

Litigation Readiness for Corporations: How Prepared Are You?

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- ▶ Why effective search and analysis strategies matter in litigation readiness
- ▶ Key issues to consider in developing an eDiscovery framework
- ▶ Designing a defensible, cost-effective, and efficient process
- ▶ Case studies
- ▶ Realizing return on your litigation readiness investments

- ▶ Software that matches the needs of the corporation and complements in-house legal and IT capabilities
 - Scalability and reach
 - Dynamic concept search and fine-grained analytics
- ▶ Defensibility
- ▶ Cost containment
- ▶ Human, non-technological challenges
 - Deficient knowledge transfer
 - Lack of quality assurance
 - Lack of consistency

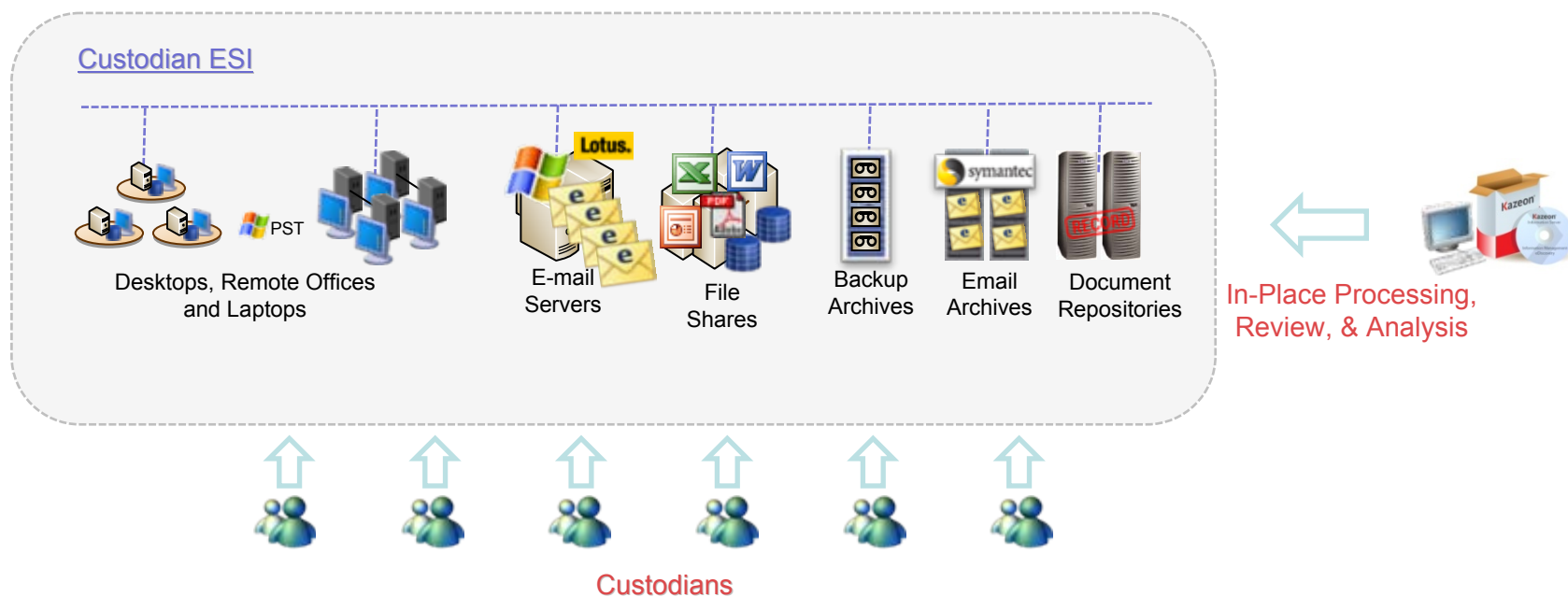
- ▶ Under-inclusiveness
 - Production challenges
 - Sanctions for noncompliance
 - Surprises at deposition or in court
- ▶ Over-inclusiveness
 - Paying for unnecessary downstream review
 - Inadvertently producing privileged or confidential documents
 - Waiving privilege

- ▶ Identify the proper functions and uses of technology in the overall process
- ▶ Utilize search expertise to complement in-house legal and IT competencies
- ▶ Implement a measurable process that allows you to evaluate the accuracy of your results

