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eDiscovery + Digital Forensics

# Streamline Document Review

## Introduction

If you have performed any document review project, whether with a formal review tool or by looking through a series of PDFs or TIFFs, you have likely learned a few things about how to efficiently approach the process. These workflows will be different depending on whether you are beginning with load files or native documents, whether you are producing for trial or in response to document requests, or any other scenarios you have encountered in your practice.

With this whitepaper, we have put together some practical tips on how to structure your document review to make the most of your team's time.



Using  
Metadata



Analytics as a  
Targeting Tool



Production and  
Exports



## Using Metadata

In almost every review, documents are coded or tagged for privilege, relevance, issues, or other project-specific categories. Human review of each document can be time-consuming, so most modern software tools combine search and analytics functions to identify a subset that does require human decision. However, lower-tech solutions can be valuable as well.

### Filter and Cull

The first step should be the identification of junk and programmatic emails, typically through email domain searches. This task is simplified when the search tool displays a list of the domains present in the dataset. Alternatively, you can use clustering to group the emails by dominant concepts; for example, fantasy football emails would be in one category while the industry newsletters would be in another. Then, they can be mass coded for removal from the review set.

## Identify Privileged Documents

Perform an initial search for potentially privileged documents prior to the review. To/From email address searches are most often used to identify documents protected under the attorney-client privilege doctrine. Prior to this step, the client must provide the email addresses of all attorneys they have worked with during the period in question. It is important in this phase to ensure that tags are applied to document families. If the email is from the attorney to the client, the attachment is also likely to be privileged. If your review software has the capabilities, both the privilege tag and the reason determination can be mass applied to the identified documents. This extra information can be used to generate the privilege log later.

With the potentially privileged documents pre-coded, reviewers can focus their attention on relevance review and only shift their thoughts to privilege when prompted by the tag. This improves review speed and results.

## Target Key Custodians

Third, identify a hierarchy for the document custodians and focus the initial stages of review on their documents. When the data set has been globally de-duped, this also ensures that key documents in those custodians' batches remain with the produced documents for those central players. When questions of proportionality arise, these key custodian reviews may render the need for further review unnecessary.

### Analytics as a Targeting Tool

Although analytics and data visualization vary by review tool, the nominal number of hours spent learning how to use these tools will result in many hours saved during review. Analytics can help review teams assess the topics covered in a document set, assist in determining where to start, and allow review managers to prioritize their teams. It may also mean groups of documents can be discarded entirely.

## Filter and Cull by Concepts

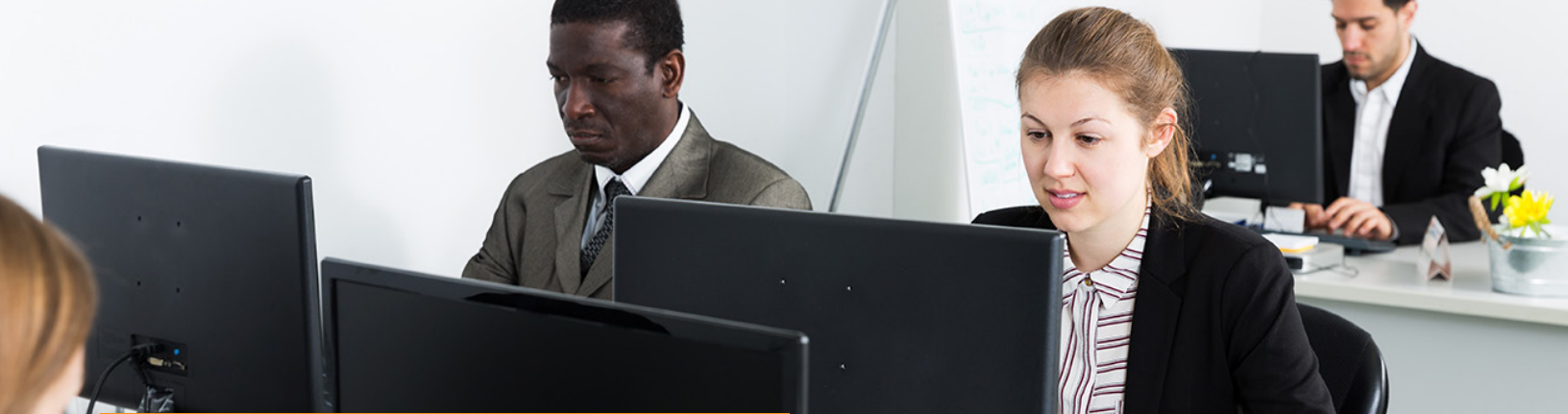
Remove irrelevant groups of data from a review set based on the content in those documents by using clustering and data visualization. With a quick look into the clusters, a senior attorney or person most knowledgeable can often identify whole categories of documents as irrelevant.

