



## Getting the Most out of Your Discovery Review Tool

By Kevin Carr, InterLegis, Inc.

There is no debate that the amount of electronic data created and stored by corporations is growing significantly. But it's more than the size of data sets that challenges litigation discovery teams. Information is filed in different data formats. The content of each document and the unique relationships it shares with others in the collection are wide and varied.

Legal teams often make technical discovery and review decisions based on what they think will be needed. Sometimes they make these decisions before even starting the collection process, only to discover after review begins that other technology choices would have been much more effective. But once investments are made in these tools, teams may be handcuffed to them for the duration of the case.

Beginning a document review project this way is like starting renovations on a house without knowing important details about the structure. What is the current layout? What changes need to be made? What materials are needed? You wouldn't start a construction project without first understanding the work that needs to be done. Similarly, why would legal teams make decisions about which technologies might aid them in discovery analysis without first understanding the data to be reviewed?

### **Getting Stuck With the Wrong Technology**

What happens when you begin a case using one review tool and discover you need additional or different capabilities? You waste a lot of time and effort. For example, what if you decided initially to invest in only concept searching technologies - but soon discover after you begin the review process that the case database you're working on contains mostly e-mails? Email threading technology would have come in handy; and those concept search tools will only take you so far. Or, suppose you suddenly realize many of the documents are duplicates or near-duplicates? Similarity matching technologies would have been able to help you cull out these duplicates. Or, because most of your documents are electronic (as most today are), wouldn't it be nice to be able to quickly identify the behind-the-scenes connections using metadata search tools? Any legal team can tell you no two datasets are alike. So why should the team be limited to one review tool that provides only a partial view of the data?

### **The Different "Flavors" of Discovery Review Technology**

A search and review project can be accomplished using a number of methods, each of which has its merits. However, it is important to consider that each also has its limitations. Traditional Boolean searches, for example, offer only a linear view of data.

Boolean results show reviewers the face of a document but don't provide an in-depth look at how it might relate to other documents.

A very popular search and analysis method is conceptual clustering. It reduces the time required to find documents with similar content by clustering related ones together. However, using this tool alone may overlook critical pieces of a shared relationship-connections that may not be made by content analysis alone.

Similarity matching provides quick identification of duplicate and near-duplicate documents in a collection. Winnowing a data set using this method yields smaller collections, requiring less time and money to review and process documents. Even so, reviewers often are left with large volumes of documents and limited functionality for analyzing the rest of the collection.

A recent advance in review technology is a process referred to as relationship mining. This not only considers the unique personality of each document, but also correlates the relationships each document has with potentially similar documents. Reviewers can quickly identify how documents relate to one another using advanced metadata indexing techniques.

The latest evolution in discovery review, visual analytics, reveals data via pictures, leveraging the visual nature of the human mind. This technology is based on the premise that it often is easier to understand relationships between people, topics or items by viewing a graphical representation of activity rather than piecing together connections by reading text. Because these connections often are the basis for relevancy, such visualization technologies are quite useful during the discovery culling and review process.

Other useful review technologies include: attribute clustering, native review, timeline analysis, e-mail threading, and more. Each method, in its unique way, can help litigation teams with the overall search and review process, but when used independently of one another they do not offer a complete solution. If you use only one of these methods, you risk overlooking relevant data.

### **Why Not Have it All?**

With today's complex discovery databases, limiting legal teams to a single method of review is ineffective. The use of a wide range of advanced technologies is critical to ensuring that nothing falls through the cracks. This flexibility allows reviewers to tap into whatever technology most effectively will uncover relevant documents as quickly as possible, regardless of the complexities of the data.

Many applications on the market perform one specific function. Others combine a complete set of review technologies into a suite, eliminating the pitfalls of prematurely deciding on technologies before review begins. More and more legal teams are finding a decisive advantage by employing a single, comprehensive review tool that includes every flavor of technology available. The best of these products can be applied at every stage of the discovery lifecycle.

## **The All-in-One Solution**

Tools that offer a full suite of review technologies in one application are beneficial for many reasons. Obviously, cost is important. In most cases, the expense required to deploy a single tool is far less than to engage multiple tools to perform various steps in the process. Also, with the efficiencies gained by using a comprehensive tool the time required for review is reduced, resulting in lower fees to the client.

A number of "soft costs" should be considered, including the IT or consulting resources required to ensure that a multitude of programs can interact with one another. Additionally, there is the time and expense of training users on the various application interfaces that come into play at each stage of the review process. This time and effort is saved when using a single application. Last, and most importantly, such limitations can cause important documents to become "unfindable," having forever fallen through the cracks.

With today's large and complex document collections, limiting the use of discovery technologies to perform review may result in unforeseen consequences that ultimately can affect the outcome of the case.

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