

For the 5th year in a row, internal systems and processes continue to outweigh all other concerns when it comes to handling, processing, reviewing or producing ESI.

**210 professionals** across multiple government agencies participated in the survey



Attorney  
68%



IT professional  
8%



Paralegal  
15%



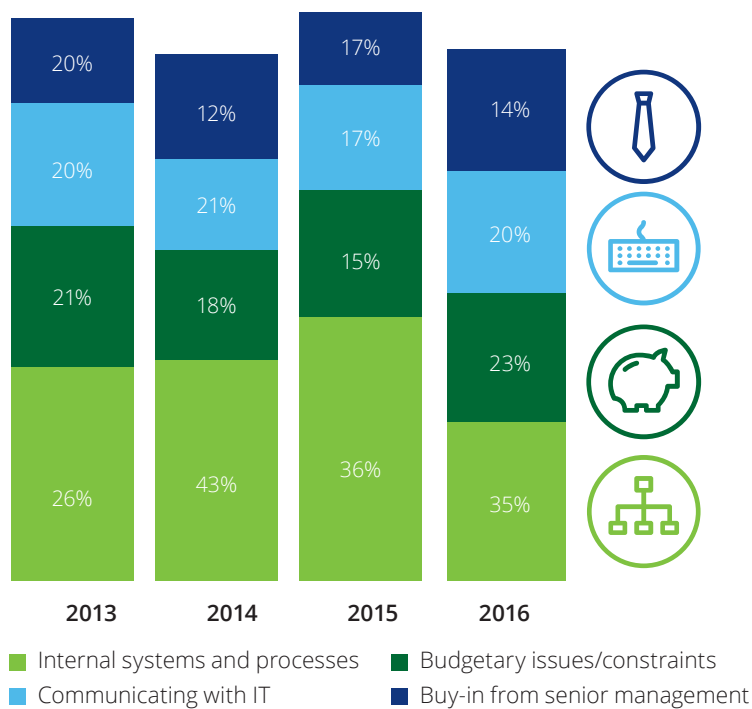
Records Manager  
5%



Other  
5%

Internal systems and processes remain a consistent challenge in eDiscovery for federal agencies

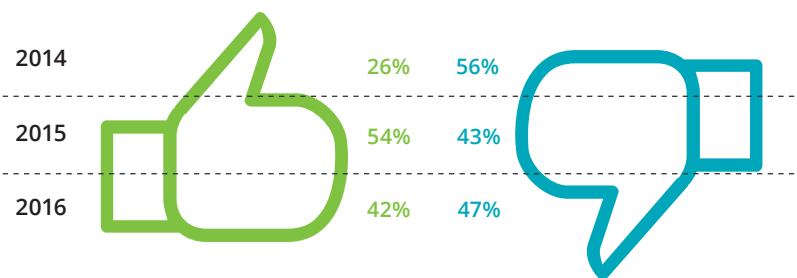
Top challenges with regard to handling, processing, reviewing, or producing ESI



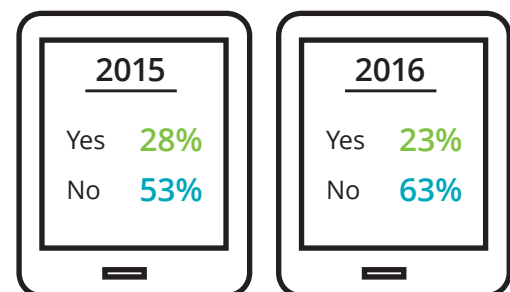
Mobile devices continue to play a part in litigation and eDiscovery

Social media lags behind as a data point in eDiscovery when it comes to government agency litigation. The majority of government agencies have not requested or produced data from social media sites for two years in a row.

Have you had to **preserve or collect data from mobile sources** such as text messages, email, photographs, videos or other data from smart phones or tables in any of your cases?

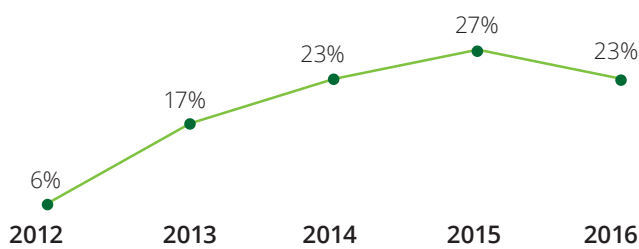


Have you **REQUESTED data from mobile sources** such as smart phones or tablets from opposing counsel in any of your cases?



Use of predictive coding in government litigation stabilizes over time

Have you used **Predictive Coding** in any of your cases?



