

Letter of Transmittal

Date: 13 May 2020
To: Lovorn & Ogle, PLLC
From: M B Scripting, Madison Black, Founder and Owner
Subject: Recommendation Report for the Implementation of eDiscovery Technology at the law firm of Lovorn and Ogle, PLLC

Dear Lovorn and Ogle, PLLC:

The legal sector and associated law firms, attorneys, corporations, and supporting staff consistently adapt to the changes and advancements within the practice and implementation of law. The innovative technology and software of eDiscovery has proven revolutionary to entities and individual practitioners of law, but not without monetary significance. The law firm of Lovorn and Ogle is not excluded from the ever-advancing technology within the legal sector, and as such, submitted an official request for a complete professional analysis and inquiry of eDiscovery technology, with specific regards to its accessibility, financial and non- fiscal profits, and software and/or companies that service eDiscovery technology.

On behalf of M B Scripting I, Madison Black, have utilized various methods of research to properly analyze eDiscovery technology and assess its impacts to corresponding clients, attorneys, and legal support staff. In accordance with the project description provided by Lovorn and Ogle, PLLC, research and supporting tasks have been conducted and are further explicated in the attached document: "Implementation of eDiscovery Technology and Suggested Software Providers: A Recommendation Report".

The proposed recommendation to implement and administer eDiscovery technology within the law firm of Lovorn and Ogle through the assessment of all consequences burdening and benefitting corresponding clients, attorneys, and legal support staff was extensively researched through the success of several tasks, as explained in the recommendation report. Tasks one and two include: perform extensive analysis of the breadth of eDiscovery technology, including its abilities to augment current discovery methodologies and to calculate rates of eDiscovery technology usage and market value. The third task, completed on March 23, 2020, marked the completion of all subsequent tasks, and comprises of analyzing two available servicers of eDiscovery technology that have been determined as the most accessible and effective.

I recommend the implantation of eDiscovery technology and more specifically recommend that Lovorn and Ogle choose between the two identified eDiscovery technology providers. If you have any questions or comments, please contact me, Madison Black, by email at Madison.Black@utsa.edu.

Implementation of eDiscovery Technology and Suggested Software Providers: A Recommendation Report

Prepared for: Shawn Lovorn, Managing Partner
Bob Ogle, Managing Partner
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Prepared by: Madison Black, Owner, M B Scripting

May 13, 2020

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Abstract

“Implementation of eDiscovery Technology and Suggested Software Providers : A Recommendation Report”

Prepared by: Madison Black, Owner of M B Scripting

The purpose of this proposal is to examine and survey the current implications of eDiscovery technology within the legal sector and other corporate entities who may utilize the software for various purposes of collecting, finding, or producing electronically stored information. The law firm of Lovorn & Ogle, PLLC has contracted Madison Black, owner of M B Scripting to complete the associated tasks, research, and assessments required to provide the managing partners of the firm with a complete recommendation report that fully encompasses the breadth of eDiscovery technology and its insinuations. Additionally, the implementation of eDiscovery technology within the law firm of Lovorn and Ogle, PLLC will necessitate the identification and comparison of two eDiscovery technology service providers, with specific details to technical instructions of use, monetary cost, software and service package inclusions, and software requirements, such as browser speeds and computer systems.

Intensive research and evaluation of eDiscovery technology has subjugated the principal recommendation of eDiscovery technology to be implemented within the law firm of Lovorn & Ogle, and for such technology to be utilized by employed attorneys and legal support staff. The recommendation for the law office of Lovorn & Ogle to utilize eDiscovery technology is further supported by the applicability and accessibility of the software; both of which were analyzed through official user testimonials, independent research and data acquisition of eDiscovery technology providers and servicers, and statistics. The resulting additional recommendation includes the listing of two suggested eDiscovery technology service providers, of which managing partners of Lovorn & Ogle, PLLC are advised to choose between given the outlined details and the contracted professional writer’s discretion.

The purported document titled “Implementation of eDiscovery Technology and Suggested Software Providers: A Recommendation Report” provides the managing partners, executives, and employees of the law office of Lovorn & Ogle with succinct, efficient, and ethically sought data of eDiscovery technology and eDiscovery software providers and servicers in order to deliver a well-supported and researched recommendation of the aforementioned technology. The recommendation for the law firm of Lovorn & Ogle to purchase and utilize eDiscovery technology was garnered with the firm’s reputation, missions, efficacy, and future in mind. In proportion to the importance of preserving clientele, business operations, and legal proceedings, the initial investigation of eDiscovery processes within the legal sector required assessment from multiple and varying points of interest, all of which remain perpetuated by the acquired data and completed investigative tasks of the recommendation report.

