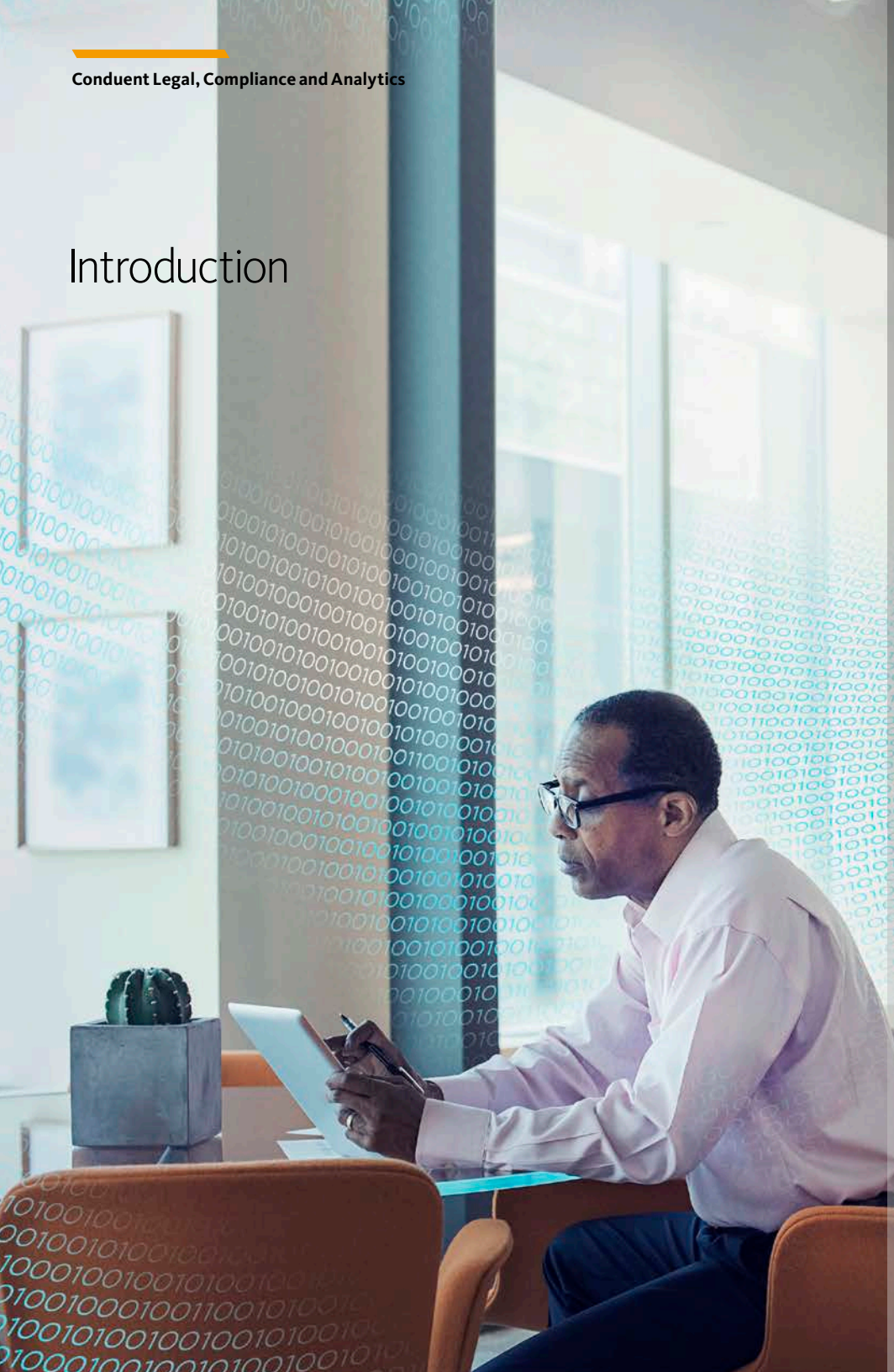
CONDUENT

4 Ways That AI is Transforming eDiscovery



Introduction



of emerging technologies will be built on a foundation of artificial Intelligence by 2021.

80%

Gartner estimates that 80% of emerging technologies will be built on a foundation of artificial intelligence by 2021.[i] Within the legal landscape, a wealth of technology innovation over the past several decades has transformed the way legal departments and law firms operate — and the value that an analytics-driven legal operation can deliver, whether operating within a corporation or serving in an outside counsel capacity.