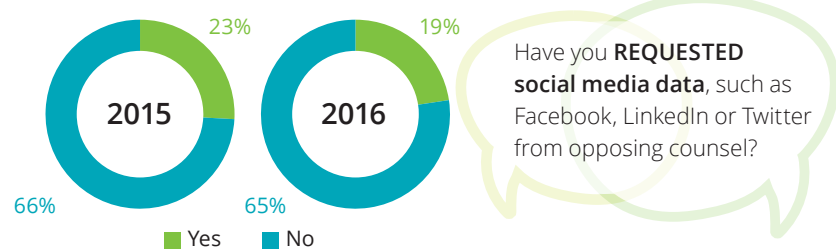
The top three challenges in 2016 for surveyed government agencies to identify ESI are:



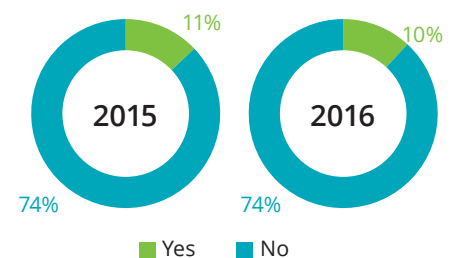
What are your **top three challenges** in identifying ESI?

	#1	#2	#3	#4	#5	#6	#7
2012	Insufficient Manpower	Lack of technology	Volume of data	Insufficient Time	Processing multiple forms of data	Obsolete or proprietary data	Other
2013	Volume of data	Obsolete or proprietary data	Insufficient Manpower	Processing multiple forms of data	Lack of technology	Insufficient time	Other
2014	Insufficient Manpower	Volume of data	Lack of technology	Insufficient Time	Processing multiple forms of data	Obsolete or proprietary data	Other
2015	Insufficient Manpower	Insufficient Manpower	Volume of data	Lack of technology	Processing multiple forms of data	Obsolete or proprietary data	Other
2016	Insufficient Manpower	Lack of technology	Volume of data	Insufficient Time	Processing multiple forms of data	Obsolete or proprietary data	Other

Have you **REQUESTED social media data**, such as Facebook, LinkedIn or Twitter from opposing counsel?



Have you **PRODUCED social media data**, such as Facebook, LinkedIn or Twitter from opposing counsel?



Internal systems and processes continue to challenge surveyed government agencies with regard to **handling, processing, reviewing or producing ESI**.