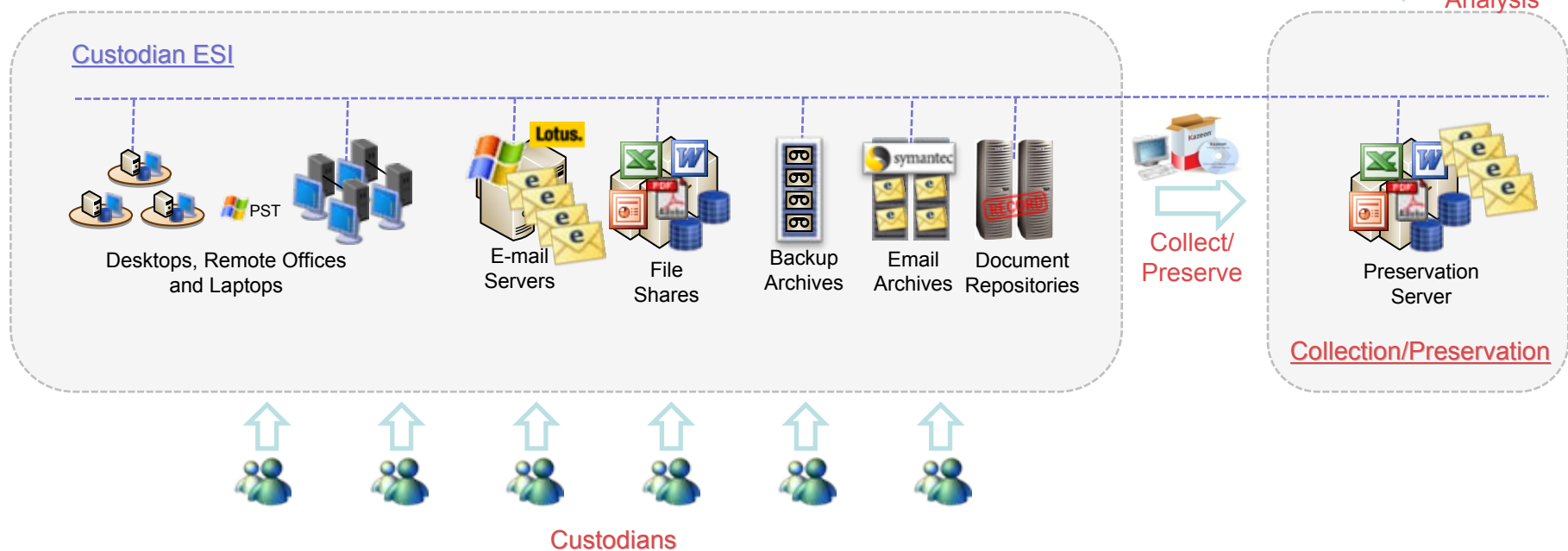
Top Considerations for Selecting In-House eDiscovery Software

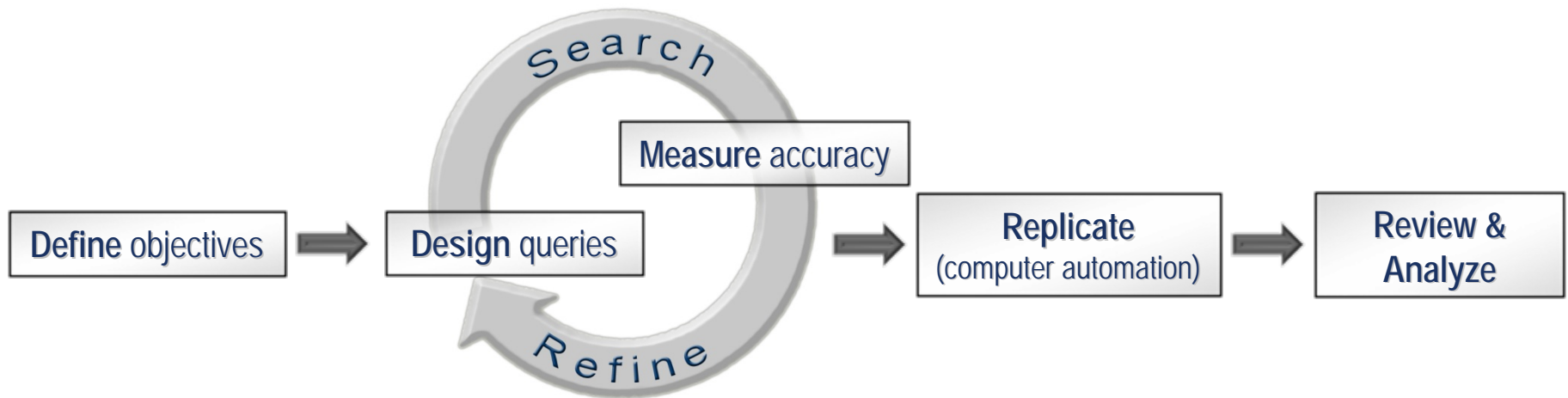
	Key Functionality Requirements
1.	Legal hold, preservation, retention
2.	Data integrity of ESI to ensure no spoliation of data and metadata
3.	Scalable early case assessment
4.	Defensible, transparent, repeatable eDiscovery process
5.	Search accuracy and completeness
6.	Automated review and production
7.	Forensically sound collection, auditing, and chain-of-custody
8.	Desktop/laptop and remote office eDiscovery
9.	Active content and archive content eDiscovery
10.	Data map and custodian map across enterprise