AI has been used in document review for more than a decade; however, the time investment and cost has been somewhat of a detriment to broad-scale adoption. As data volumes continue to explode and AI technology becomes more democratized, eDiscovery practitioners can no longer afford to overlook this critical tool.

As artificial intelligence, machine learning and sophisticated analytics continue to become more seamlessly integrated into various aspects of eDiscovery, organizations and legal firms alike will experience more streamlined processes, greater efficiencies and huge bottom-line benefits over the long term.

Here are 4 ways that AI is transforming eDiscovery and driving business success.

[i] Gartner. (2018, May). 100 Data and Analytics Predictions Through 2022.

1 AI redirects attorney hours... and saves money

Various estimates state that document review costs account for approximately 70-80% of all litigation spend. That's huge! By leveraging technologies that drive efficiencies in this area, corporations and law firms can see a big impact on their bottom line — particularly in attorney hours spent on document review.

For traditional AI-based tools to work, you have to train them. As lawyers make decisions, algorithms emerge — training the machine on which documents are relevant. Through text analytics, pattern recognition, email paths and other identifiable characteristics, the computer or platform creates a relevance model that'll do the work for you over time. [1] By constantly reevaluating and updating, the system continues to "train itself."

Once the system is trained, legal departments have greater flexibility to employ junior associates or outsourced staff to complete some of the core, labor-intensive tasks that attorneys have typically been required to complete on their own. Since AI helps surface relevant (and streamlined) information that counsel *must* review, legal privilege is maintained at all times — without wasting attorney hours on mundane tasks or irrelevant data.

This is how law firms and corporate legal teams can see major time and cost savings in eDiscovery — when a team of lawyers who would have normally had to review 200,000 documents now has to review just 5,000. It's still a lot of documents, but the document "haystack" is much smaller and attorney hours can be redirected to more strategic work.



Various estimates state that document review costs account for approximately **70-80%** of all litigation spend.

[ii] Wortzman, S. (2019, December 17). How AI is Reducing the Cost of eDiscovery. Retrieved from http://www.mondaq.com

2 AI shrinks the document haystack



With one of our clients, we found that [4] the same non-responsive document had been reviewed **8,000 times** over the course of one year by the same set of legal professionals costing the company approximately $1M.

At Conduent, we often talk to our clients about what we call "the million dollar document." Although in the legal profession we've come a long way from the days of pulling all-nighters manually searching through boxes of paper or scanning through electronic records, there is still a tremendous amount of redundant document review that has seemed like a requirement for completing due diligence on a given matter. With one of our clients, we found that the same non-responsive document had been reviewed 8,000 times over the course of one year by the same set of legal professionals costing the company approximately $1M in time and professional wages!

Every organization and law firm has experienced this situation and the stakes run high, especially in situations where there is pending litigation against a company — and possibly millions of documents to review in order to identify what's privileged. Using keywords to sniff out documents can only get you so far, with many sources stating an efficacy rate of between 20-35%. And with keywords, the process starts over each and every time.

2 AI shrinks the document haystack

Continued



The key to shrinking the document haystack is applying intelligence — in this case in the form of machine learning and analytics — that can look not just at the keywords but also at the context and metadata of documents to identify patterns and trends. Things like the sender and receiver of an email and whether it was sent to a group or an individual help to train the system so that it knows what to look for next time. Over time, this more intelligent approach to eDiscovery helps shrink the document haystack, and that can make a big difference on a case-specific basis — in the time it takes to complete a privilege assessment, the cost savings that come from automating those processes and the overall quality of the data output.

A more intelligent approach to eDiscovery helps shrink the document haystack, and that can make a big difference on a case-specific basis.

Conduent's AI and Analytics in Action

When a global shipping company received a Federal Trade Commission Second Request on a bet-the-company merger and had to respond quickly to a DOJ injunction. Conduent stepped in as a legal technology partner to help shrink their document haystack and complete their eDiscovery process quickly, efficiently and cost-effectively through the use of AI and analytics.

The client's post-cull dataset started with 10M documents, all of which required a high degree of confidentiality and had to be reviewed quickly. **Our advanced AI and analytics tools reduced the document volume from 10 Million to 2.5 Million (a 75% haystack reduction!) right off the top.** Then, Conduent applied a dual-shore approach to the remaining 2.5M to quickly and cost-effectively review, redact, translate and log for privilege over a six-month period.

