Relativity®

Maximizing Collections in an Evolving e-Discovery Environment

A report on the current landscape and challenges associated with data collections for corporate teams

Produced by Ari Kaplan

Presented by Relativity

Contents

A Note from Relativity About the Collections Landscape

Amidst a global pandemic and a notable shift in work habits across sectors, the past 18 months have accelerated the changing shape of data. There's no doubt about it. The pace of change in the ways we communicate continues to accelerate at an unprecedented rate. Along with that change comes dramatic, sometimes underappreciated, implications that impact the effectiveness, scalability, and viability of traditional workflows for data collection in the e-discovery process.

Legal and compliance industries need to stay ahead of the curve and evolve with the changing nature of work in organizations globally. It is our commitment to identify the nuanced implications that changing communications practices have on capturing data in a way that is sustainable and easily actionable. That's why Relativity was interested in engaging a third party to undertake this research and share it. Capturing and disseminating a non-partial view of the challenges and perspectives facing this practice helps us ensure that we are building technology that addresses the greatest changes affecting data collections for surveillance and e-discovery workflows—today and in the future.

As chief product officer, I am excited to continuously further Relativity's capabilities and accelerate the ability to hold, collect, analyze, review, and produce all types of unstructured data seamlessly and securely.

We hope you enjoy this survey and find the insights useful.
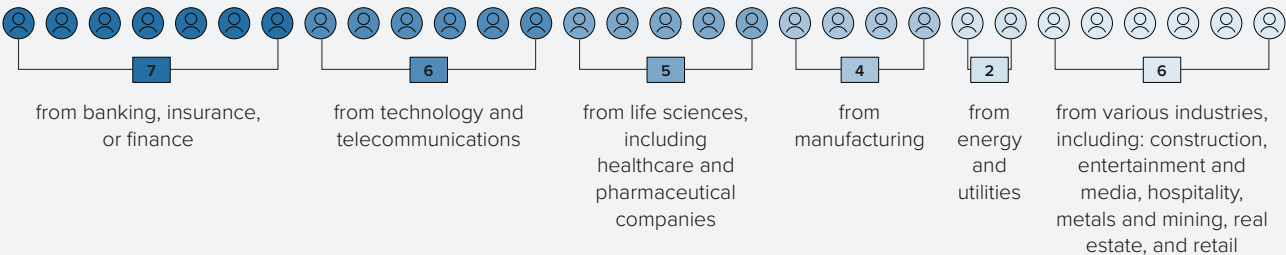
Chris Brown
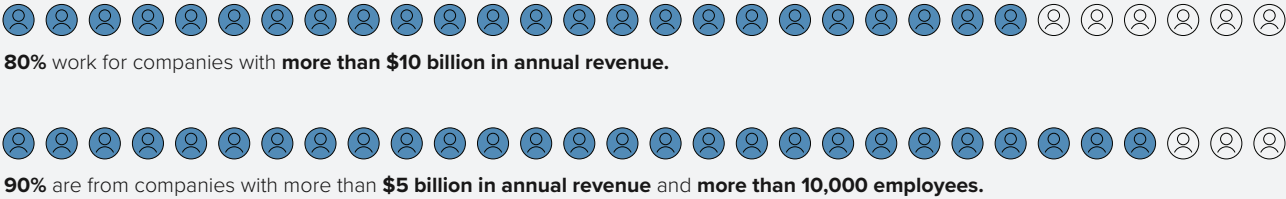Chief Product Officer, Relativity

About the Study

Relativity engaged Ari Kaplan Advisors to speak with a cross-section of in-house e-discovery professionals in a range of industries to better understand their current challenges associated with data collection, how they overcome them, and ways in which they expect the process to evolve. In an increasingly remote working environment, where corporations are deploying new tools at a rapid pace and driving data volumes to record levels, legal teams are responding by aligning talent and technology to ensure the application of effective and efficient data management protocols.

Between August 17, 2021, and September 24, 2021, Ari Kaplan personally interviewed 30 in-house e-discovery professionals specifically about collecting data today, how those efforts have changed, and areas in which they expect further transformation.

Ari interviewed the following individuals:

7	**6**	**5**	**4**	**2**	**6**
from banking, insurance, or finance	from technology and telecommunications	from life sciences, including healthcare and pharmaceutical companies	from manufacturing	from energy and utilities	from various industries, including: construction, entertainment and media, hospitality, metals and mining, real estate, and retail

Of those individuals:

80% work for companies with **more than $10 billion in annual revenue.**

90% are from companies with more than **$5 billion in annual revenue** and **more than 10,000 employees.**

Executive Summary

The Challenges of Data Collection for In-House Corporate Teams

When asked to choose from a host of data collection challenges, 40 percent of the respondents selected **varying data sources** as the most significant concern and that choice was among the top three for 70 percent of the participants. **Growing data volumes** was the second most popular choice for 30 percent of the respondents and was also the second most common choice among the top three for 57 percent of the participants. For 13 percent, **disparate and non-integrated collection tools or methods** was the leading challenge and among the top three for 47 percent.