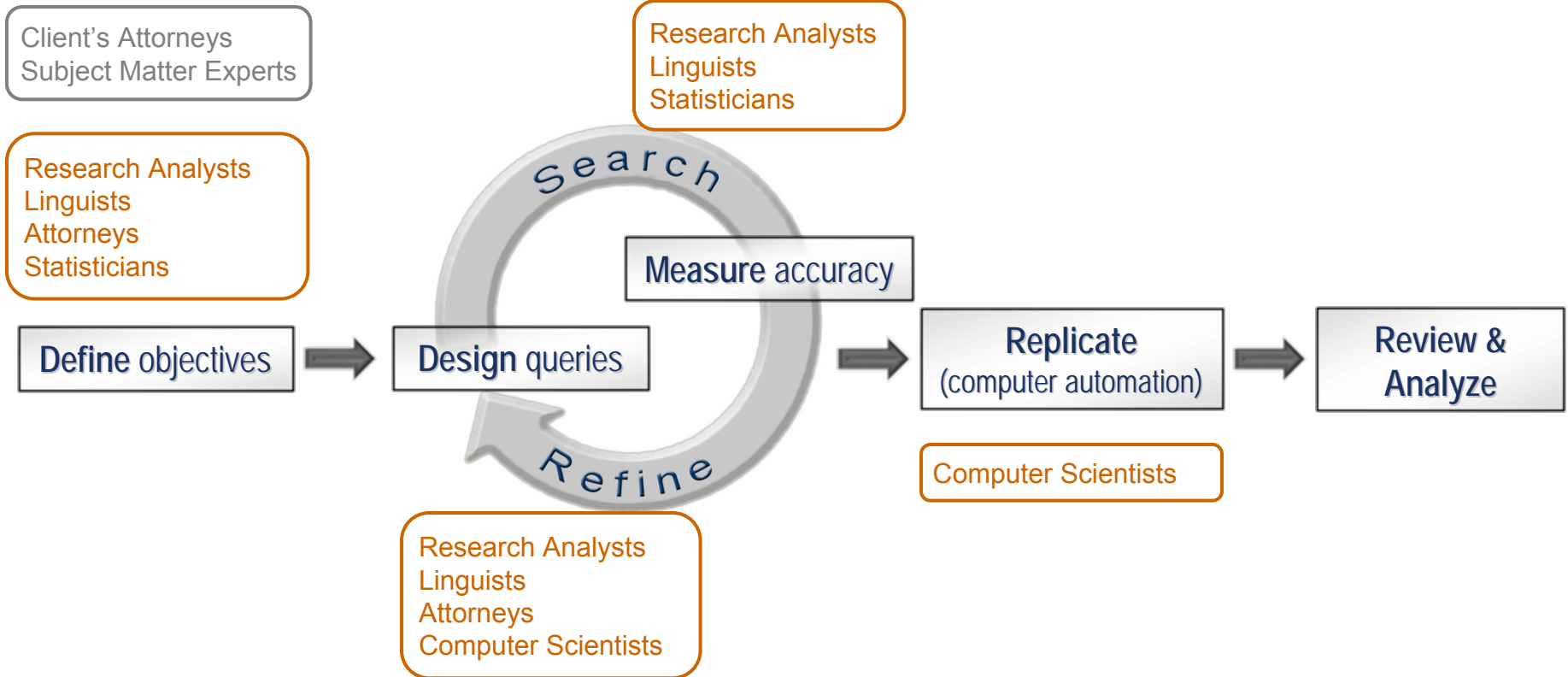
- ▶ Documents and emails remain at ESI sources
- ▶ Process, analyze, and review in place - no collection required
- ▶ Useful for matters involving large data sets
- ▶ Conduct quick early case assessment



