eDiscovery: a smarter way to get the data

Ensuring credibility and cost control

eDiscovery data search and delivery systems can offer a faster, cheaper and more efficient approach to evidence review and disclosure. But if eDiscovery isn't used properly, key data can slip through the net, which could leave you open to legal challenges. So how can you ensure your evidence data management is credible, as well as cost-effective?

We live in an age of both ever greater litigation and escalating data proliferation. In fact, the two now go hand-in-hand as the amount of evidential data needed to support a successful legal case is rising all the time.

In many instances, the key to resolving commercial disputes is locked away in vast quantities of raw and jumbled data. Your firm may also be facing increasing requests for evidence disclosure, which would require you to locate and select the necessary evidence from an array of disparate data sources.

Sifting through all this data by hand is no longer feasible. It's needlessly costly and ties up valuable professional time. Manual review can also delay cases and heighten the risk of error or missing key leads. Clients are no longer prepared to accept either the costs or the potential for hold-ups and mistakes, and will therefore want a faster and more responsive approach.

eDiscovery can cut data review time by up to 50%

eDiscovery search and delivery systems offer a smarter and more efficient way to capture the data behind the case. They can also speed up evidence selection and sharing. But what's becoming increasingly clear from our wide-ranging work with legal firms is that eDiscovery isn't the magic bullet that vendors claim or many lawyers believe. Systems may not always be able to cope with demand and key evidence can still be missed. eDiscovery is useful, but it certainly needs adaptation, augmentation and expert input to ensure legal credibility and cost-effectiveness. So how can your firm realise the full potential of eDiscovery?

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How can your firm realise the full potential of eDiscovery?

Increased agility: helping you meet demand

Systems are being stretched to the limit. Your firm can easily find itself swamped in requests, which forces you to fall back on manual review. This problem is especially common when you're using an in-house platform, which can struggle to keep pace with the surge in data volumes and requests. One solution is moving to a more flexible and regularly updated software such as a service (SaaS) platform, which would make it easier to respond to changing demands, while reducing upfront investment.

Peace of mind: reliable, comprehensive evidence

Any gaps in disclosure could leave you open to legal challenge. But the way eDiscovery systems are often deployed could miss a lot of key data. Common gaps include deleted emails or communications from former employers, which may not be picked up by system administrators within your clients. Given the risk, it's important to adopt a more comprehensive, forensic approach to data collection and selection, which would, for example examine back-ups, deleted message stores and other potential sources of key evidence.

Improved accuracy: high quality data

eDiscovery cuts the risk of the wrong or incomplete data being collected or of its significance being overlooked. With high-quality data, your lawyers stand a better chance of securing a successful outcome in court. But effectiveness depends on the availability of clean and usable data. Common problems include duplication, poor filtering and incompatibility between different systems, all of which can slow down review, or increase the risk that key evidence is missed.

New capabilities are now coming on stream that increase data standardisation and allow for more active and effective monitoring of the review process. Developments in eDiscovery deployment mean that if selected evidence is lost during the process, it can also be recovered without having to go through all the data once again.

Expert input: combine expertise across jurisdictions

With so many cases and evidence requests cutting across multiple borders it's important to have people on the ground who understand both the legal requirements and the technical operation of IT platforms and eDiscovery systems.

The latest developments in the application of eDiscovery are faster, more responsive and more reliable. Moving quickly to take advantage of these opportunities would give your firm an important competitive edge.

Leading eDiscovery

Our expert eDiscovery service can help your business to meet client demands for speed of service, value for money and the preparation of robust, data supported cases.

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For more information on how eDiscovery can benefit your business, please contact:
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