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Introduction

The goal of this recommendation report, and all of the actions, research, and composition complementary to this document, is to endorse the implementation of eDiscovery technology within the law firm of Lovorn & Ogle, PLLC. An additional feature and goal of this recommendation report is the practical comparison and outline of two eDiscovery technology servicers or providers that have favorably constituted a large majority of the eDiscovery technology market, thus prompting the officials of Lovorn & Ogle to select one of the listed providers. The entirety of this recommendation report seeks to confirm the expediency, feasibility, and accessibility of eDiscovery technology and the technology servicers. In accordance with the expectations and scope of the report written by the contracted writer, this recommendation report comprises of data and research garnered with specific regard and attention to the success of Lovorn & Ogle, PLLC.

Modern technology and its practices and consequences have not been limited to software engineers or medical doctors. The upsurge of technology in today's society has affected practically every career field, and has accounted for drastic changes in the workplace, especially in the field of data acquisition and the vast amount of information available from the internet. The development of eDiscovery technology is compounded with the evolution of the practice of law, and the instrumental role technology has served in the progress of society. The functions and performance of eDiscovery technology within the legal sector is multi-faceted: as populations increase, so does the necessity of attorneys and legal professionals; as a result of increasing populations and technology, the amount of information, data, and other resources that may be utilized in legal proceedings and defenses congruently expands. With the increasing breadth of technology, the federal and state laws equally extend to all current software, technologies, and the word-wide web. Unceasing advancements and abilities within the bounds of federal and international law permit eDiscovery technology to be regarded as not only reasonable, but indispensable and essential technology to legal professionals and law offices worldwide.

A comprehensive analysis of the potential increases in productivity, case volume, case wins, and fiscal savings for Lovorn & Ogle, PLLC and its employees will be accomplished upon completion of these three tasks:

- Define eDiscovery technology, including its abilities to augment current discovery methodologies
- Calculate rates of eDiscovery technology usage and market value
- Identify and compare two available servicers of eDiscovery technology that have been determined as the most accessible and effective

The following sections provide investigative details and supporting research concerning the proposed tasks and finalized results that support the implementation of eDiscovery.

Research Methods

The completion of the following tasks listed will allow for the discovery of significant results and beneficial conclusions. The dedicated time allotted to these individual tasks cohesively build towards the ultimate recommendation of eDiscovery within the law firm of Lovorn & Ogle, PLLC.

Task 1. Define eDiscovery technology, including its abilities to augment current discovery methodologies

The contracted writer completing this report on behalf of M B Scripting will define eDiscovery technology in terms of its applications, abilities, functions, and purposes. In addition to an inclusive definition of eDiscovery, task one will seek to compare and contrast electronic discovery methods to search methods previously used by legal support staff and attorneys, such as interrogatories or subpoenas. M B Scripting will utilize academic and scholarly resources, including articles from databases JSTOR and World Cat. In addition, the contracted writer will also reference professional blogs written by accomplished attorneys by taking into consideration their inputs and experiences.

Task 2. Calculate Rates of eDiscovery Technology Usage and Assess Market Value

Today's eDiscovery technology has revolutionized how legal officials, support staff, and attorneys practice law and in turn the methods, speed, cost, efficiency, and accessibility of discovery. Due to the financial investment required for eDiscovery technology and extensive amount of time that must be allotted for proper training of the software, task two will aim to quantify the impact and popularity of eDiscovery technology by calculating the rates of eDiscovery technology within mid-size and small law firms. This data will be visualized in the form of various charts and graphs derived from Statista.

