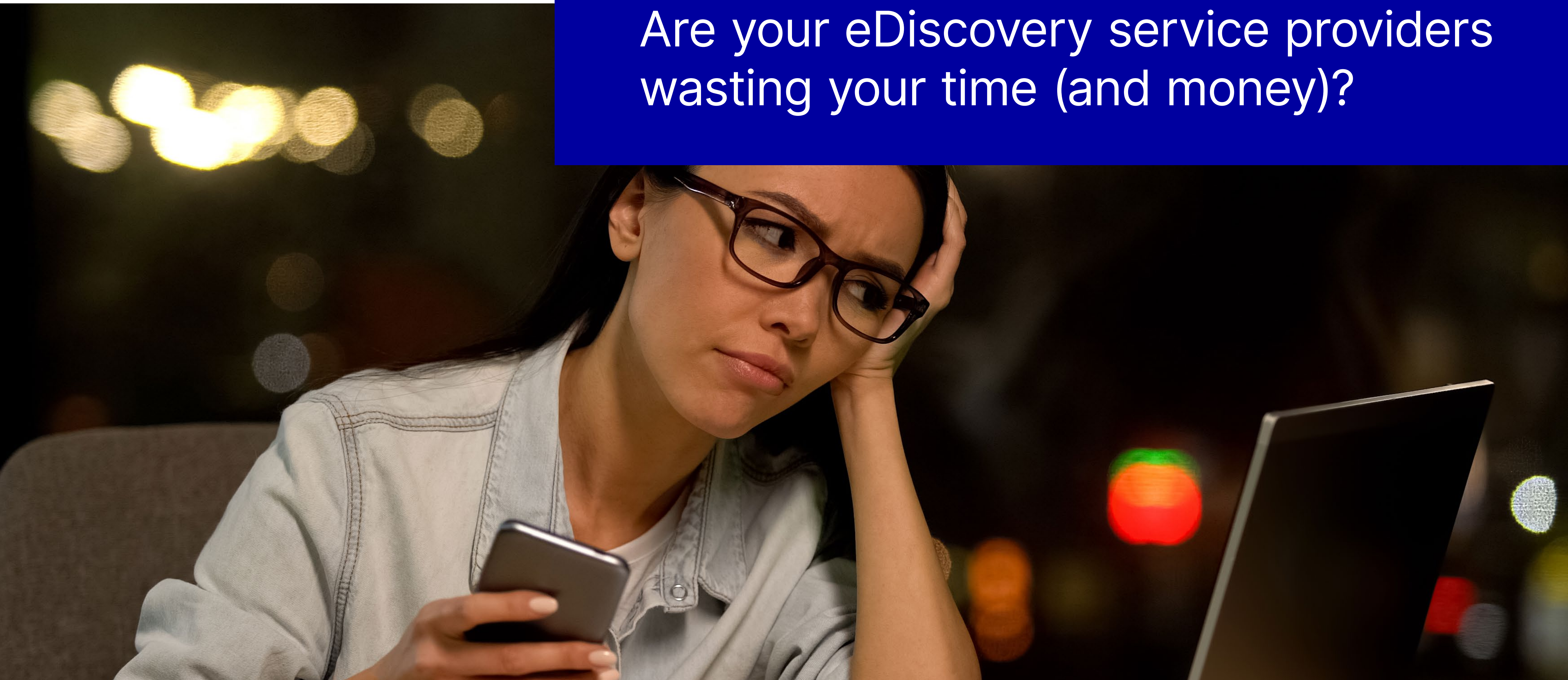


opentext™

eBOOK

Time is money

Are your eDiscovery service providers wasting your time (and money)?

