## Deloitte.

#### **Government eDiscovery practitioners have spoken**

You talked and we tallied

The results from the brainstorming activity at our 9th Annual Electronic Discovery Symposium for Government Agencies are in. When asked, "What do you want to start, stop, continue at your government agency with regard to eDiscovery?"

#### **Use Tools 60%**

**Technology-assisted review (TAR) Litigation Hold Collections** 

#### Why



A tool that can be used beyond

litigation, i.e., administrative

records and FOIA



Fewer mistakes and better consistency



Do not have the manpower for individual reviews



Deal with data volumes



Increase efficiency, productivity, and effectiveness

#### **eDiscovery Platform**



Need a centralized system

#### **Collection**



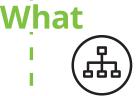
Look for new collection tools

#### **Need Process 28%**

Automate email collection



Implement a streamlined data disposition process



Standard operating procedures for eDiscovery requests



Create agency-wide eDiscovery policies

#### Get Resources



Aguire contractors for FOIA litigation and document review

#### What



Improve IT involvement and support for GC



Dedicated eDiscovery team

#### **Litigation holds 12%**

What



Test for efficiency



Develop guidance



Improve the process



Provide reporting



Link litigation holds to other functionality internal systems

## **Increase Communication 15%**

Topics you wanted more training on:

• Social media • Mobile device applications

• Litigation holds • TAR

Cloud computing

You said

with a step

**Get Education 32%** 

Improve management's

understanding of the risks of an inadequate eDiscovery system

More eDiscovery

training and education

Hands-on training

What

#### What



Engage with Information Technology (IT) and Records Management



Increase widespread, two-way communication



Increase education and awareness of eDiscovery



Involve FOIA and congressional response programs

#### **Data Collection 12%**

# Where

Mobile device collections



Social media collections



Audio/video collections



Targeted collections

# The good work CONTINUES

#### **Communication 20%**



## **Litigation holds 18%**



Continue to tweak and improve the litigation hold policy



Periodic update and status check on litigation holds Push for legal hold collection automation



#### **Using Tools 26%**

#### What









Use of enterprisewide litigation hold/ collection software

Upgrade tools

Seek better tools

Expand the use of TAR



Work on implementation of an eDiscovery system that can be useful for FOIA requests and Congressional investigations

#### **Process 18%**



Use records retention Deduplication and standard operating procedure



efforts to reduce discovery



Push "forensically sound and admissible"



Adherence to cybersecurity rules

#### **Education 15%**



Commit resources to training professional and paraprofessional staff in new technology



Educate attorneys on eDiscovery and our internal ESI environment



Train on the eDiscovery software databases and encourage more involvement

Recognize that data governance is important and how departments play a role in this

## **STOP** the madness

#### **Process 67%**

#### What



Retaining emails indefinitely



Understaffing and underfunding larger cases



Dealing with paper



Reliance on backup tape restoration



collection



Putting up roadblocks to modernize the process

#### **Tools 19%**

# What

outdated tools



Being behind the technology curve

## **Litigation holds 6%**

Stop treating eDiscovery as litigation-

only matter - electronically stored

information (ESI) affects FOIA and

congressional record responses



Issuing litigation holds without a discussion of key players



Over extending litigation holds



Using litigation hold terms that are too broad

#### **Communication 3%**



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