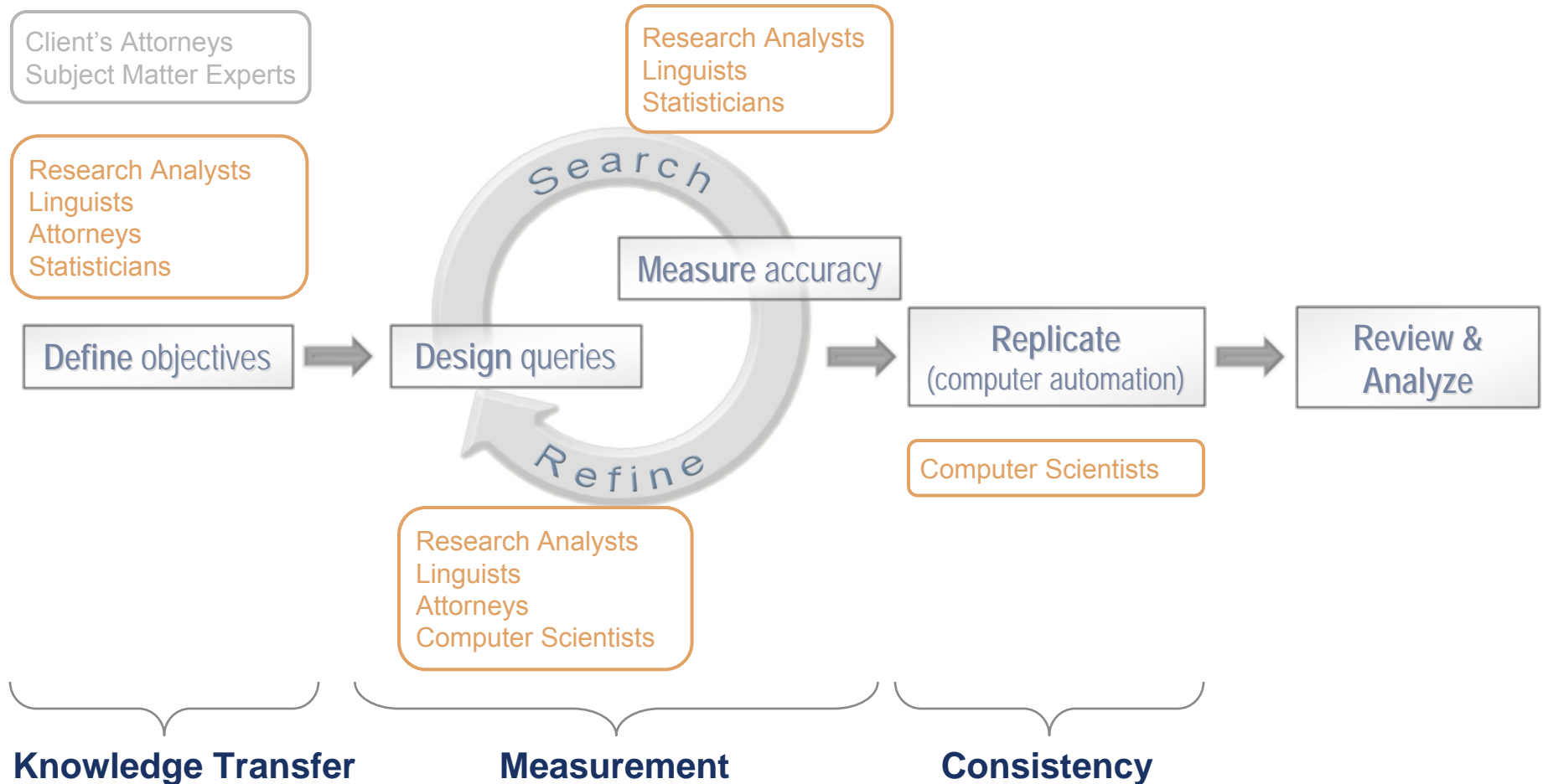
- ▶ Collect data to a preservation server or repository
- ▶ Process, analyze, and review from preservation server
- ▶ Useful when data needs to be collected and when data set is small



