



## 3 Top Challenges for Corporate Legal Teams

3 Ways Corporate Legal Teams Can Control Outside Legal Spend

3 Ways Corporate Legal Teams Can Gain Operational Efficiencies

3 Ways Corporate Legal Teams can Mitigate Risk



### 3 Ways Corporate Legal Teams Can Control Outside Legal Spend

(And How Technology Can Help)

According to a recent study by Complex Discovery, 88% of eDiscovery costs happen during the processing and review stages. Traditionally, these takes are carried out by Alternative Legal Service Providers (ALSP) and outside law firms, giving in-house corporate teams little control over these costs.

By leveraging eDiscovery technology, in-house legal teams can greatly reduce outside legal spend simply by cutting down on the amount of data they send for processing and review. With the use of advanced search analytics, AI, and data visualization, datasets can consistently be reduced by 50%, and at times by as much as 96%, cutting the legal department's costs in turn. As one attorney stated, "if it goes out, you will be billed."



#### Bringing Processing In-House:

Most people working in eDiscovery are focused on how to best preserve and collect data, and then how to find relevant data during review. The processing stage - which falls between those steps - is usually just expected to happen like magic. But processing isn't magic. It's an important and challenging step in the eDiscovery process that many people may overlook. It also makes up 19% of overall eDiscovery costs.

### How Technology Can Help:

Most processing for eDiscovery is first sent to an ALSP and then on to the outside law firm or directly to a law firm who also handles processing. By moving this step in-house, corporate legal teams can reduce costs, risk, and the number of data hand-offs, while gaining efficiency. Some processing technology can even stream documents directly into a review platform, so attorneys have eyes on documents (including metadata) within minutes of upload.



### Pre-Review Data Culling:

As one corporate attorney put it, "if it goes out, you will be billed." Nowhere is this truer than sending data for review with outside counsel: 69% of eDiscovery costs takes place in the review stage. Some legal teams can bring review completely in-house, drastically cutting costs, but this requires mature legal operations.

### How Technology Can Help:

A good first step is using eDiscovery technology to culled data collections before sending them to outside counsel for review. With the use of advanced search analytics, AI and data visualization, datasets can consistently be reduced by 50%, and at times by as much as 96%, cutting the legal department's costs in turn. You also gain early insight into your data, allowing your team to quickly determine strengths, weaknesses, and scope, enabling them to focus on case strategy sooner.



### Leveraging Technology for Internal Investigations:

Internal Investigations require speed and agility but sending data out to be processed and reviewed takes time. With the corporate legal team already close to the data, they can respond to an event as it occurs by using advanced Early Data Assessment (EDA) tools. Any matter resolved in-house rather than sent to outside counsel essentially amounts to And in the same way that culling data before sending out for review lower costs, any internal investigation resolved in-house rather than sent to a law firm essentially amounts to 100% reduction in outside legal spend for that matter.

### How Technology can Help:

The ability to search data in multi-faceted ways (concepts clustering, timeline, email threading, similarity matching) gives investigators a quick look at the data universe involved, while providing deep insight into related data and communication patterns. And because everything is kept in-house, the legal team and the I.T. department can work together to build processes to further streamline the response to internal matters.



## 3 Ways Corporate Legal Teams Can Gain Operational Efficiencies

More and more, corporate legal teams are looking for efficiencies across all departments, both inside the organization and with external partners. In order to gain efficiencies, you must first benchmark performance and measure KPIs. A first step then for in-house legal teams is to set objectives for the department that align with the overall business goals of the company, then figure out if the data exists to begin the process of tracking performance.

**Here are 3 more areas where corporate legal departments can look for efficiencies :**



### Relationships with Internal Stakeholders

Once you have overall goals established, it's important then to look at how those goals align with internal stakeholders.