"Where one data source is, another grows, which makes collections very challenging; the growing data volumes are requiring an increased focus on data remediation," said one respondent.
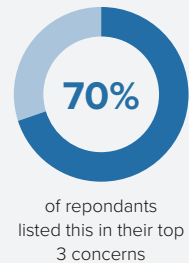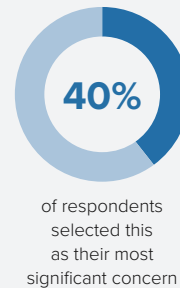
Solutions to Collections Challenges

Among a number of ways that in-house legal teams are addressing the challenges inherent in modern collection are:

1. Preserving in place.
2. Collaborating more closely with outside providers.
3. Data mapping.
4. Focusing on information governance.
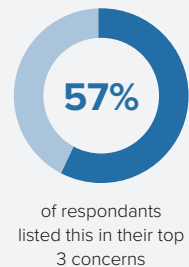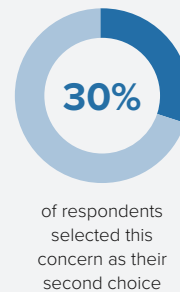5. Embracing the efficiencies associated with remote collections.

"You need to move left on the EDRM to take ownership of your information governance challenge," recommended one participant, who added that "you need to do work on the front end to achieve the back-end goal of more automated data minimization."

The most concerning data collection challenges among participants:

Varying data sources

40%
of respondents selected this as their most significant concern

70%
of repondants listed this in their top 3 concerns

Growing data volumes

30%
of respondents selected this concern as their second choice

57%
of respondants listed this in their top 3 concerns

Disparate and non-integrated collection tools or methods

13%
of respondants chose this as their leading challenge

47%
of respondants listed this in their top 3 concerns
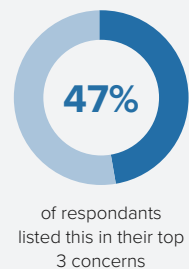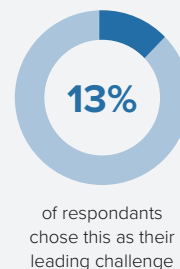
The Collection Process Is Changing

Seventy-three percent of respondents advised that **their company has changed the way it performs collections in the past two years.** Leveraging Microsoft 365 and increasing the volume of remote collections are two of the most significant shifts.

Barriers to Improving Collections Abound

The most common barrier to solving the challenge of modern data collection is **a lack of understanding of integrated collection and review solutions,** with 40 percent of the participants facing this issue. **Ill-defined data retention policies** was the second most common concern with 37 percent highlighting its impact. **A misalignment across IT, legal, and other departments, and a lack of investment in collection solutions** were tied for the third most impactful barrier with 33 percent selecting those options.

Data Volumes Continue to Grow

Ninety-three percent of the participants advised that **data volumes have grown over the past two years,** which is no surprise. In order to adapt, legal teams are:

• Developing targeted collection protocols.

• Focusing on preservation in place.

• Providing more comprehensive education on data retention and disposition.

• Leveraging AI and analytics.

Culling Data Is Critical Prior to Collection

On a scale of one to five, with five being the highest, almost all of the participants (90 percent) rated **culling data volumes before collection** at either a four (very important) or a five (extremely important).

"We want to be conscious of providing the right data and we have invested in a few tools to look at that data before we ship it out because knowing what you have before you send it is very valuable," added another. That said, "It would be great to do, but I have not seen it done well; unless we have all of our data indexed constantly, I don't see how it is possible and could become a waste of time."

Expectations Are Extensive for the Future of Collections

Among the changes that the participants expect are:

• **More connectors** in a single system that integrates different platforms.

• Conducting **more queries in place.**

• Facilitating **cloud-to-cloud transfers** of data.

• Greater use of **artificial intelligence**. "We are not nearly leveraging enough AI, despite the fact that we have been talking about it for a decade."

• **Direct upload and collection** of data.

• **Increased attention to video**. "Video conferencing data will become more significant, especially as more organizations maintain a permanently remote workforce."

• **À la carte options** for tools and licenses. "I don't want to be locked into a tool because it is too difficult to secure funding on a consistent basis."

• **Consolidation of data** from local devices into a central cloud-based repository.

• **More automation** in collections.

