

Ninth Annual Benchmarking Study of Electronic Discovery Practices for Government Agencies

149 professionals across multiple government agencies participated in the survey:

60%
Attorney

13%
IT professional

12%
Paralegal

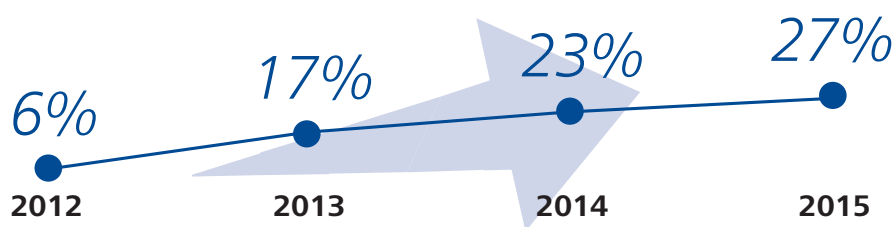
12%
Records manager

3%
Other



Use of **predictive coding in government litigation** continues to rise.

Have you used **predictive coding** in any of your cases?



Mobile devices continue to play a part in litigation and eDiscovery.

Twice as many respondents indicated that they have had to **preserve and request data** from mobile sources.



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?

26% 54%
2014 2015
YES

56% 43%
2014 2015
NO

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

28%
YES

53%
NO



Social media lags behind as a data point in eDiscovery when it comes to government agency litigation.

