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BEST PRACTICES TO STREAMLINE DOCUMENT MANAGEMENT

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BEST PRACTICES TO STREAMLINE DOCUMENT MANAGEMENT

BY **LORRAINE MEDCRAFT**
> EPIQ

Emails, electronic documents, paper documents, transcripts, motion papers, and more – the volume of digital material before the courts is growing and creating new document management challenges for legal teams. With the rise of globalisation and the reliance on interconnectivity between staff on different continents, the logistical burdens can be daunting and costly.

Whether a small hearing or a multinational trial, advances in technology are streamlining legal processes, cultivating collaboration and enabling intuitive and efficient document management. Their accuracy, thoroughness and speed helps review
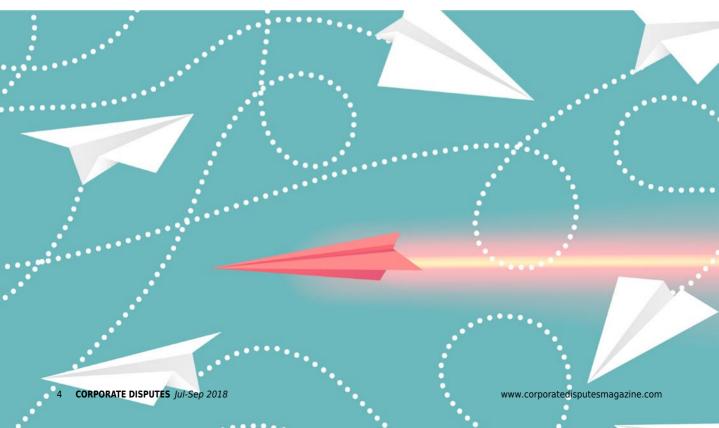
teams access and transform data into strategies that shape the course of a case.

The first step in effectively managing documents is to minimise them. Document review is extremely tedious, especially in large cases with massive volumes of data. A great deal of time, money and manpower is spent culling through non-responsive documents. In traditional linear reviews, people make mistakes or miss key information when tasked with reviewing thousands of documents day in and day out, and it can be incredibly time consuming. Analytical tools such as email threading, predictive coding and near-duplicate analysis help attorneys significantly reduce data volume and save time and costs, in a thoroughly defensible manner.

Email comprises approximately 80 percent of e-discovery data during review. Email threading is proven to reduce the volume of documents that need review by one-third to one-half, by grouping related messages that may not otherwise appear together in the same thread. The software removes repetitive content and reconstructs entire conversations to produce the most 'inclusive email'. From replies to forwards to attachments, one reviewer is able to assess the entire chain of a communication, rather than multiple reviewers each assessing different components without seeing the big picture. This creates consistency and makes it possible to code full email chains as being relevant, non-responsive or privileged.

Predictive coding uses machine learning to rapidly and consistently identify responsive documents in large datasets. This technology allows legal teams to meet tight deadlines, make key strategy decisions early on in the process, and reduce time spent manually reviewing extraneous materials. A small team of reviewers with knowledge of the case trains the computer to find the most relevant documents by tagging a 'seed set' as responsive

or non-responsive. Then, in the background, an algorithm is generated to rank documents that are likely to be relevant. Reviewers can continually refine the algorithm by coding more documents until the system is properly trained to assess the full dataset. By removing a significant amount of irrelevant documents, reviewers are able to focus their time and energy on the most meaningful information from the dataset. Predictive coding does not eliminate the role of human reviewers, but its speed and efficiency greatly reduces the amount of reviewers needed during discovery, saving time and money.

Another analytics platform that helps streamline the discovery process is near duplicate analysis, which identifies nearly identical documents and batches them together by percentage for a speedier review process. The legal team can decide on how 'identical' they would like the documents to be based on percentage. For example, all documents that are 90 percent similar can be grouped as 'near dupes'. Rather than reviewing large quantities of similar documents, reviewers only need to fully read one. Then they can compare the differences found in the near-duplicates. Groupings of documents can be bulk tagged as privileged, responsive, and so forth, which saves time and creates consistency.

While these tools are invaluable for reducing document volume and creating more efficient workflows, materials can quickly become disorganised and hard to track down once the document review is complete. There may be a database for all documents produced, a separate

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database for the production received from the other side, a separate location for the privilege log, and so on. There are also motion papers, decisions and other court documents generally living on a separate repository than where document review was performed. When data is housed in multiple repositories, and file servers, it creates logistical issues, inconsistencies and wasted resources.

Before the rise of digital solutions, attorneys relied on cumbersome hard copies of all of their materials, including transcripts, trial exhibits, attachments and scribbled post-it notes. Teams could not easily collaborate on the same materials, share notes

or pinpoint the information they needed instantly. Moving data physically (on hard drives or in paper form), from various locations caused complex discovery challenges.

These antiquated processes could be detrimental to their work, as well as the outcome of a case. Modernising the ways in which teams collaborate, organise and share materials as they prepare for trial, court hearings and arbitrations is crucial. Having one digital hub for all relevant data, documents and other case materials, alleviates document management challenges and enables global teams to work together on the same content, at any time.

A highly scalable, secure and customisable cloud-based workspace allows for much smoother collaboration between legal teams, experts, stakeholders and clients. Whether working online or offline while travelling, legal professionals should be able to effortlessly create and access electronic groupings of information, using intuitive features such as searching, annotation, paginating, tagging, hyperlinking, folder structuring and index generation. This makes it easier to retrieve documents, consult and share notes with colleagues, and be more productive.

The key to success is moving all of the documents into one repository before preparing for trial. Trial prep in particular can be seamlessly done by using

such a cloud-based tool. Relevant documents, additional work product and prior transcripts can all be bundled together. When preparing for trial, lawyers can readily access any and all related documents. With so much crucial information, lawyers cannot afford for it to be in disarray.

Every company that operates on a global scale can benefit from technologies and sharing tools that bridge the gap between e-discovery and the hearing room. Preparing for cases does not have to be challenging, costly, and time consuming. Efficient document management creates a win-win scenario – the right system leads to less wasted time searching for information, boosted client satisfaction and more effective legal workflows.

As legal technology continues to advance in the digital age, lawyers are relying more and more on these high-tech solutions that meet document management challenges, create efficiencies in processes and lead to better trial outcomes. CD

Lorraine Medcraft
Senior Director
Epiq
E: lorraine.medcraft@epiqglobal.co.uk