Introduction

Electronic discovery is often in a dynamic state of perpetual change. From technology and processes to talent and development, the pandemic altered the location from which most professionals in the sector manage their responsibilities, but it has not diminished the creativity they apply to an increasingly complex data landscape or the collaborative solutions they deploy to ensure the success of their respective businesses.

One area of meaningful change over the course of the past two years has been the evolution of data collection for e-discovery. It was already shifting from a physical, on-site discipline to a now predominantly digital, remote effort, but the array of platforms from which teams need to collect and the overwhelming volumes of material they need to gather have significantly altered the approach, timing, and experience necessary to meet court or government deadlines in a distributed environment.

This report highlights the areas of change and offers guidance on how in-house legal teams can adapt based on the perspectives of their peers in similar roles at a range of organizations.

The Rapidly Changing Landscape for Collections

For many of the participants, the pandemic has served as a catalyst to reevaluate their collection practices and accelerate key changes. For example, one participant noted: "The number and range of data sources has escalated due to COVID because we have needed to rely more on collaboration tools; they were there and we were aware of them, but now we use them much more." Another commented: "Data was more centralized two years ago, but is becoming more decentralized due to the proliferation of different tools and the increased use of cloud storage."

With respect to complicated or unusual file types, only about a third of the participants even listed it among their top three challenges. "Our primary focus on collections is for email, so we don't have many challenges associated with unusual file types," said one. "It adds to our work because the old types are still active and new data types are emerging," said another.

Despite being very common, many of the participants have found effective ways to manage the growing volumes of data from which they are required to collect. While one did note, "It is getting worse and gets worse on a monthly basis," a number of those who share their perspectives have adapted by focusing more proactively. "The data volumes keep rising so we are trying to collect in certain locations and understand the full landscape for potential data so we can be more targeted," said one participant. "We are now doing more targeted collection so the growing data volumes are not an issue; it is rare for us to create a full forensic disk image," said another.

Although many are managing the growth in data volumes, the variety and disconnected nature of the systems from which legal teams are collecting that data is an evolving, albeit uneven, concern. Some have aligned their approach. "We follow a single unified discovery process," advised one participant. "A lot of what we use does not speak between the tools but since we are entering data in a central repository, that lack of integration is less of an issue," added another.

> "Data was more centralized two years ago, but is becoming more decentralized due to the proliferation of different tools and the increased use of cloud storage."

Others are optimistic that the technology is rapidly evolving to meet their needs. "The connectors are getting developed as we speak, but until we reach that point, there are many different tools that we need to use," remarked one individual. "The connectors from RelativityOne to Slack and GSuite have been game-changers," noted a peer. Ultimately, "we have always had different systems and different ways to collect so trying to put them into a single system has been a consistent challenge."

Among a number of tactics that legal teams are using to address the challenges inherent in modern collection are:

1. Preserving in place.

2. Collaborating more closely with outside providers.

3. Data mapping.

4. Focusing on information governance.

5. Embracing the efficiencies associated with remote collections.

The Collection Process Is Changing

Seventy-three percent of respondents advised that their company has changed the way it performs collections in the past two years. Leveraging Microsoft 365 and increasing the volume of remote collections are two of the most significant shifts. As litigation dockets have expanded, litigation support teams have also become more efficient in their efforts.

Examples of how teams have altered their approach include:

"We are working on developing an ISO-certified forensics lab and standardizing defensible protocols guided by the EDRM."

"The company is constantly trying to implement improvements to align more effectively with outside counsel."

"We have integrated all of our data repositories so we can perform better and more efficient collections."

"The only change is that given the functionality of M365, we have decreased the amount of data we collect and have focused on preserving it in place based on legal hold."

"The majority of collections from five years ago would have been from a machine or phone, but now they are mostly about gathering data from OneDrive or Google Drive."

"IT is not involved in collections at all; legal leads all of the collection work, which has resulted in much greater efficiency and has streamlined the processes."

"We were generally focused on collecting email, but now have to focus on many new sources and types of data."

"We used to capture all active files on a given machine, but now we are collecting active files only within a profile in a folder from a machine remotely."

"Two years ago, we addressed any collections issue with a preferred vendor or the IT team, but now we handle those issues in-house."

"We are moving to a place where all laptops are backed up in the cloud so we can collect remotely; occasionally, we will ship hard drives to a custodian with forensic software to self-collect."

The Challenges of Data Collection

When asked to choose from a host of data collection challenges, 40 percent of the respondents selected varying data sources as the most significant challenge and that choice was among the top three for 70 percent of the participants.

A few respondents commented on the growing number of data types as being a particularly unique challenge today—more so than the volume of data itself, which has historically been an area of concern. "Everyone will say 'growing data volumes,' but that has been a challenge since 2011; varying data sources is actually the top challenge," explained one individual.

