

Duane Morris

Duane Morris Increases E-Discovery Efficiency and Defensibility with Clearwell

Duane Morris

CHALLENGES

- Provide attorneys with faster access to case facts for small and medium size cases
- Lower costs by reducing the number of documents sent to 2nd level review
- Make it easier to document the defensibility of search methodologies

SOLUTION

- Clearwell E-Discovery Platform for processing, analysis, and review

BENEFITS

- Provided attorneys with visibility into case facts faster
- Lowered costs by reducing a set of 139,000 documents to only 1,200 for second-level review
- Documented an iterative and defensible e-discovery search methodology

"There is almost no comparison between traditional methods and Clearwell. Everyone knows Clearwell provides benefits for document-intensive cases, but it also provides benefits to small and medium-sized cases."

Laura Bandrowsky
Practice Support Director at Duane Morris

OVERVIEW

Duane Morris, LLP is a full-service international law firm with more than 700 attorneys in the United States and internationally. The firm provides innovative technology solutions to support the legal and business challenges of today's evolving global markets, including e-discovery. Duane Morris provides guidance to its clients as they choose the right tools to meet the e-discovery needs of each case. Large document volume cases are usually outsourced to service providers. Small and medium-sized cases are often handled in-house to meet tighter budget constraints and shorter deadlines. The firm is constantly seeking better technologies to quickly and affordably help their clients manage these cases. "We knew Clearwell was a popular choice for handling large document volume cases, but we wanted to see if it would provide benefits for cases with smaller or medium-sized e-discovery," said Laura Bandrowsky, Practice Support Director at Duane Morris. "After bringing the Clearwell E-Discovery Platform in-house for testing, we've used it on dozens of cases, and have since standardized on the platform for small and medium-sized e-discovery requests."

CHALLENGES

It is common knowledge that big e-discovery cases are challenging to manage and have a high overhead cost. "In our view, cases with a smaller volume of e-discovery are equally important and have all the same challenges and needs as cases with larger volumes of e-discovery and deserve the same high level of care. In the past, the tools available in the e-discovery marketplace were not as well suited to cost-effectively manage the cases that did not involve very large e-discovery efforts," Bandrowsky said.

The legacy tools used by Duane Morris' litigation support department required manual processes to meet their attorneys' and clients' needs. The processes consisted of multiple steps including processing data in one tool then loading it into a separate review platform. A small dataset of 2GB would often take 6-8 hours to process and load. Furthermore, the review tools available in the e-discovery market did not have sophisticated analytics.

As a result, the firm's litigation support group needed to apply more resources to meet the attorneys' needs to answer the questions: "does my client have a strong case?" or "has my client provided the information necessary to defend or prosecute the case?". Furthermore, "The older linear review tools provide basic searching mechanisms with keywords but don't provide the capacity to perform early case analysis and cull down the data to the potentially relevant documents for our attorneys," Bandrowsky said.

Given the firm's commitment to service excellence, Duane Morris set out to find a solution. Specifically, the firm was looking for an e-discovery product that met three key criteria: it needed to be cost effective, generate quick results, and have a user friendly interface that allowed attorneys and paralegals to be productive in minutes. "We wanted a flexible solution that would help our attorneys quickly assess what clients gave them, so they could understand case facts based on the electronic evidence as quickly as possible." Bandrowsky said.

SOLUTION

The firm evaluated the Clearwell E-Discovery Platform for a matter that had a small amount of e-discovery but had the potential to grow into a larger e-discovery case. The initial dataset included 139,000 documents (PSTs and NSFs spanning three custodians). Using Clearwell, the Litigation

Support team was able to make case facts accessible to attorneys within 2 hours versus 6-8 hours. The attorneys were able to quickly validate the list of search terms across both relevant and non-relevant data, and ensure that pertinent data would not be excluded. This iterative process allowed the case team to come up with a clear set of relevant search terms while Clearwell's Transparent Search provided defensibility of their search methodology.

Additionally, the team utilized Clearwell's Auto-Filters, Discussion Threads, and Topics Analysis to reduce the number of relevant documents for second-level review from 139,000 to about 1,200 – saving attorneys' time by whittling down the data for review. Clearwell streamlined processing, analysis, and review in one tool, versus having to process the data using one tool and then loading the data into another linear review tool.

"The results were surprisingly good, Clearwell was at least 4 times faster than using technologies available in the recent past," Bandrowsky said. "We dramatically streamlined our process."

Additionally, if the case required the expansion of the custodian list, Clearwell enabled processing of data from additional custodians using the validated search terms. As a planning and budgeting tool, Clearwell also allowed attorneys to accurately estimate the additional cost and time it would take to process, analyze, and review data from each additional custodian based on the initial results.

BENEFITS

"Everyone knows Clearwell provides benefits for document-intensive cases, but we have shown it also provides enormous benefits to small and medium-sized cases. It can deliver measurable results on nearly every case." Bandrowsky said. "Clearwell met all three of the most important e-discovery criteria for Duane Morris: cost effective, rapid generation of defensible results, and an intuitive user interface that is easy to use for folks that have not been trained on the product."

Duane Morris has enhanced its ability to quickly and cost-effectively respond to cases that involve a smaller set of ESI. With Clearwell, law firms can improve early case assessments by providing three advantages to attorneys. Clearwell allows attorneys to quickly determine case strategy, better prepare for Meet and Confer requirements, and accurately estimate the scope and cost of e-discovery. In addition to these benefits, they can also more easily test the efficacy of search terms and defend their search methodology. Finally, the firm is able to reduce the cost of e-discovery even more for its clients by reducing the number of documents sent to second-level review from 139,000 to 1,200.

To learn how Clearwell can deliver value to your organization, contact an e-discovery expert at: info@clearwellsystems.com, or call us at: 877.727.9909.



Clearwell Systems, Inc.
441 Logue Avenue
Mountain View, CA 94043
650.526.0600 tel
650.526.0699 fax
www.clearwellsystems.com