

E-discovery set to save money and time

A new e-discovery platform has been brought to SA by data-processing company LexTrado. It will dramatically reduce costs and save time for all parties in legal proceedings.



Information discovery is essential in all judicial matters - it traditionally involves identifying, preserving, collecting, reviewing, analysing and producing information that will be relevant for pre-trial motions and for the trial itself.

e-discovery is the extension of this process to all information that is stored electronically. This includes emails, documents, spreadsheets, instant messages and any other content that may be stored on electronic devices, servers and other platforms. LexTrado can also digitise evidence and make it searchable.

The MD of LexTrado, Danny Myburgh, said: "We saw a clear gap in the market for a South African hosted service that efficiently and securely allows for the legal exchange and control of relevant information for all parties during judicial proceedings while prioritising the preservation of the integrity of the data. This is especially important in light of the implementation of the Protection of Personal Information (POPI) Act, which controls the jurisdiction in which SA citizen's information may be hosted".

What is relevant and what isn't

There are a number of existing companies in SA that assist in identifying and collecting data, but in such instances it still remains the responsibility of the client or legal team to sift through what can be hundreds of thousands of pages of data to establish what is relevant and what isn't.

LexTrado uses highly specialised and advanced software platforms that can search and categorise the data and metadata an extremely short space of time, based on an analysis of key words, timelines and communications - dramatically reducing costs.

Myburgh said: "Consider an average case that has about 280,000 pages of emails for a legal team to review. If it takes at least 30 seconds per email to deem its relevance, you're already looking at 124,000 minutes spent purely on looking at emails. That translates into 2366 billable hours that cannot all be recouped."

According to Myburgh, a case with data that would take a law firm two weeks and a full legal team to examine, would take LexTrado just two hours and 23 minutes by comparison. Bringing costs down from millions to just R10,000.

Millions of transactions of legal relevance

"The potential cost reduction is particularly pertinent in the context of today's digital environment. Nearly 90% of all information is created electronically. There are millions of transactions of legal relevance conducted electronically on a daily basis - with only 30% of this information ever making it onto paper," said Myburgh.

Despite this, very few corporations are legally prepared for the reality of this information environment. According to Myburgh, about 60% to 70% of companies cannot validate the accuracy of their internal data primarily because of the sheer quantity involved. e-discovery accounts for a substantial portion of litigation processes and companies that fail to disclose data in a timely or appropriate manner can face the risk of paying millions in sanctions and fines.

In the secure LexTrado environment, clients and legal teams can review data from any location in the world on a centralised database. Once a project is complete, relevant documents, legally privileged documents and non-relevant documents can be separated by LexTrado within minutes and complete audit trails can be generated.

"LexTrado should be the first point of contact for any entity needing to disclose information. By upholding only the highest standards of data integrity, LexTrado has quickly become established as an industry leader and trusted partner for e-discovery services in regulatory, civil and criminal environments. We are committed to ensuring relevant data is made visible in a timely and secure manner, supporting legal proceedings in the pursuit of justice and transparency," concluded Myburgh.

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