"The technical limitations associated with collecting different types of data complicate the process because there is no standard," another individual said.

Growing data volumes was the second most popular item for 30 percent of the respondents and was also the second most common among the top three for 57 percent of the participants.
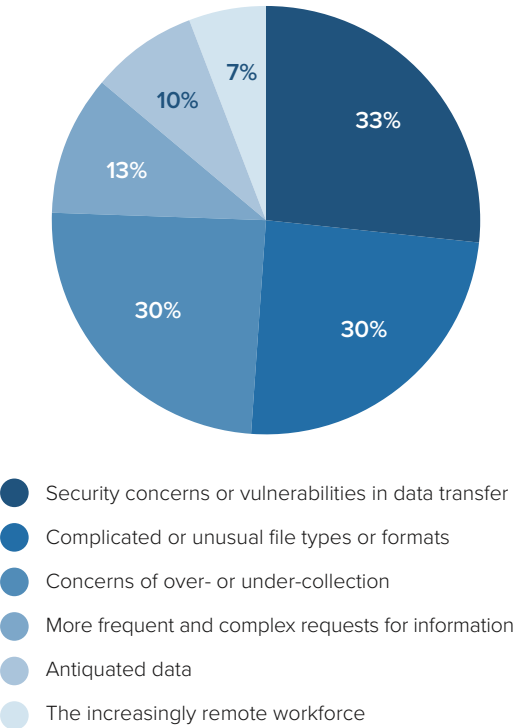
> "The technical limitations associated with collecting different types of data complicate the process because there is no standard."

For 13 percent, disparate and non-integrated collection tools or methods was the leading challenge and in the top three for 47 percent.

The remaining challenges in order of the percentage that placed them in the top three are:

- Security concerns or vulnerabilities in data transfer
- Complicated or unusual file types or formats
- Concerns of over- or under-collection
- More frequent and complex requests for information
- Antiquated data
- The increasingly remote workforce

Addressing Decentralized Data

Although it is not listed, the rapid and unsupervised transmission of data is a challenge that impacts many of the issues listed. "The move from on-premises solutions to cloud-based solutions has prompted new challenges in terms of accessing the data and validating that the data you are pulling is relevant and comprehensive," said one participant.

"The decentralization, such as information in the cloud, is an increasing challenge," added another. "Now, data can exist anywhere and you don't know where it is until the point of collection," echoed a third.

One respondent concluded that "very few companies can control where their data is going and that has been a problem for many years," so some are creating solutions to proactively address these concerns by understanding their data and spotlighting each location as comprehensively as possible.

"Given our collections challenges, we are heavily focused on developing comprehensive data maps; we need a data map and we need to get it yesterday," advised a contributing leader. "If you don't have your data organized in a way that is readily available, you face a significant challenge," offered a peer.

Despite these concerns, several participants emphasized that "working remotely is not as big an issue as we thought it was a few years ago thanks to the move to the cloud."

The Changing Labor Market

While "the increasingly remote workforce" was the least popular selection among the leading concerns because those surveyed are members of sophisticated and experienced teams, the changing nature of the labor market has certainly had an effect on collections.

"It is now much more complicated with partial or fully remote individuals given the different locations of their equipment, such as a mobile device; there has also been an increase in employee movement from hiring or terminations," said one individual.

"The challenge for data is that many employees save data to their device, rather than to the network so that it is easily accessible on the road," added another.

> "Now, data can exist anywhere and you don't know where it is until the point of collection."

Playing Catch-Up in Collections

There was also discussion about aligning discovery efforts with the commercial and communication activities of an organization.

"e-Discovery often needs to catch up to where the business is and the use of new tools, such as chat and collaboration platforms, so the conversations with custodians and the requirements to collect from these new sources have become more complex," noted a leader in discovery. "I always say that legal is the last one to develop," added another.

Professionals are also introducing tools and technology more quickly than in the past, which has been more challenging as they operate in isolation. "I don't think we have caught up with device management; while the attorneys feel better about collecting from computers and mobile devices, it is difficult in a remote world," said a discovery leader.
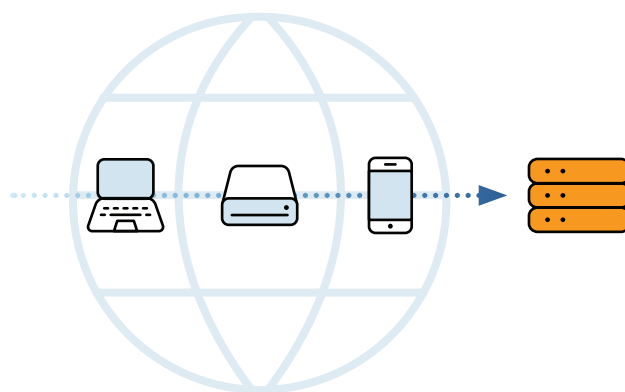
The market faces challenges of collecting data from multiple devices around the world. Companies are finding ways to handle this data through use of cloud technology.

