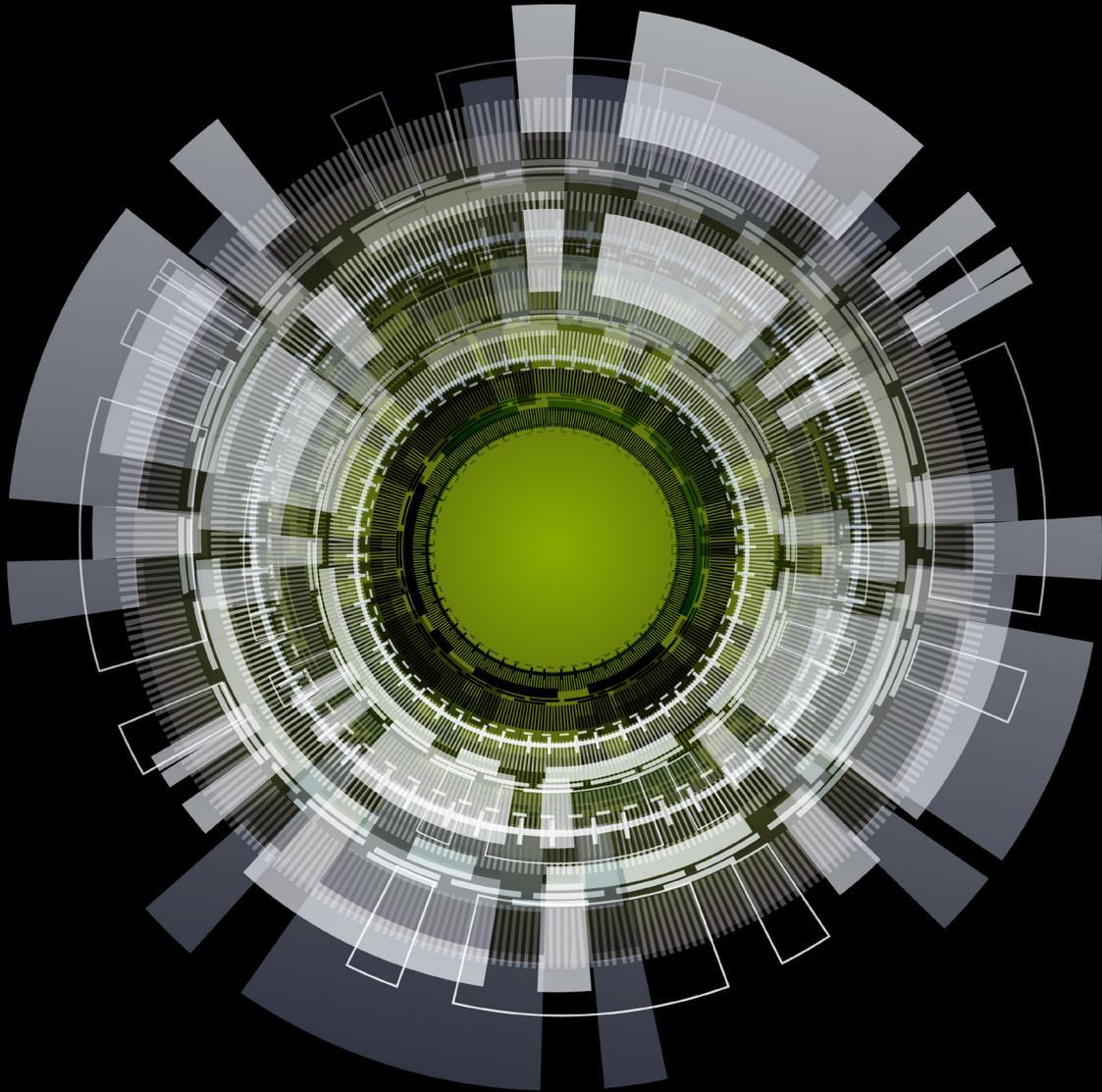


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eDiscovery

Legal meets Digital Transformation

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eDiscovery: Legal meets Digital Transformation

Considering the ubiquitous nature of technology in the modern day life, Electronically Stored Information (ESI) on computer systems, mobile devices, and storage devices (including cloud storage platforms) are increasingly providing useful evidence to support the investigation of fraud, employee misconduct, harassment, cybercrime, etc.

