

# The eDiscovery eGuide, Volume 2: State of the Union



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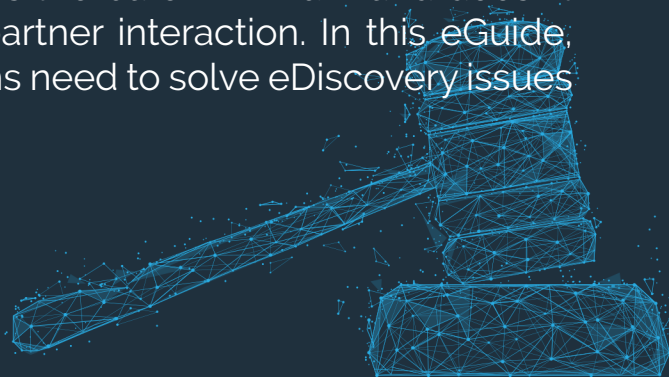


The demand for legal eDiscovery is rapidly expanding. Process precedents aren't enough to keep pace with new client and court expectations — firms need digital tools capable of finding, capturing, and modifying both physical and digital assets at scale.

However, locating what you're looking for is only half the battle; the scale and scope of legal documentation means that staff must work in concert to both meet compliance requirements and exceed client expectations.

As noted by [Forbes](#), however, the road to legal collaboration is rocky. While many firms love the idea of collaborative innovation, they're often reluctant to implement tools or technology that empower this activity, instead opting for attorney independence over departmental interactivity.

The result? Document discovery that delivers the bare minimum and doesn't account for the changing nature of client/partner interaction. In this eGuide, we'll dig into some of the digital solutions firms need to solve eDiscovery issues and collaborate more efficiently.



## Section 1 — Creating Collaborative Conditions

As noted by [Law.com](#), collaboration isn't always easy for law firms. While worries about technological efficacy and availability form part of this problem, there's also another layer, risk. With many partners relying on consistent client relationships to deliver consistent income and establish their organizational rank, there's a reluctance to share responsibility for any aspect of the legal process — from initial contact to needs evaluation to ongoing eDiscovery.

The first step in creating collaborative conditions? Revenue recognition — making the connection between bringing in partners with specialized expertise and practice area knowledge to help boost client satisfaction and improve firm finances.

Next up is improving internal operations, using collaborative tools and technologies to streamline the process of document management and discovery. For example, many firms now leverage [HTML5 viewers](#) that permit collaboration on critical files without altering original documents.

As Law.com points out, collaboration inherently comes with a push-pull of internal tension as lawyers find the balance between individual experience and unified expertise. In practice, this means easy document viewing isn't enough in isolation. To encourage consistent collaboration over time, firms need cooperative solutions that deliver on key demands. Let's break down six of the most successful.

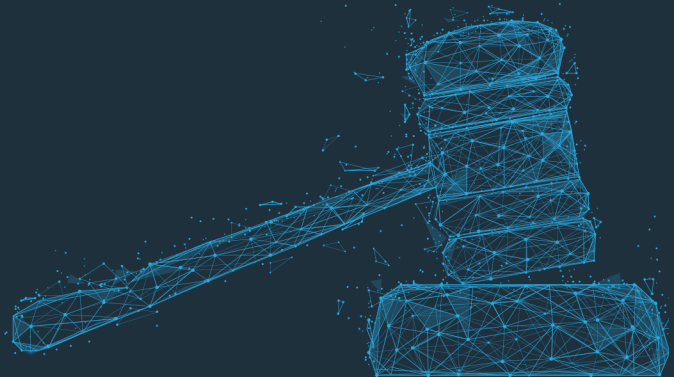




## Annotation: Do the Write Thing

For firms to collaborate effectively at scale, in-office conversations and emails aren't enough — staff need the ability to see the work of other team members in real-time. In the same way cases are built on layers of accumulated evidence, so too are eDiscovery efforts best-served by the evolving assessment of documents.

In practice, this requires integrated tools that [empower easy annotation](#). Lawyers should be able to quickly access and markup multiple file types including TIFF, JPEG, and PDF formats in addition to more familiar Doc or Excel assets. What's more, these annotations should contain an auditable history of alterations that don't alter the original document, providing a clear chain of custody and change if resources are called for use in court.





## Extensive Search: Needles and Haystacks

The definition of frustration? Not finding what you're looking for, despite knowing it's out there... somewhere. This is a common problem for law firms and other businesses that deal with large document volumes. As noted by [Inc.com](#), highly-paid, high-value staff often spend almost 7 hours every week on time-sink activities, such as searching for elusive documents or resources, instead of tackling more critical tasks.

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[Full-text search functions](#) help solve this issue. From metadata to categories, full-text guided navigational search functions are essential to help attorneys find specific documents, evaluate them against key criteria, and determine their relevance to the case at hand. This provides both inclusive and exclusive advantages. Firms can be certain they've found relevant resources, eliminated unnecessary data, and ensure they've left no source stone unturned.

