

# LEGAL MANAGEMENT

THE MAGAZINE OF THE ASSOCIATION OF LEGAL ADMINISTRATORS

## OM Feature

OPERATIONS MANAGEMENT

# Big Data Technology Brings Ease to E-Discovery

Compiling case evidence is complex. These solutions can help.

These days, evidence in a case is not going to be primarily from tape recorders or handwritten notes. Instead, it'll reside in emails, social media accounts and on websites. Lawyers must have the capability and support that's necessary for collecting this data to successfully use it in their cases.



**KYLIE ORA LOBELL**  
Freelance Writer

*"While storage of data is becoming easier to manage affordably, its proliferation is a major information management and litigation risk. We are far past the days when all information potentially relevant to a matter could fit into a law firm conference room."*

**ANDREW GUILBERT**  
Senior Manager,  
Deloitte Discovery

"The simple fact is that data is expanding at an exponential rate every hour of every day," says Andrew Guilbert, Senior Manager at Deloitte Discovery. "While storage of data is becoming easier to manage affordably, its proliferation is a major information management and litigation risk. We are far past the days when all information potentially relevant to a matter could fit into a law firm conference room."

When lawyers take on clients and cases containing a large amount of data, they may not know where to turn for guidance. By going hands on and utilizing big data technology and software, or by hiring an e-discovery firm, lawyers can retrieve the information they need to support their cases.

### FINDING THE RIGHT PLATFORM

If lawyers want to keep e-discovery in-house, they can use software from a number of different providers. "What software is appropriate for your case depends on your budget, the level of functionality you need, the value of your case and other factors from your client that might influence how much you want to spend," says Kelly Twigger, Founder of ESI attorneys. "You'll also have to look at how much staff you have in-house to support the product versus outsourcing."

Here is some of the available software currently on the market being used by law firms and e-discovery businesses alike.

#### 1. SYMANTEC'S CLEARWELL EDISCOVERY PLATFORM

Symantec boasts that their Transparent Predictive Coding — which offers "increased accuracy, workflow defensibility and tagging transparency" — can save attorneys time and cut costs by up to 98 percent when it comes to document review. There is an audio processing and review tool that allows attorneys to seamlessly search through videos and audio files for the data and evidence they need as well. IT departments can manage all the data from an intuitive, simple to use interface, according to Symantec's website.



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## 2. ACCESSDATA

Since 1988, AccessData has provided lawyers with legal review software. Today, their product Summation includes data management and assessment, a case organizer, advanced data visualization graphics, email threading and near duplicate analysis, and an offline mobile case review. Summation is for lawyers who already have their data, but still need to review and organize it in the easiest way possible.

## 3. RELATIVITY

Relativity is a platform that helps lawyers from start to finish with e-discovery. It lets them collect the data, put it all together and review it with their team whether they're in the office or on the go. There is even a workflow tool where multiple users can see exactly what's going on with a case. This is helpful for both clients and lawyers to stay in the know. "I've used Relativity a fair amount and that's a document review platform I'm comfortable with," says Heather Richardson, Associate Attorney at Gibson Dunn.

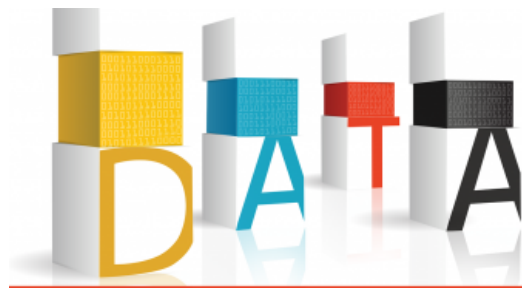
## 4. EXTERRO

Like Relativity, Exterro lets its users collect, manage, review and analyze their data. According to the website, their software lowers costs by up to 80 percent, and it integrates with numerous IT tools in the human resources and matter management departments. Exterro also offers data mapping and an employee change monitor, which shows when personnel changes to the data occur.

## HIRING HELP

Lawyers may not have the in-house employees to handle e-discovery even if they have the right software in place. If they can afford to pay for the support, they should consider hiring an e-discovery business instead.

When looking for an e-discovery provider, lawyers should start with the actual employees who will be working on the case. ["We hire] a blend of people who understand the legal side of our business," says Garrett Bendel, Chief Operating Officer at Complete Discovery Service (CDS) Legal. "There are employees working in technology who have been around the law, folks who were practicing attorneys and people who spend many years inside the law firm supporting cases."



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Lawyers also need to ask e-discovery businesses about the security precautions they're taking with the sensitive data. They should inquire whether the data is being stored on private servers or on the cloud, and who within the company has access to the data.

Of course, lawyers should practice patience throughout the whole collection process, as there are a number of things that could go wrong or need fixing. "[This includes] anything from corrupt files, to data not being sorted correctly or being in a proper format, or just not functioning correctly," says Twigger. "Technology is constantly going awry."

Lawyers need to be taking precautions on their end, too. They need to protect their data with firewalls, and use the appropriate application security tools, says Guilbert. This might involve limiting access with passwords and tracking to see who's been accessing the data.

## **E-DISCOVERY KEEPS EVOLVING**

Though the amount of data out there may seem overwhelming, lawyers can use it to their advantage. Through e-discovery, they're able to find accurate evidence, and have the support they need to win their cases.

"As an e-discovery practitioner, these are exciting times," says Guilbert. "There is always a new challenge around the corner and with it the opportunity to build new tools or apply time-tested tools to help our clients address complex — often global and always unique — discovery issues."

## **ABOUT THE AUTHOR:**

**Kylie Jane Wakefield** is a freelance writer living in Los Angeles. She covers legal issues, blogs about content marketing, and reports on Jewish topics. She's been published in *Tablet Magazine*, *NewsCred*, *The Jewish Journal of Los Angeles* and *CMO.com*.

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