ESI (Electronically Stored Information) Winds of Change

Description

Changes are underway in how electronically stored information (ESI) is processed and reviewed. These changes are due to the huge size of repositories â?? hundreds of gigabytes or multiple terabyte sizes â?? identified for collection and processing. Corporations and their legal counsel realize that it may not be feasible or affordable to collect and produce all the information identified in larger cases.

Several new software applications have been introduced that offer many of the same features included in popular electronic discovery software (indexing, file and email â??de-duplicationâ?•, online review, searching and culling). The difference is they are designed to run as an â??applianceâ?• application on a corporate network.

What does this mean? It means collections that would have been sent out to a processing vendor are now being deduped, filtered, and produced internally. The culled native files may still be sent out for tiffing, endorsing, and building load files. But it is a significantly reduced subset.

However, this is not to say that outsourcing will cease. But in the years ahead, there will probably be a reduction in the amount of EED/ESI processing that is outsourced. Additionally, once a corporation has invested in the â??applianceâ?• software and training to collect, filter and produce their collections, they will probably use it on smaller cases as well that were previously outsourced.

Systems that require a computer forensic investigation, or need to be collected by a third party, will still require individuals with the appropriate skills and credentialsâ?? to image or clone media, and then analyze the contents as we do now. However, an increasing amount of electronic discovery processing will be performed at the client site with automated assistance to save time, money, and handle larger projects.

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