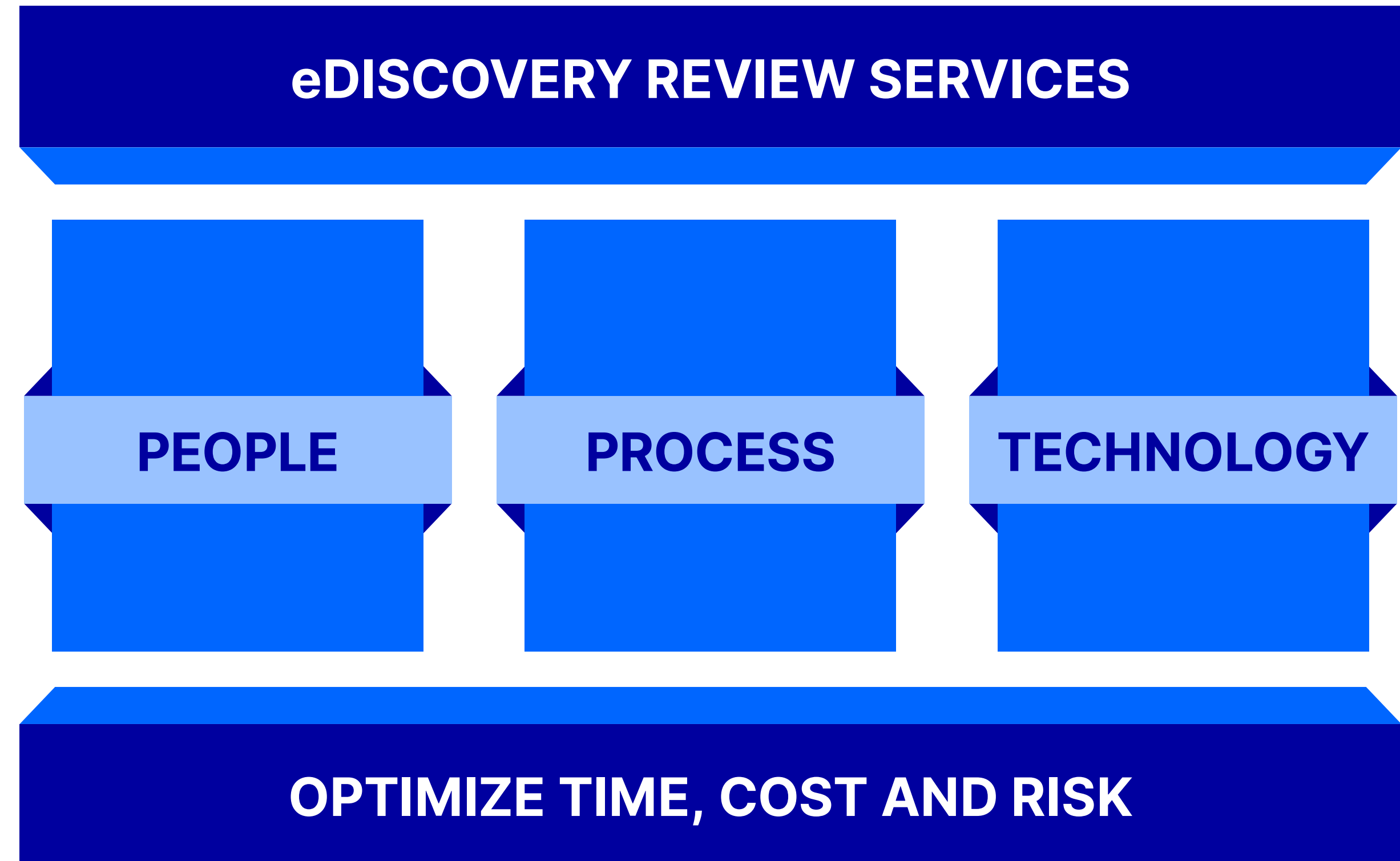


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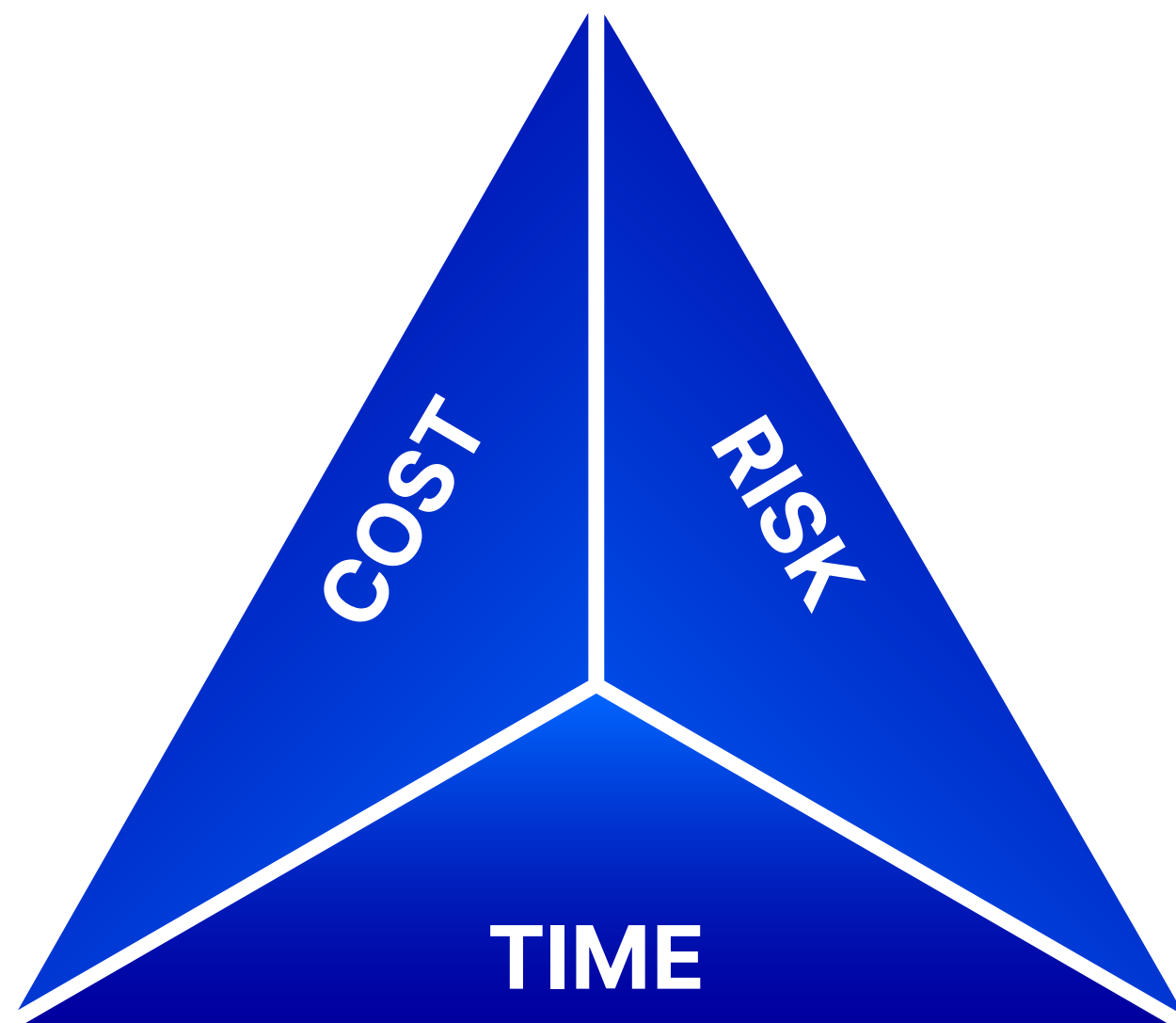
Introduction	3
The time, cost and risk triangle of document review	4
Review project objectives—the efficiency imperative	5
The many forms of time theft	6
The many forms of time theft—additional questions	7
Services time	7
Time to insight	7
Review time	7
Vendor selection time	7
Practical criteria for choosing document review service providers	8
Summary—review project best practices	9
About OpenText Managed Review Services	10

Don't be distracted by flashy tech platforms and hourly rate discounts

The number and complexity of litigation and investigations continue to grow, as does the need for fast access to the facts. Legal teams are under intense pressure to deliver document reviews quickly and within budget. Their choices are limited. Technology-assisted review (TAR) helps, but only if organizations have the expertise to implement it effectively. Before assessing providers for a legal review, find out what to ask and what to watch for to ensure true value from services.



