In-house eDiscovery Saves Time and Money, Delivers Increased Visibility

Traditionally, organizations have used outside vendors to handle their eDiscovery needs. Now, however, eDiscovery solutions have evolved to the point where even small to midsize organizations can bring eDiscovery in house. In-house eDiscovery brings significant benefits, but it requires the right tools and a strategic approach.

Organizations considering in-house eDiscovery should think about the types of data they need to collect. For instance, many eDiscovery solutions can handle emails and documents. But more complex data types such as instant messages or social media will require more sophisticated solutions.

Additional considerations include the amount of litigation the organization typically manages and the size of the legal team. That is, does the litigation volume warrant the effort of managing eDiscovery in house? Also, does the legal team include the staff and expertise necessary to take on these tasks?

Benefits of Bringing eDiscovery In House

Key advantages of in-house eDiscovery include the following:

- Cost savings – Many organizations look to reduced costs as the initial motivation for in-house eDiscovery. In particular, bringing the process in house can deliver drastic reductions in processing costs. Costs associated with data collection, review, and production can diminish, as well.

- Efficiency – With direct access to the sources and custodians of ESI, the in-house legal team streamlines the eDiscovery workflow, reducing the time and resources required.

- Increased visibility and oversight – The organization gains more control over the entire process, from preservation to production. This improves early case assessment, enabling the team to adjust the strategy and scope as needed. They can also more easily ensure compliance with applicable regulations and standards.

- Security – Keeping ESI within the organization's own network and systems minimizes the risk of data breaches, leaks, or losses associated with transferring data to external parties. The internal team also retains the ability to implement robust security measures and policies to protect data confidentiality and integrity.

Overcome Challenges with Planning and Resources

To reap these benefits, organizations must invest in the right people, processes, and technology. Without proper planning and resourcing, the eDiscovery process can prove complex and time-consuming.

For instance, not all eDiscovery solutions will match the company's business needs and budget. And in-house eDiscovery requires specialized skills and knowledge to run efficiently. Without sufficient staff and training, the process will encounter difficulties. Mismanaged data can also present significant problems, making it challenging to ensure compliance with legal obligations.

Best Practices for Implementing In-house eDiscovery

Several best practices will help ensure a successful transition to in-house eDiscovery. At the outset, the organization should conduct a thorough assessment of the current state of eDiscovery. They should then outline goals for bringing the process in house, such as automating parts of the document review process or increasing accuracy and efficiency.

Next, the organization must select an eDiscovery solution that will meet those goals. Determine specific features and capabilities that a solution must provide. Look for solutions that provide robust security, as well as the scalability to handle large and complex data volumes. Tools should also be intuitive and easy to learn and use.

In addition to technology, effective eDiscovery requires a team of qualified and experienced professionals who can manage eDiscovery projects effectively. Establish clear roles and responsibilities. Then ensure that personnel receive proper training on eDiscovery processes and procedures as well as the tools involved.

Continually measure and monitor the performance and outcomes of eDiscovery, adjusting as necessary. Test the tools and processes by beginning with a common, easily managed case. Then move on to more complex cases as the team matures.

Partner with eDiscovery Experts

The eDiscovery experts at Messaging Architects will help companies determine if it makes sense to bring some or all the eDiscovery tasks in house. And with cloud-based, enterprise-grade eDiscovery tools, they can help reduce discovery overhead while improving efficiency and speed.