Broader Requests for Information

With all of the changes taking place, the participants noted that the general level of familiarity with the technology landscape is increasing. As a result, litigants are requesting a wider range of disparate information, which is creating discovery disputes, but often also testing the collection process.

"The attorneys are more sophisticated and, therefore, make overly complex requests for information," noted a participant. "The frequency of the requests is becoming an issue; we need to spend more time identifying custodians and document categories than ever before," said another.

One highlighted that more advanced technology is contributing to this challenge: "Automation is impacting these requests for information and making them more complicated because we are capturing more data automatically."

> "The frequency of the requests is becoming an issue; we need to spend more time identifying custodians and document categories than ever before."

Managing More of the Process

While legal teams traditionally relied heavily on their counterparts in IT for support in collections, that has changed.

"We have had limited bandwidth to manage collections remotely and have need[ed] to enlist the support of IT, which was difficult 18 months ago, but now we are fully capable of conducting remote collections," reported a participant. "We have adapted to use new tools to perform collections remotely either on or off network; as long as a device has internet connectivity, the company has tools to collect remotely," added a colleague.

> "...as long as a device has internet connectivity, the company has tools to collect remotely."

Finding Equilibrium in Collections Remains an Issue

With almost a third of the respondents including concerns of over-collection among their top three challenges and 68 percent admitting that they collect too much data, there was a range of perspectives on addressing these issues.

"I am always concerned about over-collection; we definitely boil the ocean, but it is not new as it is a classic e-discovery posture," said one discovery leader. "We have an issue of over-collection; the nature of our business requires the creation and maintenance of large, complex data sets," offered a peer.
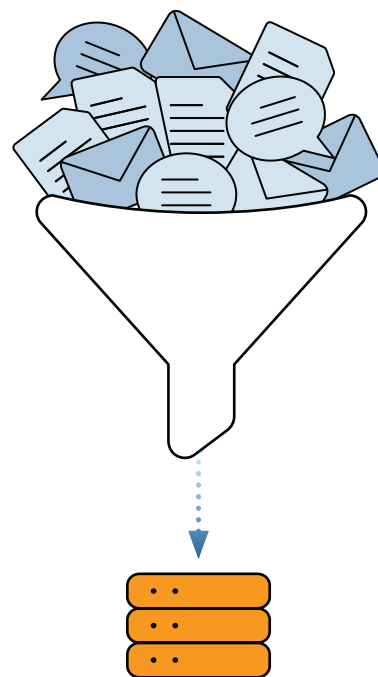
Requests for broader types of information are increasing and many teams have brought the collection process in-house. Over collection of information has become a concern.

> "I am always concerned about over-collection; we definitely boil the ocean, but it is not new as it is a classic e-discovery posture."

In an effort to counter this trend, several respondents described a more limited approach to their data gathering efforts.

"We perform targeted collections so this is not an issue," remarked one participant. "There is more of an appetite to target collections so organizations are trying to avoid over-collection whenever possible, which is much more likely with the features of M365 providing greater information governance, searching, and data validation prior to exporting the data," explained another. "Due to the growing data volumes, we preserve everything, but perform much more targeted collections and focus only on what needs to be collected," added a third.

Still: "What I have seen is that trying to be more focused on collections becomes over-collection of duplicate data later because you are revising the process with new parameters," countered a colleague.

Part of the solution is associated with raising awareness. "We are still educating people on searching more effectively to collect properly," advised one leader.

It is also a question of the funding available to improve data management. "Over-collection depends on the resources, as a small-to-mid-sized law firm has fewer than a Fortune 500 company."

Some are also limiting the total amount of data before starting the process. "We are more focused on culling prior to collection now," noted a participant.

Security Is a Critical Challenge That Teams are Addressing

Although a third of the respondents included security concerns or vulnerabilities in data transfers among their top three hurdles and it increases the complexity associated with their efforts, the consensus was that teams are managing the process within that constraint.

"We have always had security concerns about how we are transmitting data, but it hasn't affected our collection activities," advised one respondent. "This is not a challenge because we have a highly secure environment," commented another. "The cloud is more secure than an on-premises tool and nothing gets past Relativity's Calder7 [security] team," concluded a third.