Task 3. Identify and compare two available servicers of eDiscovery technology that have been determined as the most accessible and effective

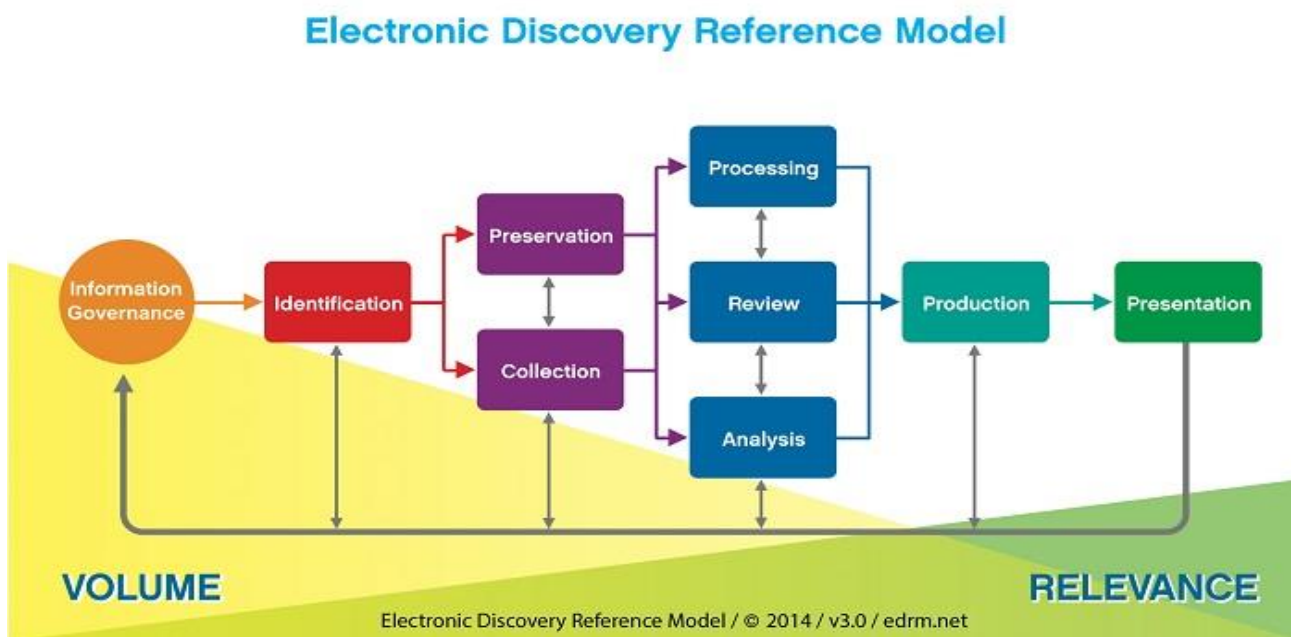
The goal of the third task is to provide Lovorn & Ogle with two suggested eDiscovery technology servicers. The contracted writer will utilize published eDiscovery guides, books, infographics, and journals to assess individual eDiscovery servicers with specific attention paid to user reviews, investment, provided training, and additional features included in the total cost. In addition to the two recommendations, graphs or charts will be analyzed to quantify the importance of out-sourcing, or the benefits of end-to-end eDiscovery software providers and how these servicers compete in terms of overall cost savings, productivity, and time management.

Results

Task 1. Define eDiscovery technology, including its abilities to augment current discovery methodologies

A published 2nd edition guide titled “The Basics of E-Discovery” by Exterro, Inc. defines eDiscovery in the following way: Electronic discovery (also known as e-discovery, e discovery, or eDiscovery) is a procedure by which parties involved in a legal case preserve, collect, review, and exchange information in electronic formats for the purpose of using it as evidence. Previous methods of discovery required the collection, organization, and examination of hundreds of physical documents that must be produced in judicial proceedings. Eddy Bermudez writes in an article for The National Law Review that one of the most common malpractice claims for legal professionals are “the result of simple laziness or bad recordkeeping on the attorney’s part. We will soon have to add inexperience with e-Discovery to that list”.