The time, cost and risk triangle of document review



Many service providers offer shiny pricing discounts for the technology platform and hourly rates, but the total cost of the document review project gets overlooked until the bills come in. Thirty-six percent of organizations have never worked with a Managed Document Review provider—a further 14 percent have only done so once.¹ That makes it easy for inexperience to unbalance the crucial cost-risk-time equation. Know the answers to these questions to better prepare.

Cost

- Do you know what you are spending on document review?
- Does your review services provider deliver transparency on total cost?
- Is there a compelling reason to review all documents or can you use technology-assisted review (TAR) to minimize costs?

Risk

- Do you worry about missing critical documents?
- Do you worry about inadvertent disclosure of privileged data?

Time

- Are you wasting time getting started on projects?
- Do you have the right skills in house?
 - Are those resources available for a specific project?
 - Are you able to meet review project deadlines?

Review project objectives – the efficiency imperative

The biggest costs of review projects are often hidden beneath surface-level pricing. Here are key questions to ask to uncover them:

Speed to facts

- Does your review services provider solve the compounding challenge of matters becoming increasingly complex while also needing to get to the facts quickly?
- Are you reviewing more data than necessary, increasing the time and cost to find key evidence?

Reduce costs

- Is your service provider focused on efficiency, or are they increasing the total cost of the project by reviewing more documents in order to make a profit?

If not, project costs can balloon, and outside counsel has less time for strategic services such as drafting pleadings and negotiating with opposing counsel.

Reduce risks

- Do you need to throw more reviewers at projects to get them done on time?

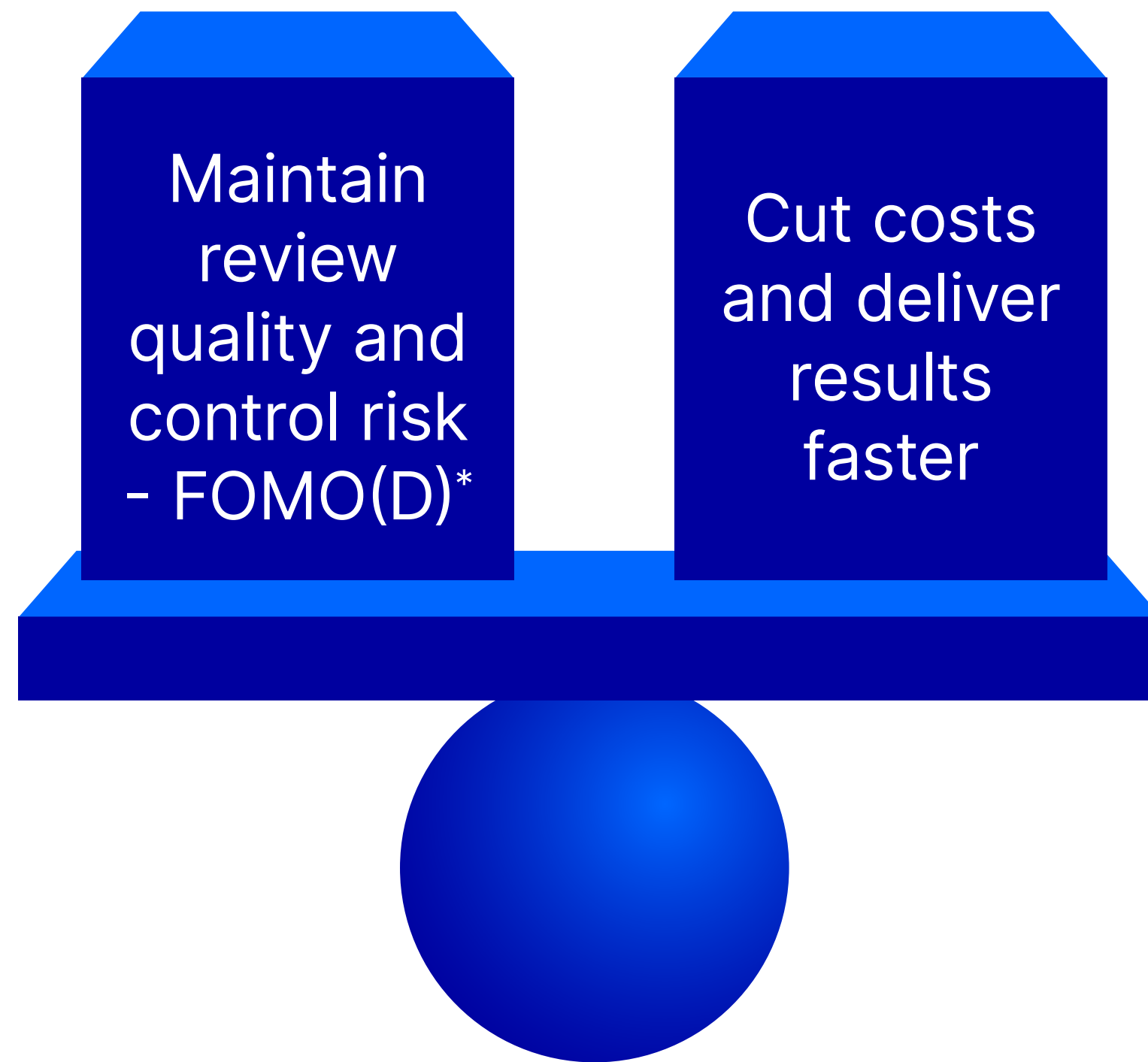
If so, the larger the team, the greater the risk that key evidence falls between the cracks or that privileged data is inadvertently disclosed.