Regardless of the impact of any single challenge, the combination of different and regularly changing obstacles requires legal teams to be more adaptable and holistic in their approach. In fact, their ability to pivot has raised the profile for many discovery professionals. "Since we are now remote, the e-discovery group is being used for tasks beyond e-discovery, such as audits; our e-discovery group has become the first stop for help in a remote environment."
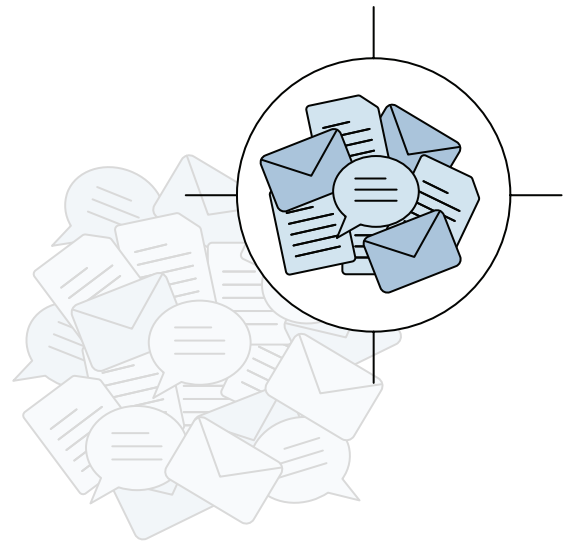
One participant noted they are, "focused on culling prior to collection," as a way to limit over-collection.

Barriers to Improving Collections Abound

The most common barrier to solving the challenge of modern data collection is a lack of understanding of integrated collection and review solutions, with 40 percent of the participants facing this issue.

"We still struggle with IT's mistrust of new legal solutions and they don't have a full appreciation for our goal of accelerating the process," highlighted one respondent. "Collection, processing, and review need to be integrated but many people want to use different tools for each segment of the process; they need to use integrated tools to address the modern array of e-discovery challenges," added a peer.

> "Collection, processing, and review need to be integrated but many people want to use different tools for each segment of the process; they need to use integrated tools to address the modern array of e-discovery challenges."
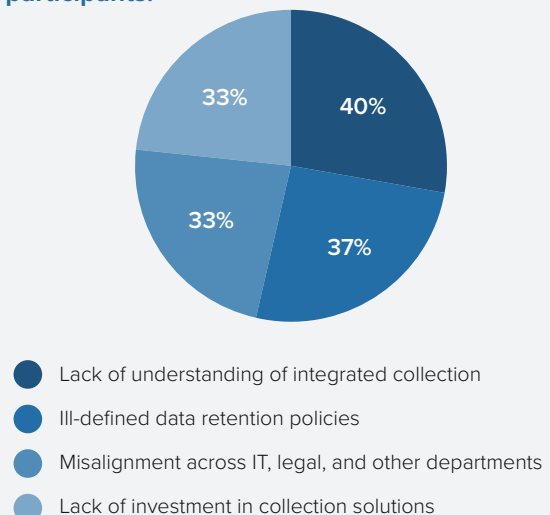
Ill-defined data retention policies was the second most common concern with 37 percent highlighting its impact. "Retention policies have never been well-defined and even whether they are, they are not properly enforced," said one participant, who had a number of peers agreeing with that sentiment. "The issue is whether people follow our data retention schedule given that we have no policing [protocols] so it is a struggle," another concurred. "There is no question that our retention policy creates more data because we do not dispose of much of our materials," remarked a third.

A misalignment across IT, legal, and other departments, and a lack of investment in collection solutions were tied for the third most impactful barrier with 33 percent selecting that option. "The greatest challenge is the lack of communication between the legal and the IT forensic team [because] there is no lens into what is happening in the IT house," noted a leader in the field.

Several respondents commented on the compounded impact of these challenges. "The misalignment across groups and the lack of understanding are connected; if the external requesting party does not understand the business or the internal support team is unfamiliar with the data landscape, that combination creates a challenge," noted one individual.

Ultimately, "It is a challenge to choose among these barriers because as the company evolves, investment, understanding, and policies need to keep pace, as well as remain consistent with the vision for the company," concluded a respondent. "If you don't focus on data retention and disposition, you will have unmanageable data volumes, but there is no lack of technical solutions to this problem; you simply need a willingness to implement them."

The most common barriers to solving the challenge of modern data collection among participants:

- Lack of understanding of integrated collection
- Ill-defined data retention policies
- Misalignment across IT, legal, and other departments
- Lack of investment in collection solutions

Data Volumes Are Unrelenting

Ninety-three percent of the participants advised that data volumes have increased over the past two years, which is not surprising, but in an effort to adapt, legal teams are:

1. Developing targeted collection protocols.

2. Focusing on preservation in place.

3. Providing more comprehensive education on data retention and disposition.

4. Leveraging AI and analytics.

For many, an increase in communication while working remotely drove the increase. "The volume of email, chats, and Teams data, among other office productivity tools, has increased," noted one participant. "With remote work driving the use of Teams, we will have much more chat data as opposed to our use of Jabber, which was not saved and disappeared every night," remarked a peer. "Our core types of documents for e-discovery have not grown, with the exception of emails," added another.