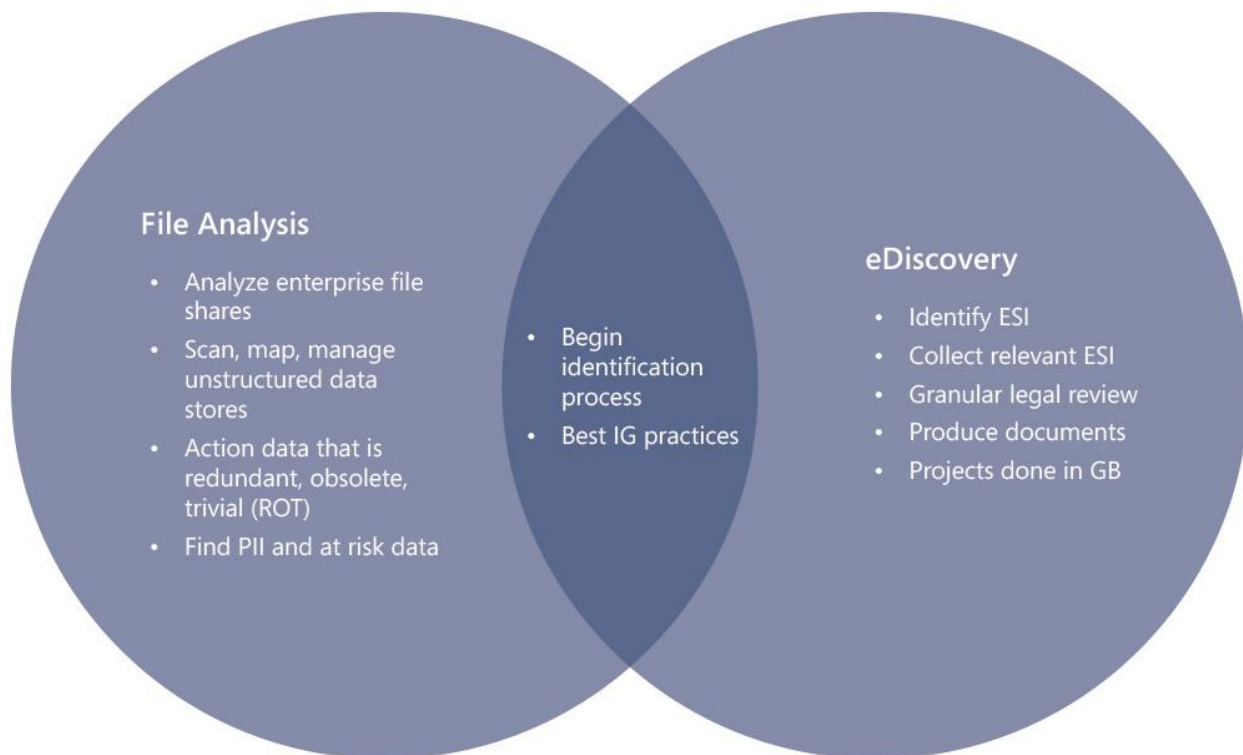
Figure 1.



Edrm.net

The graphic depicts the unique and efficient flow of steps necessary for eDiscovery processes, officially labeled as the Electronic Discovery Reference Model. The graphic was acquired from EDRM.. Data discovery and collection are just two of the steps that may be allotted to purchased eDiscovery servicers for more effective and organized discovery results ready for production. This particular flow chart will be referenced for purposes of identifying and defining eDiscovery technology and its process.

Figure 2.