- Is the technology used specifically tooled to find and redact sensitive data easily and reliably?

TAR methodologies are key to keeping review costs down. Unfortunately, 40 percent of organizations have never used TAR for a document review project. A further 10 percent have only used TAR once.²



The many forms of time theft



It can be tricky to uncover inefficiencies within service providers' approaches. To avoid higher costs, consider the following:

Services time

Does your service provider offer transparent pricing on how services time will be spent? Do they perform simple tasks that could be self-served or are they using inefficient methods or technology?

Review time

Efficient service providers typically charge one dollar in services for every three dollars in access to technology. Many service providers do not use optimal methods or technology and charge five to ten times as much in services time.

Time to insight

Does your service provider have a clear focus on outcomes and speed to facts or are they driven to review everything?

The document per hour review rates cited by some service providers are misleading—if they can review 100 documents per hour, they are probably reviewing vast quantities of irrelevant data that should not have been reviewed at all.

Time to assess vendors

Do you start vendor assessments from scratch for each project? Have you considered the costs of running repetitive beauty parades? Have you considered selecting a single services and technology provider to partner with?

* FOMO is the Fear Of Missing Out. FOMO(D) refers to the Fear Of Missing One Document essential to a matter.

The many forms of time theft—additional questions

Services time

- Is your services vendor licensing technology from a third party and charging markups?
- Are they using the best technology for the job or just what they have access to?
- Do they have a proven track record of eliminating irrelevant documents from review?
- Do they only make profits from services or can they provide bundled pricing for technology and services?

Time to insight

- Does your service provider maximize technology to speed up the time to insights?
- Is your provider using streamlined workflows, including TAR?
- Are you overpaying for “consulting” and inefficient methods?
- Are they incentivized to stop review when the facts are found or proportional review is achieved, or do they keep going to maximize their revenue?

Review time

- Is your services vendor an expert at all forms of document review?
- Is your services vendor an undisputed expert in the technology used?
- Are they skilled at aligning the right methods to your needs?
- Do they make extensive use of analytics and automation including TAR?

Time to assess vendors

- Do you have an efficient process for selecting vendors?
- Are the right questions being addressed, including how service time will be spent and total cost of projects?
- Are you spending excessive time and money on vendor selection for each review project?
- Will you get an “A team” of certified experts and a single senior point of contact for all people, process and technology?



Practical criteria for choosing document review service providers



1/3

Only one-third of organizations say their eDiscovery service providers are somewhat or fully aligned with their goals.