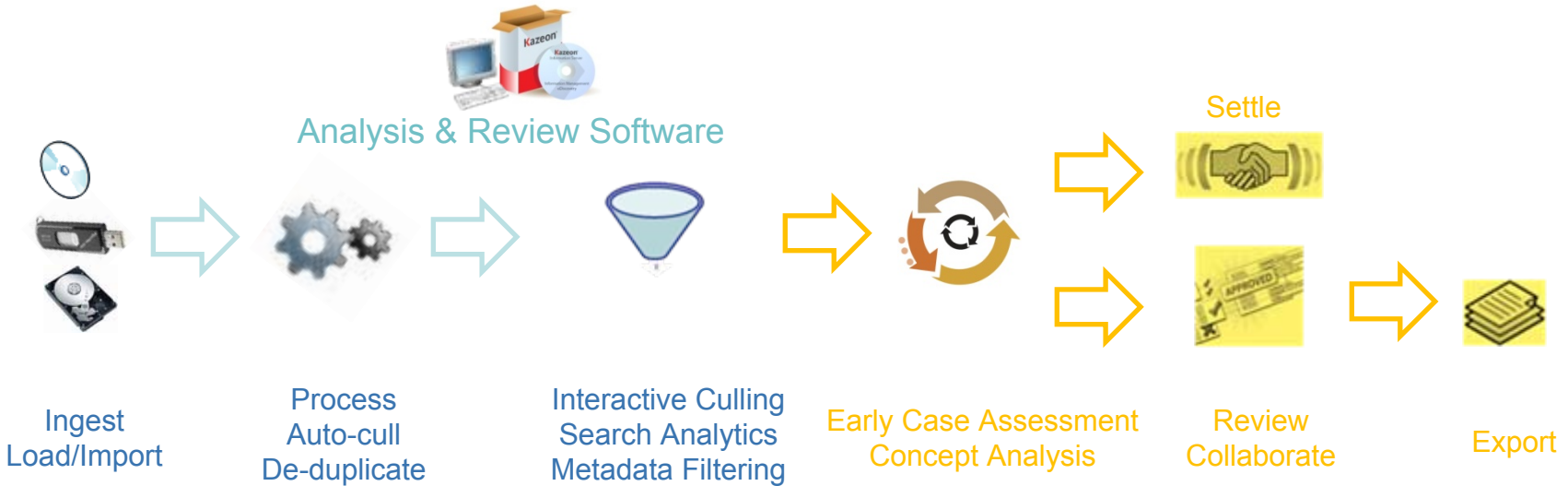
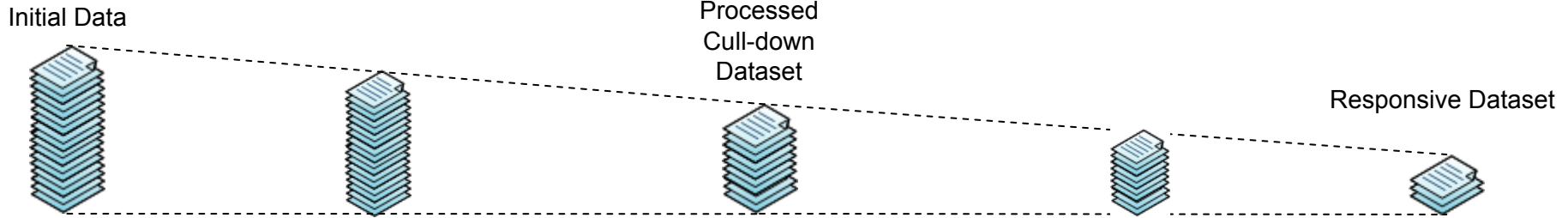




