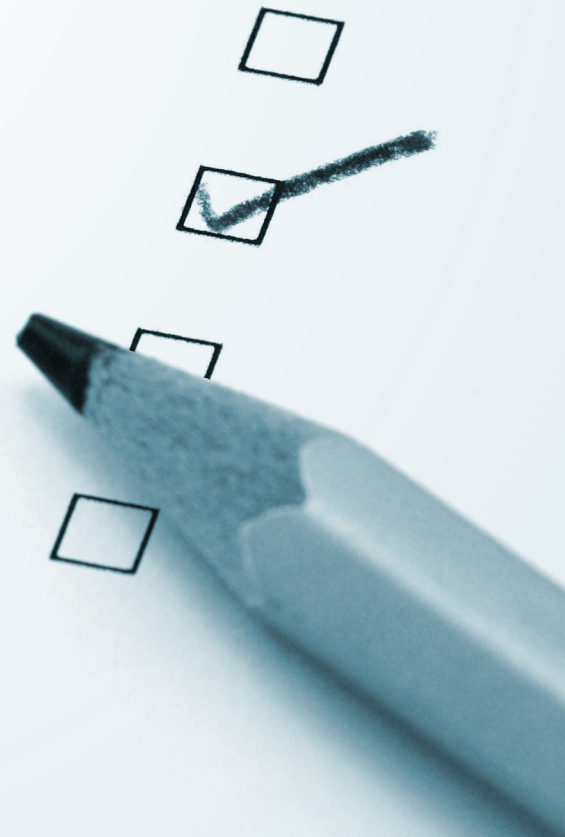


EDISCOVERY PLANNING CONSIDERATIONS & CHECKLISTS

- 1 / ESI PROTOCOL
- 2 / MEET & CONFER
- 3 / DATA COLLECTION**
- 4 / CASE MANAGEMENT
- 5 / DEPOSITION PREP



EDISCOVERY PLANNING CONSIDERATIONS & CHECKLISTS

3 / DATA COLLECTION

★ THE IMPORTANCE OF COLLECTION STRATEGY

Data collection can be the most complex and technically rigorous of all discovery phases. It involves the extraction of potentially relevant electronically stored information from its native source into a separate, secure repository for review.

The collection process should be comprehensive without being over-inclusive. It should preserve the integrity of the data, the chain of custody and authenticity of the documents — all while not disrupting the organization or individual's operations.

Because the collection process is data-centric, most people think of it as an IT activity. However, there's a great deal of strategy that goes into data collection that demands both legal and technological acumen. It's vital to assemble cross-functional, collaborative collection teams to ensure there is a properly executed collection strategy.

Data collection is a complex and dynamic process that relies on sound eDiscovery strategy, as well as proven technical resources and expertise. There are vital best practice guidelines demanded in each of the various stages of the collection process.

Here are four important guidelines you should adhere to:

1 COLLECT ONLY WHAT YOU NEED

It may be easy to identify a relevant custodian and simply copy his/her entire hard drive, email box, or work-product folders. But easy doesn't always equal smart.

More data collected means more data to process, and ultimately to review. And that all adds up to more money spent on eDiscovery. Instead, develop strong preservation and early case assessment processes, and **target your collections so that you are only collecting the potentially relevant ESI**—nothing more or less.

2 BE PROACTIVE

Your goal should always be to recognize potential collection challenges early on. Inevitably, some matters will present unique collection hurdles. Mobile collection, highly disorganized data stores on legacy systems, hidden or fragmented files, all present potential challenges in collection.

It's always in your best interest - financially and procedurally - to be proactive in assessing your needs and determining if outside resources will be needed. Even if outside assistance or experts ultimately are not needed, it's important to give your internal IT team early notice that a big project is potentially looming, so they can plan resources accordingly.

3 PHASE YOUR COLLECTIONS

It's best to think of our collection process in terms of phases or tiers, rather than to try to tackle everything at once.

In a phased collection strategy, data is prioritized so that only the highly relevant data is collected immediately. **Less relevant data is collected only when absolutely needed.** Remember, that the only way to execute a defensible phased collection strategy is to have a very strong preservation process that does not force you into the position of having to collect everything at once.