By leveraging tools that let lawyers define and deploy keyword-driven searches for critical assets, staff can quickly find and view exactly what they're looking for to build out eDiscovery dossiers.



## Redaction: Keep It Secret, Keep It Safe

Collaboration only works when all parties involved are confident about the safety and security of key digital assets. Consider a set of sensitive documents sent by clients to their law firm of choice that contain everything from employment information to financial data and even child custody arrangements.

While it may be necessary for multiple attorneys to examine, evaluate, and annotate these documents, there's no reason for these assets to leave the internal framework of law firm networks, unless they're requested as part of larger eDiscovery efforts. This puts organizations in a difficult position. While reasonable requests for document access must be granted, not everything these documents contain is fair game.

As a result, effective redaction, the ability to remove specific text or images from documents before they're sent to fulfill eDiscovery requests, is critical. The caveat? Tools that simply mask key information aren't enough. Firms should look for solutions capable of permanently stripping key data from their documents.

Here's why. Think of basic redaction as placing a sticker over sensitive information. With enough time and effort, interested parties can remove this redaction and expose the information underneath. What's more, digitally converted assets may still return redacted data in search results, allowing other firms to circumvent your efforts at obfuscation. True redaction both "burns in" to eliminate the chance of uncovering key information and also removes selected data from search results.

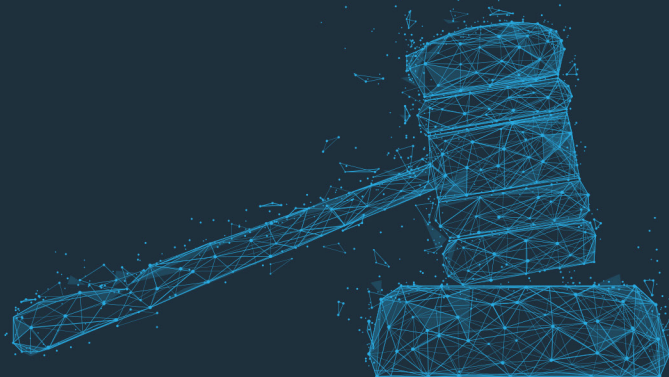




## DRM: Rights and Responsibilities

Who needs access to your documents? Why? For how long? Digital rights management (DRM) is critical for collaborative eDiscovery, especially in firms just starting the shift toward more cooperative operations. Integrated DRM allows document owners — such as senior partners or lead attorneys — to assign specific permissions on a per-user level. Owners can choose to allow or disallow key functions such as saving, printing, annotating, and redacting, while users can request access to these functions as required.

As a result, DRM offers a dual benefit. First, staff taking the lead on eDiscovery efforts can define workflows that deliver optimal results while limiting the risk of accidental resource access and reducing overall complexity. Second, per-user permissions provide greater control of documents viewed by attorneys outside your legal ecosystem as part of eDiscovery requests. In addition, granular control over access and modification of assets increases overall document security at every stage of the legal process to help law firms meet due diligence expectations for evolving compliance requirements.



## OCR: Seeing the Bigger Picture

Many firms are now making the shift to digital-first documents, but physical assets remain a key facet of eDiscovery at scale. For example, clients may have handwritten documents they've scanned and sent as part of initial case-building efforts, or firms may be tasked with analyzing large sets of paper forms or contracts that form the foundation of commercial litigation or defense.

While assigning staff to physically assess these forms and report their findings is one option, this introduces two problems, effort and error. The sheer amount of staff resources and time required to examine forms individually is daunting even for large firms, and despite best efforts, human staff simply aren't built for error-free assessment.

Optical character recognition (OCR) makes it possible to convert any image-based documents into editable and searchable text files, allowing staff to focus their efforts on finding key evidence and building better arguments instead of poring over documents for specific data points.







## APIs: Forging Firm Foundations

While expanding eDiscovery tools can help improve collaboration efforts, they also create a potential issue, complexity. If each tool — from annotation to redaction to DRM to OCR and full-text search — comes as a separate software resource, even the most tech-savvy staff members will spend most of their time switching between apps to uncover key data and develop effective eDiscovery assets. Complexity is the natural result. Solutions may not integrate effectively, specific file types may be unsupported, and security may be compromised.

Application programming interfaces (APIs) offer a way to bridge the gap. By leveraging viewer solutions that integrate with existing legal apps and include [robust API support](#), it's possible to get the best of both worlds. Firm foundations for effective eDiscovery backed by powerful tools that work in tandem. From annotation to redaction, eSignature to full document comparison, API-enabled solutions make it possible to deliver unified eDiscovery efforts that reduce complexity without sacrificing speed or security.

Collaboration is the future of law. Firms can no longer ignore the need for cooperative, collaborative technologies that empower eDiscovery and allow multiple staff to simultaneously and securely work on data collection and case-building efforts.

While it's critical to recognize that the competitive nature of legal practices will inevitably drive conflict, it's possible to tackle this state of tension and empower unity at scale by leveraging key eDiscovery functions — annotation, search, redaction, DRM, and OCR — under the auspices of HTML5 viewers that offer easy integration of essential APIs.



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