databases not included in the flat rate plan are charged on a per search rate. It is occasionally necessary for staff to access the premier databases; however, this use is kept to a minimum. The total amount of the recommended agreement includes additional funding for costs incurred to access premium databases, which average \$300 per month.

**OUTCOMES**

Approval of this three-year agreement will provide the City Attorney's Office with continued access to the Westlaw online legal research service.

**BUDGET REFERENCE**

The full cost of this agreement will be funded from the City Attorney's Office 2005-2006 non-personal appropriation.

**PUBLIC OUTREACH**

Not applicable.

**CEQA**

Not a Project.

RICHARD DOYLE  
City Attorney

By  \_\_\_\_\_  
Daniel Tong  
Chief of Staff

cc: Del Borgsdorf