By meeting numerous rapid discovery deadlines, we ensured compliance with the government's demands while delivering significant cost savings for the client. Our dual-shore approach guaranteed 24-hour support for the client, while allowing higher value tasks to remain onshore — ensuring defensibility.

3 AI powers smarter business decisions

Emerging technologies enable mission-critical analytics that can be used to make important decisions about both cases and vendors, while empowering better decision-making for business overall.

Advances in legal technology – in particular artificial intelligence technologies like analytics, predictive modeling and machine learning – are giving legal more prominence within the corporation and are helping make the department's strategic value more tangible to the C-suite and the board.[iii]

While eDiscovery apps and technology-assisted review have helped create huge efficiencies and cost savings for legal departments, firms and clients — it is the emerging and more advanced technologies such as machine learning, predictive modeling, data analysis and data visualization that are giving general counsels the accommodation of corporate influence. These technologies enable mission-critical analytics that can be used to make important decisions about both cases and vendors.

[iii] Carns, D. (2018, Deceber 6) The Rise of Analytics: How Legal Technology Finally Got a Seat in the Boardroom. Retrieved from https://generalcounselnews.com

3 AI powers smarter business decisions

Continued

Through analytics and machine learning, law firms or corporate legal teams can look at information and data gleaned from one matter and start applying it across an entire portfolio of matters, whereby key trends will emerge that can help predict future decision-making. As the volume of data grows, legal teams are able to make increasingly accurate predictions over time, supporting better business decision-making overall.

Analytics can also help corporate legal dep artments in making decisions about the right vendors, jurisdictions and outside counsels to choose for a given case or across a body of matters. Analytics can help firms look across their invoice database, easily identify red flags and pinpoint areas where further assessment may be needed. For example, does it make sense to try a case in Alabama or Ohio? While previously answering that question might have required days of research and fees, sophisticated analytics quickly bring all the data to the surface in an easily digestible format — enabling lawyers to be more decision-ready.

Does it make sense to try a case in Ohio or Alabama?

While previously answering that question might have required days of research and fees, sophisticated analytics quickly bring all the data to the surface in an easily digestible format.



4 AI makes all kinds of data more accessible



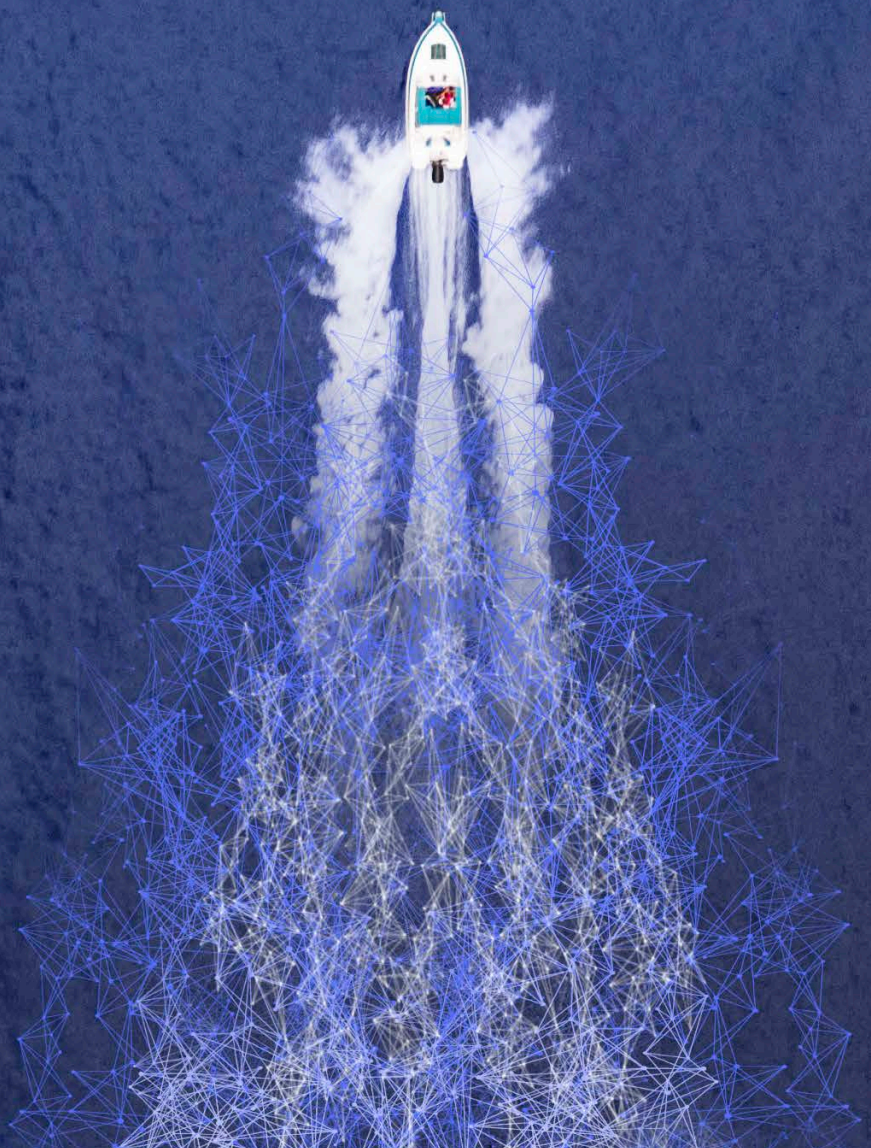
Legal professionals operate in one of the most data-intensive environments that exist today – no surprise there. Artificial intelligence lets corporate legal departments and firms gain access to that data in its raw form. Whether it's structured, unstructured or semi-structured — AI can make any data actionable in a much more efficient way.