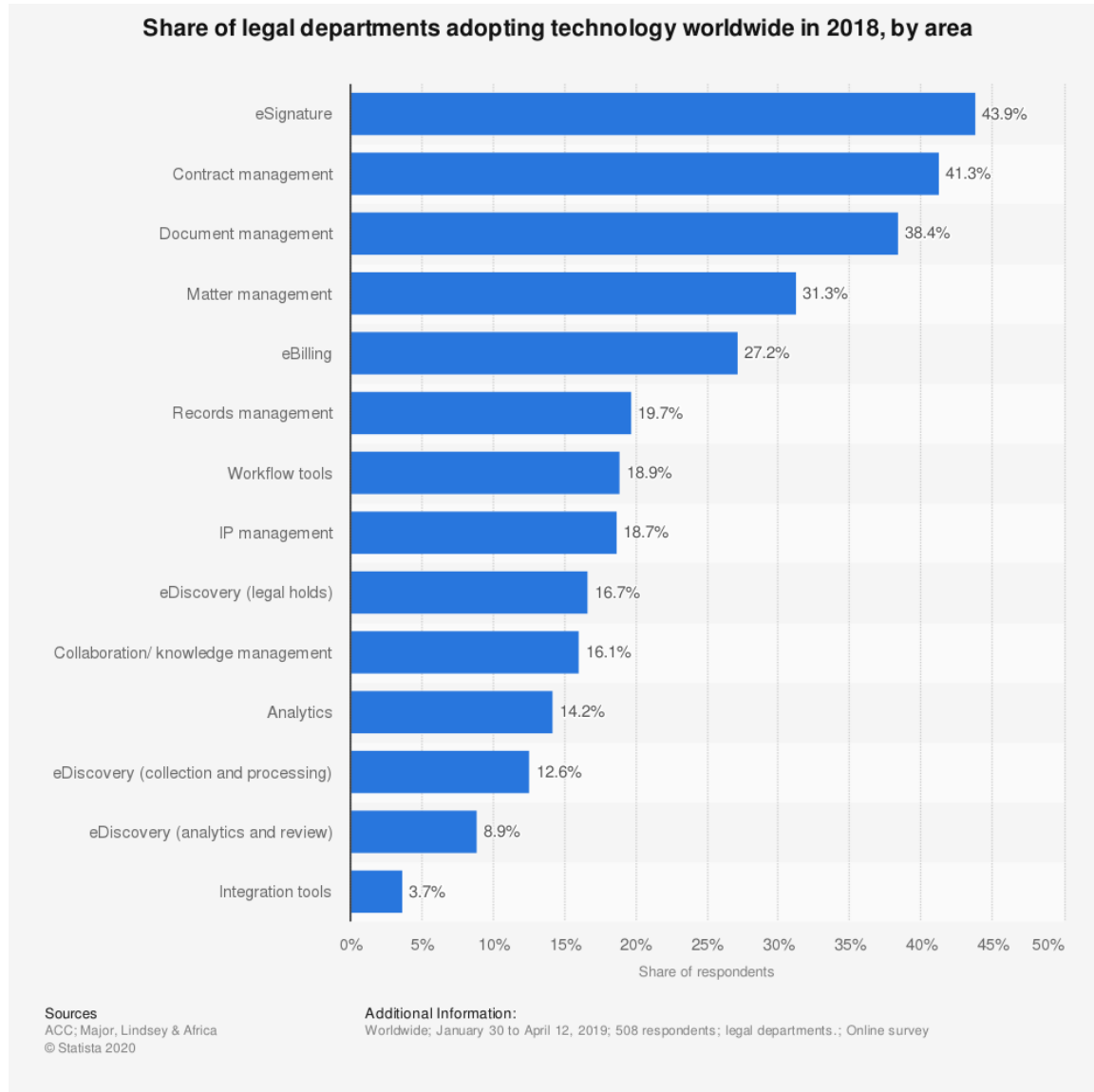


<https://activenavigation.com/file-analysis-versus-ediscovery-a-comparative-analysis/>

This diagram compares and contrasts eDiscovery technology to another method of discovery sometimes used by attorneys depending on the amount of data needed to be processed and overall nature of the course. The diagram provided by *Active Navigation* was featured in an article written by Jack Traxler in a comparative analysis of eDiscovery and file analysis, and specifically referenced the abilities of eDiscovery technology to scan and filter documents word-for-word to produce items of similar pattern, that contain certain people, or other key findings. The context and information presented in the diagram compare the abilities of eDiscovery to a less-utilized, more case-specific discovery methodology such as file analysis.