2/3

Two-thirds state that alignment is dubious or not aligned.³

Review project objectives

Critical deadlines

- Assess internal resources.
- Define the number of days available to complete review.
- Assess the milestones within projects and the days available to complete each stage.
- Determine whether deadlines are hard or soft.

Resourcing

- Calculate how big the review team needs to be and define how they will be onboarded and managed.
- Define methods and processes for privilege review, redaction and production. Consider their resource cost implications.

Budget considerations

- Determine whether projects can close when key evidence is found or if additional review is required.
- Prioritize providers that offer flat-rate pricing. This indicates their ability to deliver on the forecast total cost.

Define project parameters

Eyes-on requirements

- Derive a reasonable estimate of review data richness.
- Determine whether early insight into key documents is required.

Project size criteria

- Define the number of documents in the collection.
- Assess the formats and languages included in the review data.

Collection, culling and analysis criteria

- Know whether rolling collection will be involved.
- Define your data culling methodology and approach.

Summary—review project best practices

Insist on document reviewer providers that:

- Provide their own technology and are experts in maximizing its benefits.
- Have adaptive methods and are skilled at aligning people, process and technology to your needs.
- Are experts at technology-assisted review and the use of automation and analytics to find facts fast.
- Are incentivized to deliver value through efficient processes and technology.
- Set metrics and provide reports on progress throughout the project.
- Provide transparent total cost pricing.
- Provide defensible workflows and can attest to such in court.
- Handle all aspects of projects in multiple concurrent languages.
- Employ certified experts with global multi-lingual capabilities.

Remember:

Price ≠ Cost

Cost = Price x Efficiency



About OpenText Managed Review Services

OpenText solutions substantially reduce the total cost of document review by matching the best methods to organizational needs without sacrificing quality or increasing risk. OpenText is a global leader in advanced eDisclosure technology and services.

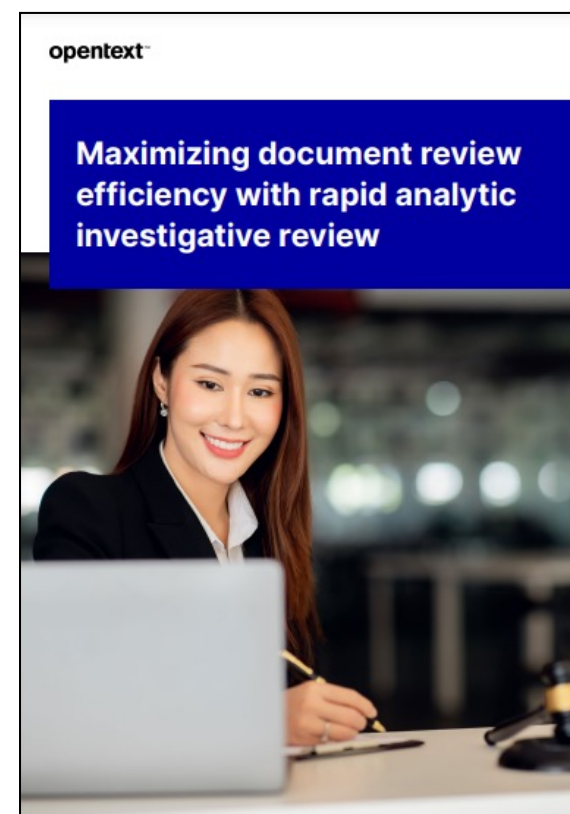
OpenText's document review tool chest:

- Hourly Managed Document Review
 - Flat fee Managed Document Review
 - Rapid Analytics Investigative Review
 - Recon Investigations
- * Full linear review is also available on request

For more information on OpenText Managed Review Services, please [contact us](#).

<https://www.opentext.com/products/ediscovery-and-investigations>

Additional resources:



About OpenText

OpenText, The Information Company, enables organizations to gain insight through market leading information management solutions, on-premises or in the cloud. For more information about OpenText (NASDAQ: OTEX, TSX: OTEX) visit [opentext.com](https://www.opentext.com).

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