AI can objectively label and categorize data from any source, identifying the most sensitive data from the beginning, and kicking off the triage process.

Stepping outside of a discrete case example, legal teams can create their own data lakes and repositories for related case information. For example, if they know that certain documents are going to be collected over and over again for certain types of cases, they can put all those documents into a data lake and use AI to automate the response time — every time. This can result in huge economies of scale across high-risk litigations and optimize an entire matter portfolio by centralizing repetitive work.

4 AI makes all kinds of data more accessible

Continued



What's in a data lake?

A data lake is an architecture for storing high-volume, high-velocity, high-variety, as-is data in a centralized repository for Big Data and real-time analytics.[iv] The global data lakes market is expected to grow at a rate of 28% between 2017 and 2023.[v]

Conduent uses this technology in our work with clients to help save corporate legal teams time and money. For example in our work with one major investment firm, we leveraged our Analytics Hub — a secure data lake housing hundreds of matters, hundreds of millions of documents and more than 30 billion attorney decisions. By leveraging AI against this data, we helped the client achieve significant results (and the benefits continue to add up) including:

- **Through the reuse of work product from prior matters, we identified a savings of $65K in first level review on one case alone**
- **By identifying high frequency repetitive documents, we reduced documents sent to first level review by 18% to a tune of $1.4M in review cost savings**
- **By leveraging automation, we were able to establish statistical workflows resulting in over $4M savings**
- **We built a custom privilege application to target a 72% reduction in documents requiring privilege review**

Want to learn more about the ways that AI can supercharge your eDiscovery process? Visit www.conduent.com/solution/legal-business-solutions or call 844.ONE.CNDT.

[iv] Zaino, J. (2019) Data Lakes Prove Key to Modern Data Platforms. Retrieved from https://biztechmagazine.com
[v] MarketWatch. (2018, August 21). Global Data Lakes Market Research Report

About Conduent

Conduent delivers mission-critical services and solutions on behalf of businesses and governments – creating exceptional outcomes for its clients and the millions of people who count on them. Through people, process and technology, Conduent solutions and services automate workflows, improve efficiencies, reduce costs and enable revenue growth. It's why most Fortune 100 companies and over 500 government entities depend on Conduent every day to manage their essential interactions and move their operations forward.

Conduent's differentiated services and solutions improve experiences for millions of people every day, including two-thirds of all insured patients in the U.S., 11 million employees who use its HR Services, and nearly nine million people who travel through toll systems daily. Conduent's solutions deliver exceptional outcomes for its clients including $16 billion in medical bill savings, up to 40% efficiency increase in HR operations, and up to 40% improvement in processing costs, while driving higher end-user satisfaction. Learn more at www.conduent.com.

© 2020 Conduent, Inc. All rights reserved. Conduent and Conduent Agile Star are trademarks of Conduent, Inc. and/or its subsidiaries in the United States and/or other countries. 01/20 BR2812

CONDUENT