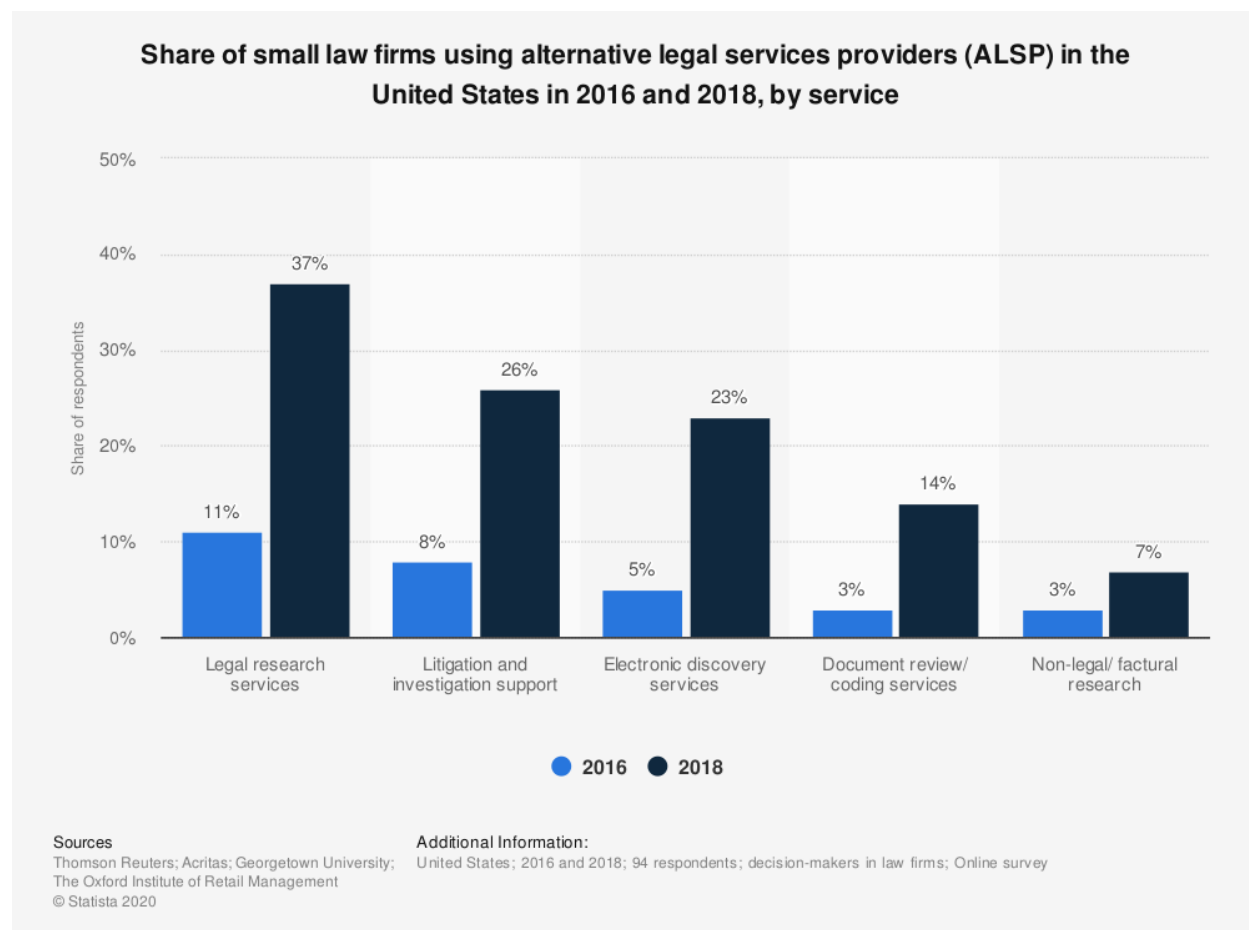
Task 2. Calculate Rates of eDiscovery Technology Usage and Assess Market Value

Figure 3.