### **These stakeholders usually include:**

- The IT department, whose main concern will be data security
- The company's business units, who will ask "How is legal enabling business for the company?"
- Legal may also regularly need to work with Risk and Compliance, Accounting, or HR

By connecting with these various groups within the company and discussing overall goals, as well as departmental goals, opportunities for efficiency will begin to appear. The key for legal department is to open up clear lines of communication and put in the time and effort to build relationships and processes that will pay off in the end.



### **Bridging the Gap**

There is no denying that communication (or the lack thereof) can be an obstacle when it comes to reaching objectives. One main issue is that so many of the stakeholders involved with the legal department communicate in very different ways. Which is why it's helpful to find a "translator" who can bridge the gap between Legal, IT, and other business units to help identify obstacles to communication that may be getting in the way of efficiency.

Once this is established, regular meetings or check-ins may be needed to clarify any issues between those stakeholders which may arise as a result of implementing new processes.



### **Relationships with Outside Counsel and 3rd Party Vendors**

In the same way that efficiencies can be gained by building relationships with internal stakeholders, the same can be done when working with outside counsel and 3rd party vendors.

#### **A few things to consider when choosing your outside legal partners:**

Not only should they be able to handle the assigned tasks, law firms and 3rd party vendors should also be able to provide practical advice to business leaders, as well as be proactive in their monitoring and tracking of metrics.

You should also look at cutting down on the number of outside personnel your corporate legal team works with. Instead of using a separate vendor or firm for unique challenges, look for organizations that offer a wide range of solutions. This will reduce the number of data handoffs, which not only creates efficiency but reduces risk.

As a final consideration, corporate legal teams should work with outside stakeholders to create alternative fee agreements (as opposed to billable hours) where possible. This will help create more predictability when it comes to measuring outside legal spend.

### **How Technology Can Help**

By using technology with strong reporting capabilities, the legal team will be able to gain deep insight into data and begin evaluating ways to operate more efficiently. You'll also want to find a solution that can easily move data from its source into analytics and review, while being able to handle the different data types (both cutting edge and legacy) your organization works with. It's also important to find a technology partner who can create transparency between departments (both internal and external), as well as members within the legal team, which can lead to repeatable, measurable results.



# 3 Ways Corporate Legal Teams can Mitigate Risk

Risk can be discussed in so many different ways when it comes to corporate data. The company itself wants to avoid risk involving litigation, internal investigations (which could lead to litigation), loss of IP, and other issues of liability. IT is concerned with risk around data security, breaches and hacks, privacy, as well as data governance. And Legal is concerned with gaining insight into the data in order to build an agile and effective response to adverse events with the goal of a speedy resolution in a defensible manner.

**Here are 3 ways your corporate legal team can mitigate risk:**



## **Records Management/ Information Governance**

By creating policies around document retention, records management, and information governance, you will have better control over your data and a clearer understanding on how to gain insight and collect that data in response to a triggering event such as internal investigation or litigation. By implementing eDiscovery software which can connect directly to your data sources, compliance with these policies is much easier to maintain when no data is leaving corporate servers.



## **Minimize Number of Outside Firms**

Sometimes, there is no choice but to send enterprise data out to a Legal Service Provider (LSP) or Law Firm. Instead of working with a large number of firms and vendors, you can streamline your process and protect your data by creating preferred partnerships with a select group of firms and LSPs, who understand your organization's requirements. This cuts down on enterprise data being in disparate locations, as well as the number of data handoffs needed to move data from organization to organization, making it easier to track and audit processes.



## **Leveraging Technology to Enable Inter-Departmental Alignment**

Because there is a lot of overlap between the objectives of each department around enterprise data, having an eDiscovery solution in place which can help the legal team carry out their role in a strategic and defensible manner, can at the same time help the IT department with good data governance practices which meet their security standards. Technology can also foster transparency and communication between all the stakeholders (including outside law firms and LSPs). When there is alignment between departments, the company does a much better job mitigating the overall risk involved with business operations.

### **How Technology Can Help**

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