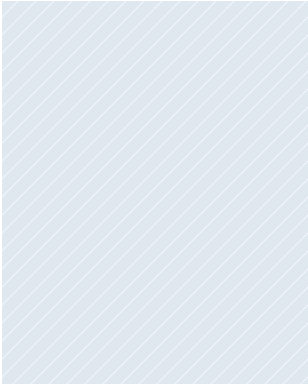

4 CREATE A MASTER DATABASE FOR ESI

Law firms often have multiple matters that revolve around the same or similar issues, people, and data. **Rather than create multiple copies of the same data, create a centralized repository** (Nextpoint database) of collected ESI and develop a systematic process for reusing that data across multiple and disparate matters.


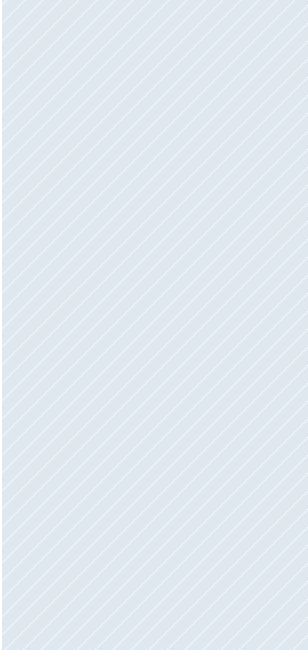
★ QUESTIONS FOR CONSIDERATION

By completing the following questionnaire, you can begin crafting a collection strategy that works with both your legal and technological needs.

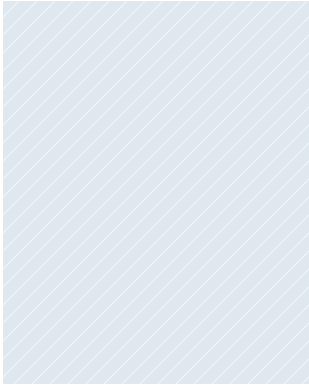

1. How many parties are involved?
2. What deadlines have been agreed upon?
3. Have any preservation steps been taken?


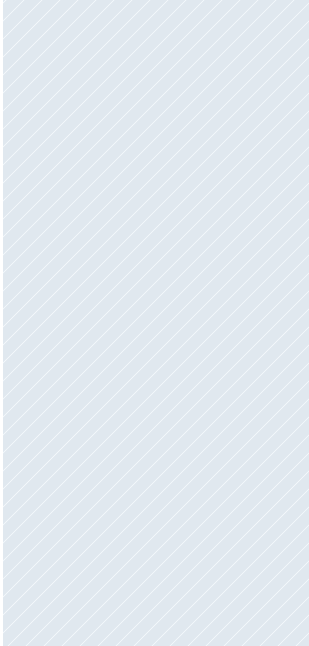
More data collected means more data to process, and ultimately, more data to review. And that all adds up to more money spent on eDiscovery.

4. Who are your key custodians and where are they located?
5. Do any identified custodians have direct IT resources available?
6. What are each custodian's key sources?
(e.g. email, phone, tablet, company server, etc.)
7. How accessible are each identified key source?
(e.g. password protection)
8. Which collection method is preferred/necessary for each source?
(e.g. Self v. External v. Remote)
9. Do you anticipate the authenticity of any evidence may come into question during the course of your matter?
10. Is there a priority hierarchy that can be created from all identified custodians and their respective sources?
11. Are there any parameters to be applied at the time of collection?
(e.g. date range)

Rather than create multiple copies of the same data, create a centralized repository of collected ESI...and reuse that data across multiple matters.

 **ADDITIONAL RELATED CONTENT**

[EDISCOVERY COLLECTIONS](#)

[A Best Practice Guide to Managing Modern Data Collections](#)

[BILLING FOR EDISCOVERY](#)

[How to Fully Recover Costs and Meet ABA Ethical Standards](#)

ABOUT NEXTPOINT

Nextpoint is smart software that automates ediscovery projects for legal teams of every size. The highly secure, cloud-based solution lets your team begin document review in minutes with powerful data analytics tools, a user-friendly interface and collaborative access from anywhere. Innovative trial-prep features will exceed your expectations of what smart ediscovery software can do.

Founded as a litigation support company in 2001, Nextpoint introduced the world's first cloud-based litigation software a few years later. Since then, we've continued to innovate and expand to serve law firms, corporations and government agencies of all sizes. In 2013, Nextpoint was awarded U.S. Patent number 8,447,731 for our management of electronic data in the cloud, specific to litigation processes.

★ STOP PAYING FOR EDISCOVERY DATA

Nextpoint gives users **free, unlimited data uploads, processing, hosting, OCR, imaging and productions.** As you face increasing pressure to control costs, Nextpoint empowers users to easily process, analyze, review, produce and present data, affordably and predictably.

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