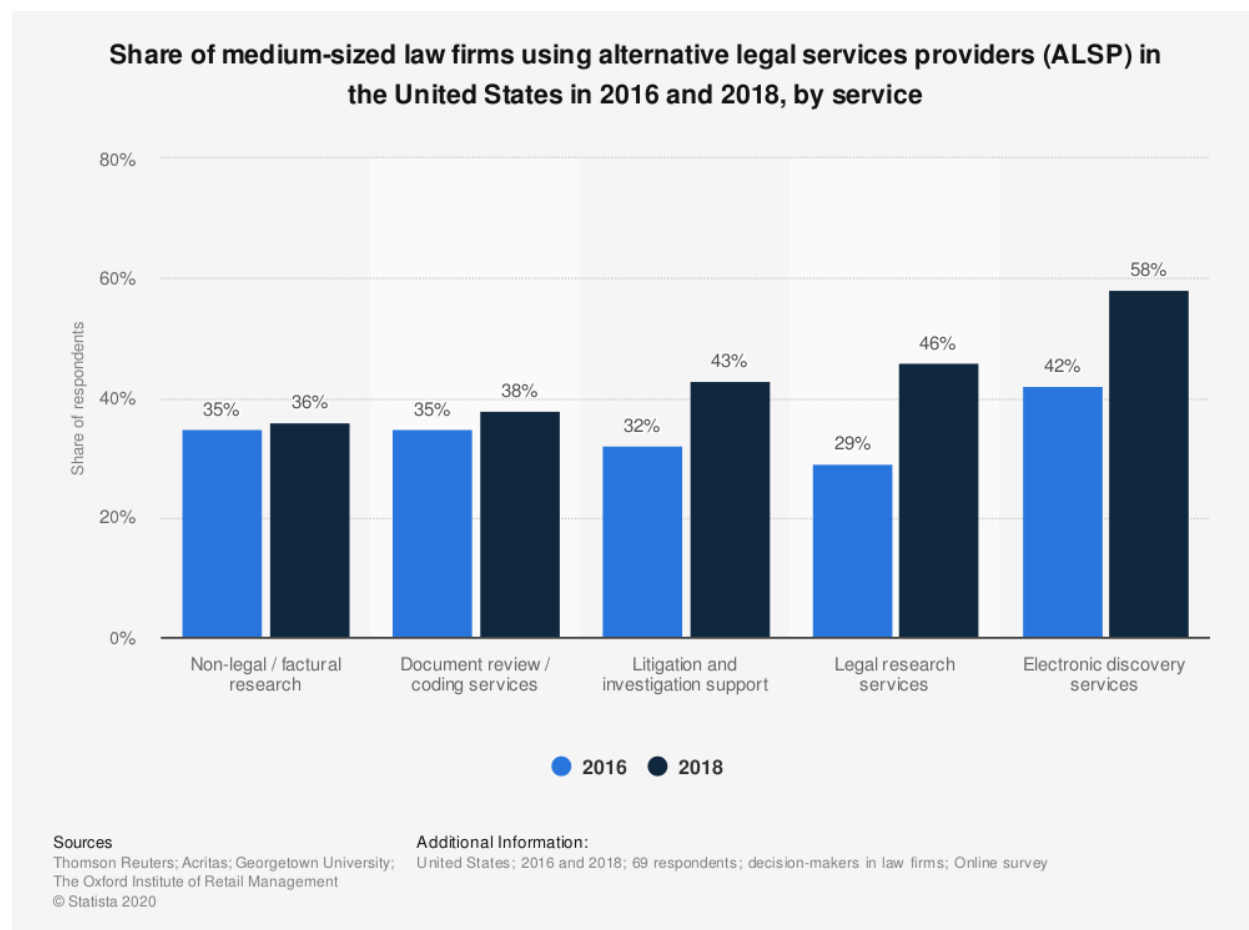
<https://www-statista-com.libweb.lib.utsa.edu/statistics/951993/law-firms-technologies-likely-to-improve-effectiveness-united-states/>

This bar graph created by and featured in the database *Statista* demonstrates the global percentage of legal departments that adopted technology. Organized by technology sector or application, eDiscovery was adopted by over 20% of legal departments worldwide in 2018. This data is significant given that the Electronic Reference Model was first introduced in 2005, thus demonstrating that eDiscovery technology is still highly utilized and valued several years after its introduction.

Figure 4.

<https://www-statista-com.libweb.lib.utsa.edu/statistics/1092876/small-us-law-firms-using-alternative-legal-services-providers/>

The use of electronic discovery services increased by 18% from 2016 to 2018 within small law firms, according to this bar graph produced by *Statista*. Electronic discovery services are considered alternative legal services providers given that the contracted servicers complete tasks within the EDRM, including identification, collection, processing, and analysis.

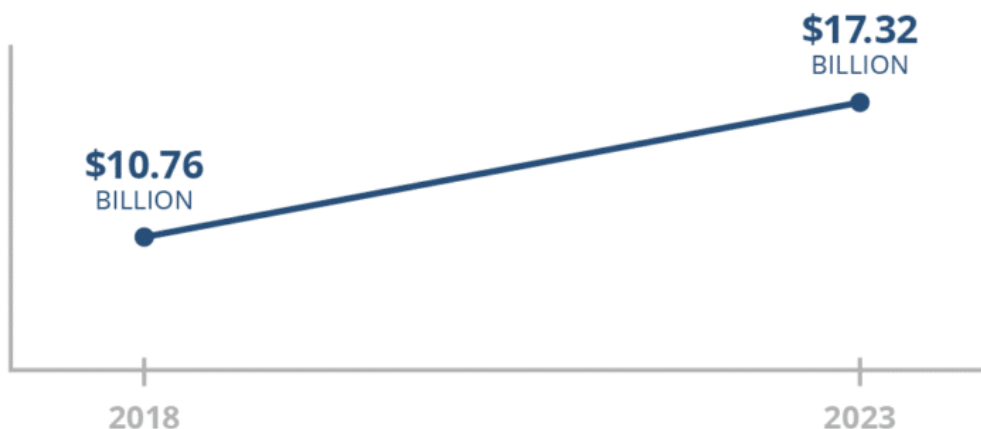
Figure 5.