Regardless of the data trends, the consensus was that organizations must have tools and processes to accommodate whatever amount of data they need to collect. "We have not modified our protocols to accommodate an increase in data because we have a scalable process," reported one respondent. "We cannot stop people from communicating or sending fewer emails; instead, we need to make sure that the search tools are effective and allow us to collect data in a timely and complete fashion," said another. "We just apply our consistent process across higher volumes of data," offered a peer.

In addition to implementing scalable practices, many organizations are also focused on simply improving their data hygiene. "We are currently data mapping who is using which systems and what data they are collecting," said one leader. "We have been educating users about limiting the creation of data and also developing a roadmap for categorizing data more effectively while avoiding duplication," added a peer.

Naturally, information governance is a key element of these initiatives. "We have refocused our efforts on information governance and are trying to gracefully push people to more centralized management of their documentation," explained one participant. "The company has a records and information management group that has moved systems and developed global mandates that align legal holds with data disposition," added another.

Some of the participants noted that one of the key challenges is the affordability of modern storage. "The company has fairly cost-effective agreements with Google and Box, which is actually a bane of our existence since there is no giant bill associated with expansive data storage," remarked one participant. "Everyone is collecting terabytes of data and no one deletes anything anymore; [therefore,] you end up collecting so much data and it ends up in the cloud, [which is] so easy that no one worries about deleting it anymore.

"We cannot stop people from communicating or sending fewer emails; instead, we need to make sure that the search tools are effective and allow us to collect data in a timely and complete fashion."

Collecting from New Communications Channels

With the increasingly remote workforce and the likelihood that many are expected to remain outside of the office for some portion of their schedule, there were a range of perspectives about the impact of expansive communication on the collections process. "It is becoming more of a concern because many people bring their own devices to work and communicate on the platform of their choice, which complicates the collection process," said one leader. "Given our M&A activity, we are bringing in completely different tools for communication, such as Slack in addition to Teams," explained a colleague. "Not too long ago, we wanted to consolidate our technology portfolio, but now, employees can use anything."

While there is added responsibility, several respondents noted that they have expanded, rather than reinvented, their operations. "There are just more channels, but you have always needed to do this work; we now collect beyond email and file shares in areas such as social media and discussion boards," said one. "It has not changed, as we still collect from the same channels; we are finding more of the relevant communications not in email but on other platforms," remarked a peer.

> ## "We are finding more of the relevant communications not in email but on other platforms."

The Time and Cost Invested Are Increasing with the Challenges

The resources required for legal teams, both internally and as it relates to external spend on law firms and vendors, have increased. "It has taken longer to collect the data we need, particularly in larger organizations, where you may have to do more investigative work to find the right information," said one professional. "We are spending a lot more time on collections, which makes the vendor relationship even more important,"

added another. "We have been working with more third-party vendors and consultants to address this challenge, resulting in more time spent for the internal team and greater expense; I find myself asking the court for more time more frequently."

For others, the focus on efficiency has given them an advantage. "We have reduced the number of hours and spending because our processes are more efficient and our data is more centralized," offered one leader. "We have been leveraging more automation to keep these fees and investments consistent," remarked a peer.

> ## "We have been leveraging more automation to keep these fees and investments consistent."

Even those with cost savings acknowledged other ramifications. "We perform collections internally so we have not seen an increase in the cost, but the complexity is increasing the amount of time we need to spend and also makes predicting the amount of time that will be necessary at the outset more complicated."

Culling Data Is Critical Prior to Collection

On a scale of one to five, with five being the highest, almost all of the participants (90 percent) rated culling data volumes before collection at either a four (very important) or a five (extremely important).

"You want to be able to cull as early as possible because you don't want to pay outside counsel for this work," advised one respondent. "We want to be conscious of providing the right data and we have invested in a few tools to look at that data before we ship it out because knowing what you have before you send it is very valuable," added another. That said, "It would be great to do, but I have not seen it done well; unless we have all of our data indexed constantly, I don't see how it is possible and could become a waste of time."

Expectations for the Future of Collections

Expectations Are Extensive for the Future of Collections

Among the changes that the participants expect are:

1. More connectors in a single system that integrates different platforms.

2. Conducting more queries in place.

3. Facilitating cloud-to-cloud transfers of data.

4. Greater use of artificial intelligence. "We are not nearly leveraging enough AI, despite the fact that we have been talking about it for a decade."