Internal systems and processes  
35%



Budgetary issues/constraints  
23%



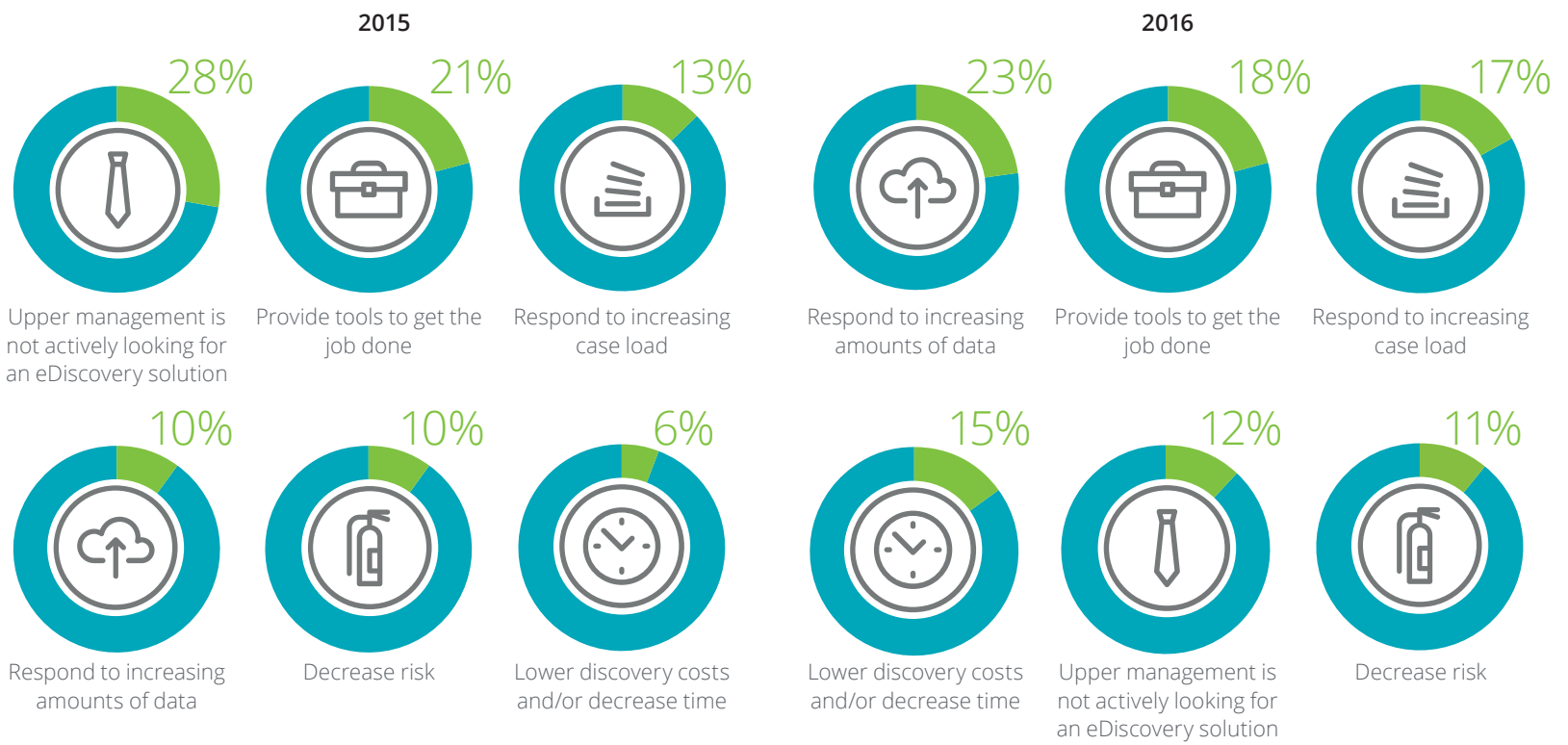
Communicating with IT  
20%



Buy-in from senior management  
14%

## Has the active search for an eDiscovery solution increased due to ever growing data volumes?

What issues are driving upper management to explore more advance electronic discovery solutions?



For four years in a row—budget, security and subject matter expertise remain the hurdles to acquiring contractor support of eDiscovery in surveyed government agencies. But the unfamiliarity of working with contractors on eDiscovery issues has become a top 3 concern.

What is your biggest concern about using contractor support for any phase of eDiscovery?

2016



2012	2013	2014	2015
Budget	Budget	Budget	Budget
Security	Security	Security	Security
Subject matter expertise	Subject matter expertise	Subject matter expertise	Subject matter expertise
Lack of readily available contract vehicle	Unfamiliarity working with contractors	Lack of readily available contract vehicle	Unfamiliarity working with contractors
Unfamiliarity working with contractors	Lack of readily available contract vehicle	Unfamiliarity working with contractors	Lack of readily available contract vehicle

There are mixed reviews feelings when it comes to confidence. Personal confidence regarding ability to manage eDiscovery remains flat from 2015, but confidence in the agency's ability to deal with the challenges of eDiscovery has dipped.

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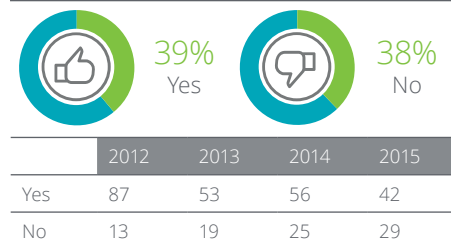
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Over time, surveyed government personnel are feeling less adequately prepared to discuss eDiscovery with opposing counsel.

Do you feel adequately prepared to discuss matters regarding eDiscovery with opposing counsel?

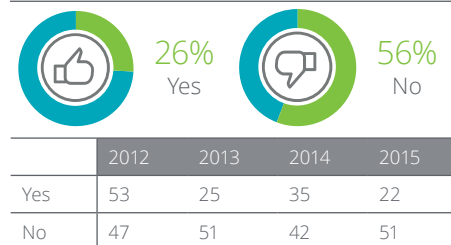
2016

Do you feel adequately prepared to discuss matters regarding eDiscovery with opposing counsel?



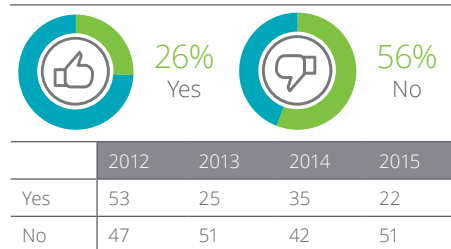
2016

When dealing with opposing counsel regarding electronic discovery, do you feel that you have adequate technical support?



2016

When dealing with opposing counsel regarding electronic discovery, do you feel that you have adequate technical support?



	2012	2013	2014	2015	2016
More confident/Remain the same	74%	73%	79%	85%	86%
Less confident	26%	20%	12%	10%	7%

How effective is your agency in dealing with the challenges of eDiscovery today?

	2012	2013	2014	2015	2016
Very	5%	7%	14%	11%	8%
Somewhat/Not at all effective	95%	84%	72%	78%	86%

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