Electronic Discovery (“eDiscovery”) like the traditional discovery method, seeks to obtain evidence that can be relied upon during legal proceedings. Erstwhile, the method of gathering evidence for use in the court was limited to the review of hardcopy documents. However, as the volume of paper to review grew, Lawyers began to use vendors to scan and apply Optical Character Recognition (OCR) on documents for more effective searching and review thus birthing eDiscovery.

eDiscovery is the process of identifying, preserving, tagging, analyzing, and reviewing ESI useful as potential evidence in an investigation or legal proceedings.

ESI can be digital documents, emails, instant messages, chats, accounting data, websites, contact books, etc. that could serve as evidence to support investigation and/or law enforcement actions including lawsuits. Due to the dynamic, versatile, and volatile nature of electronic information, the process of identifying, preserving or storing, and analyzing electronic information requires a fine blend of specialized tools and specialized skill sets in eDiscovery. In this publication, we address common challenges faced by legal professionals regarding the process of eDiscovery.

Data Integrity

Digital files have a unique numerical value which experts use to verify the authenticity and integrity of the image as an exact replica of the evidence source media. Chain of custody is adequately maintained to preserve the legal value of the collected forensic image. The forensic experts then use a write blocker to preserve the integrity of the evidence and facilitate legal defensibility.

Managing eDiscovery Costs

Organizations can effectively reduce eDiscovery costs by properly integrating their data systems to limit storage redundancy and ensure oversight of the sources of truth. Companies are also saving costs by complimenting data management solutions and Artificial Intelligence (AI) systems which cluster relevant data for enhanced review experience and turnaround time.

Managing Large Volumes of Data

With the large scale of complex commercial cases arising, the Legal team are challenged with reviewing large data sets. The impact of this is seen in the increasing headcounts, budgets and technology adoption in Legal departments. eDiscovery vendors now use sophisticated technology and deep expertise in data analysis to reduce this mountain of information to what is relevant to the case. Beyond DeNisting electronic documents, review data volume can be further reduced using filters such as data type and date during processing.

// **eDiscovery is as fundamental to the legal process as a scalpel is to a Surgeon but it isn't currently treated as such**



Value Proposition



Competitive Advantage

Adoption and utilization of this service in legal proceedings will undoubtedly give an edge to industry players. Interestingly, objections raised against using eDiscovery technology include; that only big firms can afford to use it and in big cases, however, eDiscovery reduces the cost of conducting a case and the thresholds are being lowered. Another objection is that it is an unnecessary expense as most cases settle, however, the benefits outweigh these objections.



Automated Discovery

The automation of any legal firm's process will improve turnaround times and improve the quantum of work that can be processed by a firm. Once documents (electronic and paper based) have been loaded onto the database of the software solution, the process of implementation is initiated automatically. Here information can be tracked and accessed from a centralized server. Early case assessment (ECA), analytics, and technology assisted review (TAR) are implemented, increasing productivity and reducing costs for our clients.



Security

eDiscovery software and technology is highly secure, with a constant audit trail, so the risk of lost paper copies is mitigated.



The Advantage of Metadata

Metadata support the evidential reliability of e-docs over paper ones - the underlying "data about the data" tells you WHO knew WHAT and WHEN. An audit trail of time-date stamps, author and recipient information, and file properties. A similar trail is evidenced when emails, private chats, social media, and other sources are sought to be used in evidence.



Litigation Readiness

Reviewing cases can be reduced as documents are found more quickly, collated, and duplicates eliminated. Data mining time is reduced allowing attorneys more time to prepare for the case.

Digital Forensic and eDiscovery technologies unlock limitless opportunities to overcome challenges encountered by legal practitioners and investigation teams during the Discovery process. Take the lead in your industry today by harnessing the power of eDiscovery technology to transform your business.

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