5. Direct upload and collection of data.

6. Increased attention on video. "Video conferencing data will become more significant, especially as more organizations maintain a permanently remote workforce."

7. À la carte options for tools and licenses. "I don't want to be locked into a tool because it is too difficult to secure funding on a consistent basis."

8. Consolidation of data from local devices into a central cloud-based repository

9. More automation in collections.

Several participants expect greater ease of use. "I am hoping it becomes easier; the software developers are really listening to customers and making the front end easier to use," acknowledged one. "The technology will make collections easier to allow users to search, point, and collect; there will also be better integrations with e-discovery software," said another.

Ultimately, "I expect 2022 and 2023 to be very busy, so we will need to identify and implement new tools and processes, especially given our history of over-collecting," offered a leader. "I anticipate lowering the number of touches by integrating the collection tool in the cloud and through an e-discovery service provider," said another.

Collecting Ideas to Move Forward

In summarizing their experience through practical advice, the participants encouraged in-house legal teams to align with partners properly. "You need to have an e-discovery vendor that works hand-in-hand with your team; you need to have a vendor that you rely on seven days per week and if you do not have that, you will not have a successful department," cautioned one participant. "Hiring someone who does this work as a core business and understands your industry, data stores, and how to get the data is critical," said another.

In addition, learn as much about the process as you can. "Take a deep breath and educate yourself; look to people who are offering perspective in the industry for possible solutions," noted a respondent. "Find mentors with whom you can connect; reach out and ask for help," added a second.

Technology also matters. "Tools are the key to this process because they impact filtering," noted a responding leader. "They should conduct an RFP for new tools and platforms to better understand what is available in the market," offered another.

Others recommended a focus on the information itself. "Take away as much of the responsive nature of e-discovery as possible by way of information governance," said one. "Collect data from one source at a time and focus on where the richest data resides," noted another. "Consider conducting collections internally to drive greater information governance practices and hygiene," advised a third.

Perhaps the most important piece of advice was: "Companies that employ shortcuts may find that they are exposed to greater risks in the future."

A Word from Relativity on Collection Capabilities

We have explored an array of challenges that face e-discovery and data management professionals. While this landscape is sure to continue at a rapid acceleration of change, Relativity is committed to staying at the forefront of that change. This is our responsibility to our customers and the industry at large to define the ways in which these challenges will be addressed now and in the future.

Over the last few years, we have innovated in the area of collections and integrations to deliver on improving how organizations collect, handle, and analyze and think about their collaboration and chat data.

The evolving data landscape is manifesting itself in many ways, but one notable example is in short message data. These files—containing chat logs from tools like Microsoft Teams and Slack—have grown by 25 times in RelativityOne compared to the first quarter of last year. We're helping you stay ahead of these and many other data types by investing in next-generation legal and compliance capabilities that empower you to discover the truth and act on it. In particular, Collect in RelativityOne has significantly moved the needle with rapid innovation this year.

Collect offers solutions for many of the challenges explored in this report. From ever-evolving security concerns, to varied file types and sources, targeted collections, and remote collections—Collect can help your team to stay on top of the most pressing issues you face, capturing the most sensitive data for your discovery or investigation process.

If you would like to learn more about how Relativity is shaping the practice of collections for e-discovery and investigations, we invite you to read our **Collect e-book** or **book a demo** with a member of our team.

About Ari Kaplan, Principal - Ari Kaplan Advisors

Ari Kaplan, an attorney and legal industry analyst, is an inaugural Fastcase 50 honoree, a fellow of the College of Law Practice Management, and a finalist for ILTA's Thought Leader of the Year award. The author of Reinventing Professional Services: Building Your Business in the Digital Marketplace and The Opportunity Maker: Strategies for Inspiring Your Legal Career Through Creative Networking and Business Development, he serves as the principal researcher for several widely-distributed benchmarking reports, has been the keynote speaker for events worldwide, and is the founder of Lawcountability. He is a self-taught Python coder and a two-time Ironman triathlon finisher.

About Relativity

Relativity makes software to help users organize data, discover the truth and act on it. Its SaaS product RelativityOne manages large volumes of data and quickly identifies key issues during litigation and internal investigations. The AI-powered communication surveillance product, Relativity Trace proactively detects regulatory misconduct like insider trading, collusion and other non-compliant behavior. Relativity has more than 300,000 users in approximately 40 countries serving thousands of organizations globally primarily in legal, financial services and government sectors, including the U.S. Department of Justice and 198 of the Am Law 200. Relativity has been named one of Chicago's Top Workplaces by the Chicago Tribune for 10 consecutive years.

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