## Identify Key Concepts

When reviewers can focus on one idea while reviewing a batch of documents, the review is faster and more accurate. Many studies have shown that people can't perform multiple cognitive activities simultaneously. Instead, they single task serially. And, while the time required to task-switch is relatively short, these pauses in productivity add up to hours and dollars lost.



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## Putting it Together

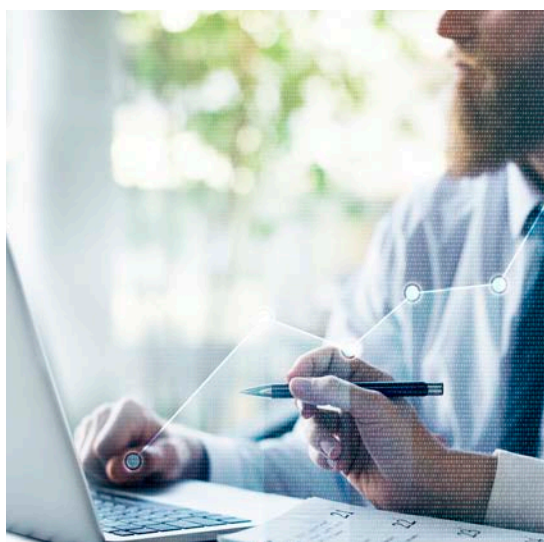
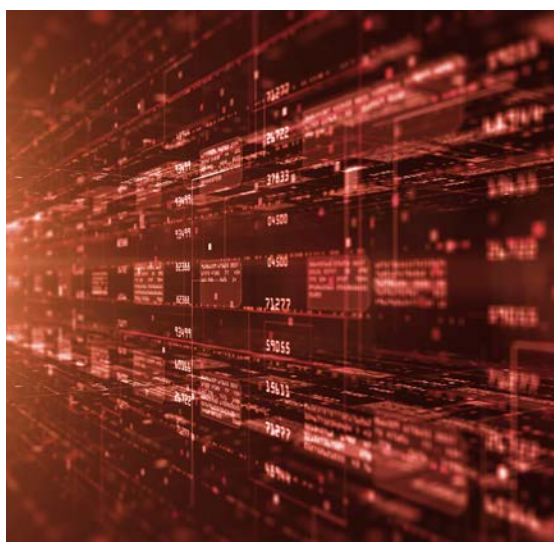
Now you are ready to begin an organized, efficient review. Begin the review with key concepts within the data set of the key custodians. From there, you can determine how to move forward. In this initial review phase, you might decide to adjust your concept groups. Be flexible and let the documents' contents and the goal of the project guide your workflow.

## Production and Exports

Producing and exporting data tends to be a time-sensitive and stressful portion of eDiscovery projects so initial preparation is welcome.

As tempting as it may be to split-up productions between in-house capabilities and the service provider, that can cause major issues with quality control, continuity, and determining which data are where. Decide at the beginning whether the litigation team will perform productions or the service provider will do it for you.

Agree on production formats and the production timeframe early, to cut down on time and prevent money wasted during production. Utilize the production templates available from your service provider - they have extensive experience and can help avoid pitfalls.



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## Other Tips and Tricks

There are several other practical tips that can reduce the time needed for eDiscovery review.

### Organize

If you have a large review team, batching the documents prior to review is important, to prevent duplication of work, and as mentioned above, to increase productivity. This also makes reviewer progress easy to track, and review managers can adjust their expectations and workflow accordingly.

### Communicate

Ongoing communication is imperative for a successful review and case. As attorneys review documents, they learn about the case. These review attorneys need a way to share those insights with the case team. And, that case manager needs to disseminate new information throughout the team. Some review platforms, such as iCONNECT-XERA, have communication tools available within the software, so legal teams can send messages within the system. This eliminates the need to set up a separate communication channel and to move between applications.

### Consider Using AI

Predictive Coding (TAR) has been a hot topic in eDiscovery for many years, but it remains underutilized in many eDiscovery projects. Predictive coding is a workflow that is a part of a general move toward artificial intelligence processes applied to the legal world and to eDiscovery. If there are large numbers of documents to get through or there is a need to review very quickly, AI offerings can be extremely helpful.

## What Next?

Reviewing documents is often the costliest part of an eDiscovery project, both in time and dollars spent. These are some of the tips and tricks we have learned by helping clients with all types of document review in a variety of industries over the years. Apply them to your next project to make your team more productive and reduce those costs.



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to find out how we can help you

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