Solving the Search and Analysis Challenge

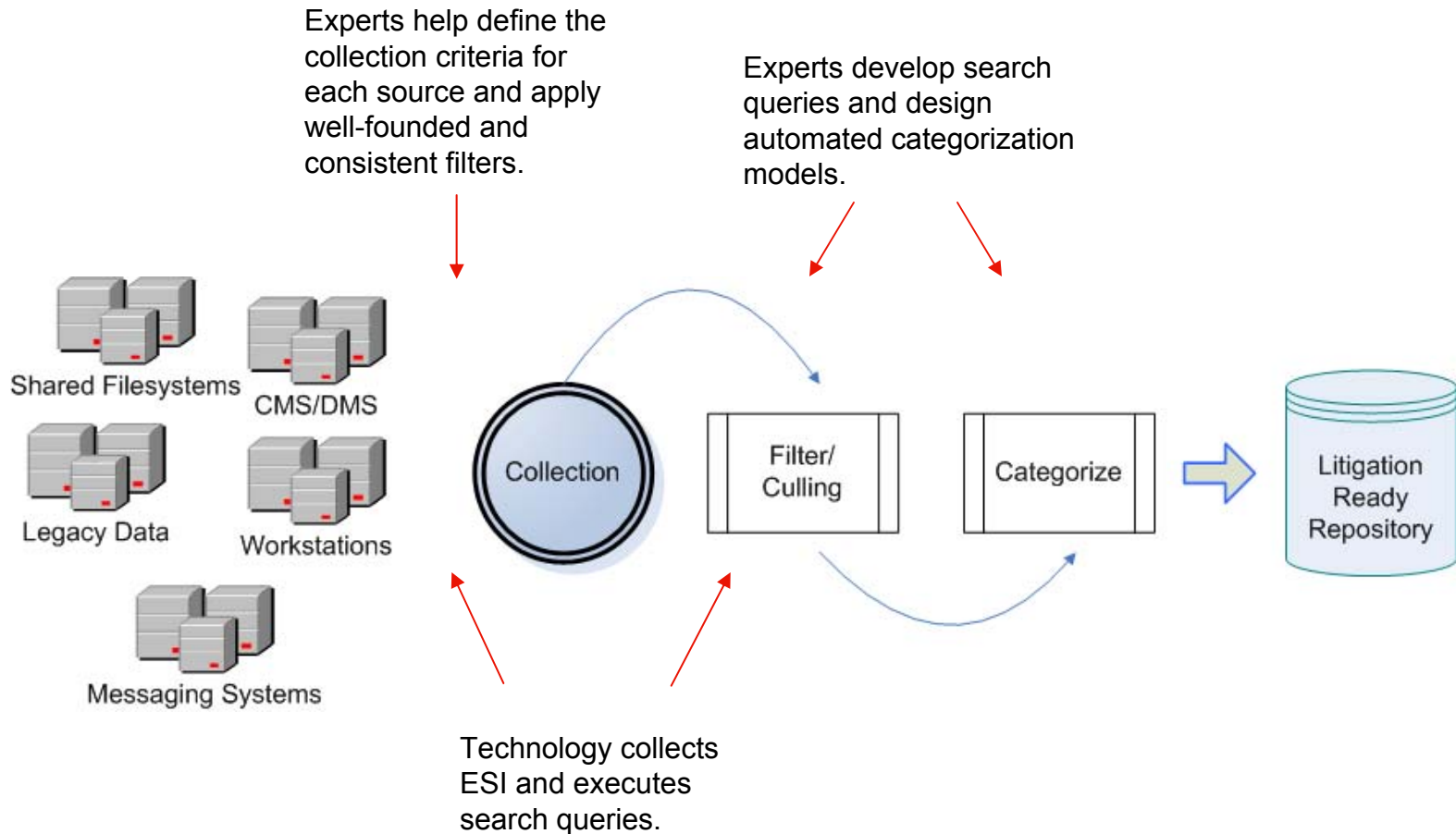


Case Study: Early Case Assessment Workflow



Litigation Support
Search Experts

Lawyers & Paralegals
Search Experts



- ▶ In-place identification and collection
- ▶ Indexing and processing
- ▶ Hosting
- ▶ Culling (objective and subjective)
- ▶ Iterative measurement and refinement
- ▶ Automated review

- ▶ Technology/Software
 - ✓ Does it match your needs?
 - ✓ Is it scalable?
 - ✓ Is it defensible?
- ▶ Process
 - ✓ Are you reducing data at the outset in a way that minimizes cost and risk?
 - ✓ Do you have a measurable process that allows you to evaluate your results?
 - ✓ Do you have a method of incorporating feedback into your process?
 - ✓ Can your process adjust for changes without having to restart?
 - ✓ Does your process provide consistent results?
- ▶ People
 - ✓ Do you have the right experts to design and implement effective search queries?
 - ✓ Do you have people who can correctly test the effectiveness of your search results using industry-standard metrics?

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Questions?

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Thank You!