

FIVE REASONS TO USE PREDICTIVE CODING IN YOUR DOCUMENT REVIEW

No matter the size or scope of the case, predictive coding has the power to change how lawyers tackle the difficult task of document review

Document review is both time-consuming and expensive, accounting for 60-85 per cent of all e-discovery costs. Predictive coding makes this crucial part of the discovery phase more efficient, cost-effective and predictable, and is therefore valuable to lawyers.

Predictive coding uses machine-learning to rapidly identify potentially relevant documents, helping legal teams to meet tight deadlines, make key decisions early on in the process, and reduce the amount of time spent manually reviewing irrelevant information.

Although the predictive coding toolkit has been available for several years, it is now increasing traction in the UK. In May 2016 Berwin Leighton Paisner (BLP) won the first contested application to use predictive coding as part of a substantial document review in a case brought against corporate client BCA Trading Ltd. In early 2018, following a 12-day High Court trial, BLP achieved a successful judgment which relied on key documents disclosed using predictive coding.

The use of this cutting-edge technology throughout the course of a trial proves its accuracy and cost-saving potential, paving the way for more trials.

No matter the size or scope of the case, predictive coding has the power to change how lawyers tackle the difficult task of document review.

How predictive coding can help

1. *It streamlines the process* Rather than reviewing every single document, predictive coding allows a small team of reviewers familiar with the case to train a computer to do most of the work. In a typical predictive coding workflow, a sample of documents from the full collection will be pulled and reviewers will tag each document in the set as responsive or non-responsive, thereby teaching the software to see patterns.

Then an algorithm is generated to rank documents that are likely to be relevant. Reviewers can refine the algorithm and correct any mistakes by coding more documents until the system is properly trained and in a position to assess the full dataset.

2. *It saves time and money* Predictive coding does not eliminate the role of human reviewers, but its speed and efficiency greatly reduces the number of reviewers needed during discovery.

Subject matter experts play a key role in setting the system up for success by leveraging sample sets of

documents and using machine-learning to identify more relevant documents. This decreases the volume of irrelevant documents lawyers need to review, freeing up time and resources while reducing the high costs associated with traditional linear document review.

3. *It enables earlier case assessment* Because predictive coding tools push potentially relevant documents to the front of a review queue lawyers can, within a few days or weeks, access the most relevant documents in the case, allowing them to quickly learn the important facts of the case, discover relationships within the data and adjust their strategy accordingly. This head start can make a big difference in the course of a case.

4. *It can limit the impact of human error* Document review can be tedious, especially in large cases with massive volumes of data and, inevitably, human reviewers will make mistakes. Properly trained, a predictive coding system will code documents consistently and continuously, without tiring and without the lapses in attention to which human reviewers can be prone.

Used in conjunction with lawyer-led QC workflows to validate the system's decisions, predictive coding can deliver more consistent and less error-prone review results than would be delivered by a human-only review.

5. *It uncovers more useful information* By removing a significant amount of extraneous materials through predictive coding, reviewers can focus their time and energy on the most meaningful information from the dataset—enhancing lawyers' expertise and increasing their depth of knowledge.

Transforming outcomes

The growth of predictive coding is enabling legal teams to significantly cut document review costs while extracting more meaningful information from data earlier in the process. This technology is transforming processes, strategy, and trial outcomes.



Martin Bonney,
senior director
(International
Consulting
Services)



11 Old Jewry, London EC2R 8DU

Tel: +44 0 20 7367 9120 E-mail: Mbonney@epiqglobal.co.uk

Web: www.epiqglobal.com/en-gb