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

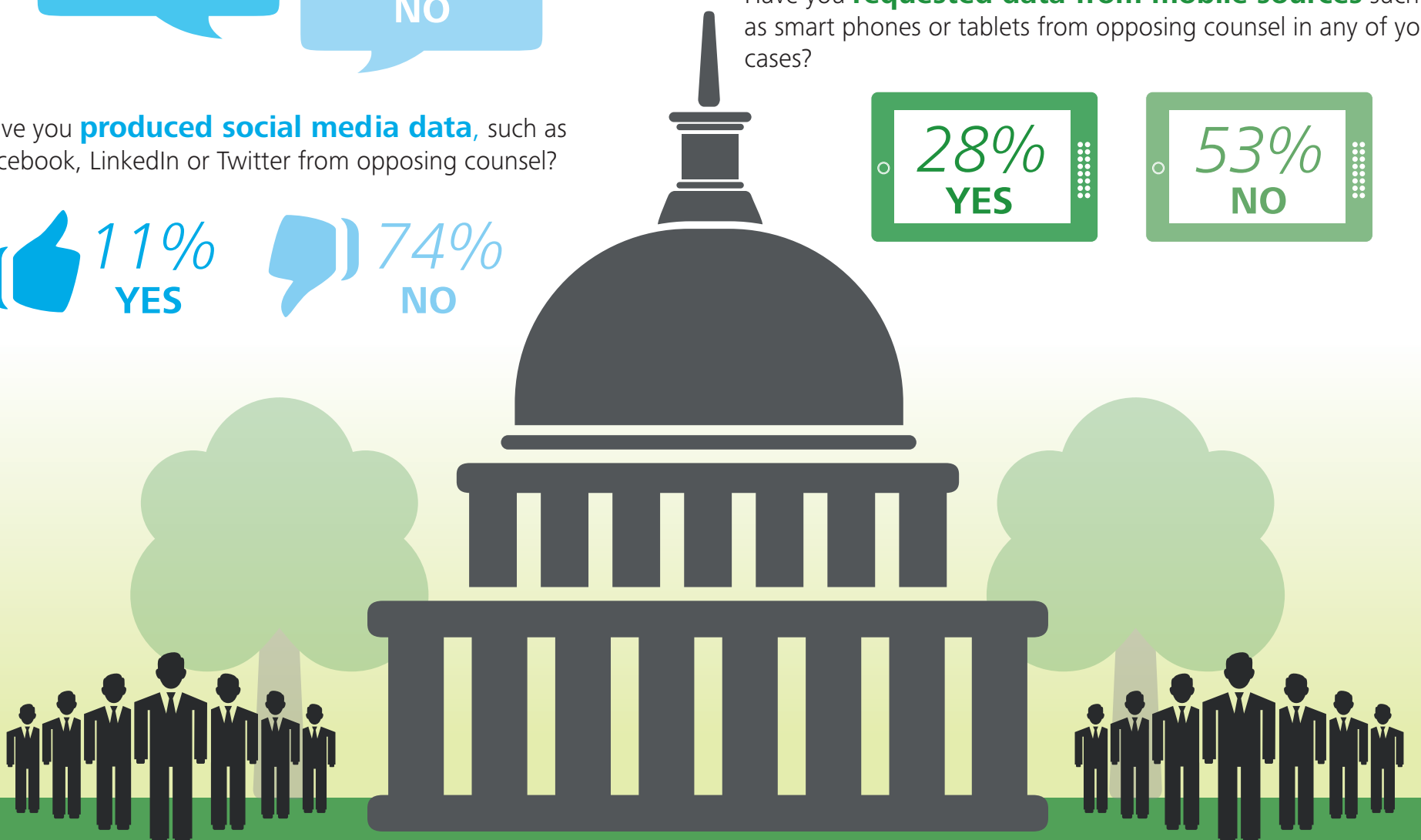
23%
YES

66%
NO

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

11%
YES

74%
NO

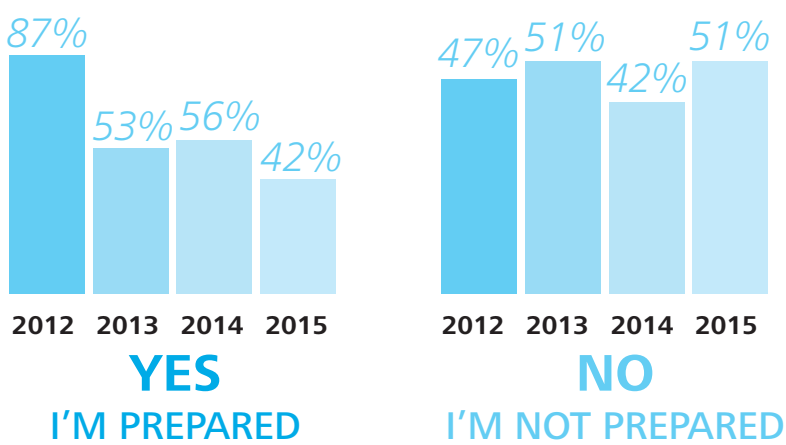


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Government personnel are feeling **less adequately prepared to discuss eDiscovery** with opposing counsel.

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



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



The top three challenges in 2015, for government agencies to identify ESI are:

1. Insufficient manpower
2. Insufficient time
3. Volume of data

Rank the following challenges with regard to **handling, processing, reviewing or producing ESI**:

1. Internal systems and processes
2. Budgetary issues and constraints
3. Buy-in from senior management

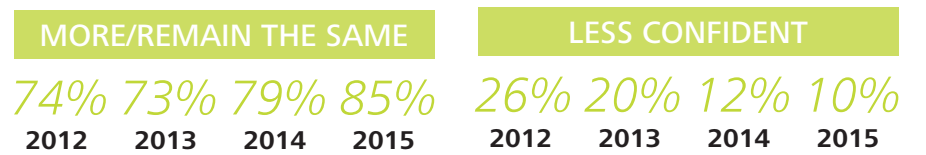
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There are **mixed reviews** when it comes to **confidence**.

Compared to a year ago, **how confident** do you feel about your **ability to manage eDiscovery** in your cases?



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

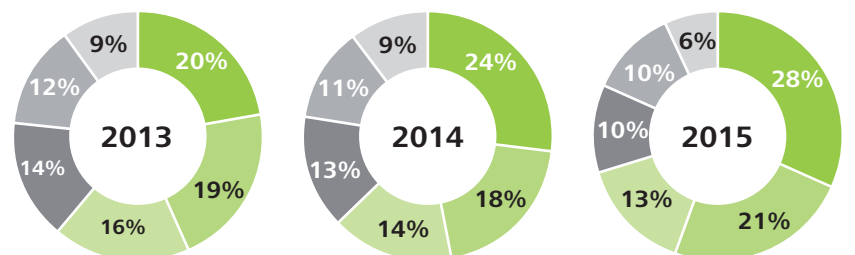


How confident are you that, if challenged, your agency could demonstrate that their ESI is **"accurate, accessible, complete and trustworthy"**?

75%
NOT CONFIDENT



28% of respondents do not feel that upper management is actively seeking an **eDiscovery solution**.



- Respond to increasing amounts of data
- Upper management is not actively looking for an eDiscovery solution
- Lower discovery costs and/or decrease time
- Respond to increasing case load
- Decrease risk
- Provide tools to get the job done