<https://www-statista-com.libweb.lib.utsa.edu/statistics/1092887/medium-us-law-firms-using-alternative-legal-services-providers/>

In comparison to small law firms, medium-sized law firms experienced the highest jump in legal services providers specializing in electronic discovery services. In addition, medium-sized law firms increased in electronic discovery services by 16% from 2016 to 2018. This is important to consider considering that electronic discovery services almost increased as much as it did within small-sized law firms, firms who would presumably have a smaller financial budget.

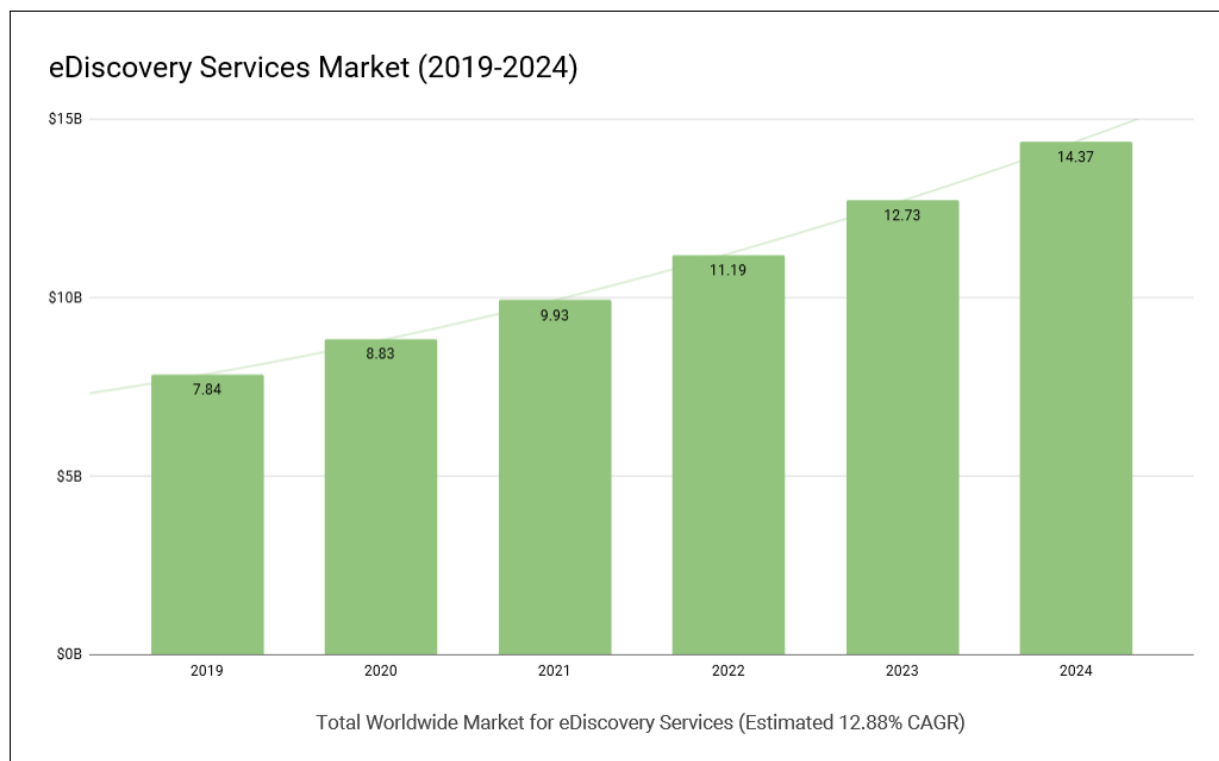
Figure 6.

eDiscovery Market Growth



<https://www.prnewswire.com/news-releases/17-3-billion-ediscovery-market---global-forecast-to-2023--300668568.html>

Figure 6 represents the anticipated increase in market value for eDiscovery from the years of 2018 to 2023, as originally predicted from Research and Markets. EDiscovery technology has not only increased in adaptability, financial feasibility, and accessibility, but is equally propelled by its increasing market value globally. This graph serves the purpose of outlining the direction of eDiscovery as well as its greater impact and influence on corporations and the legal sector.

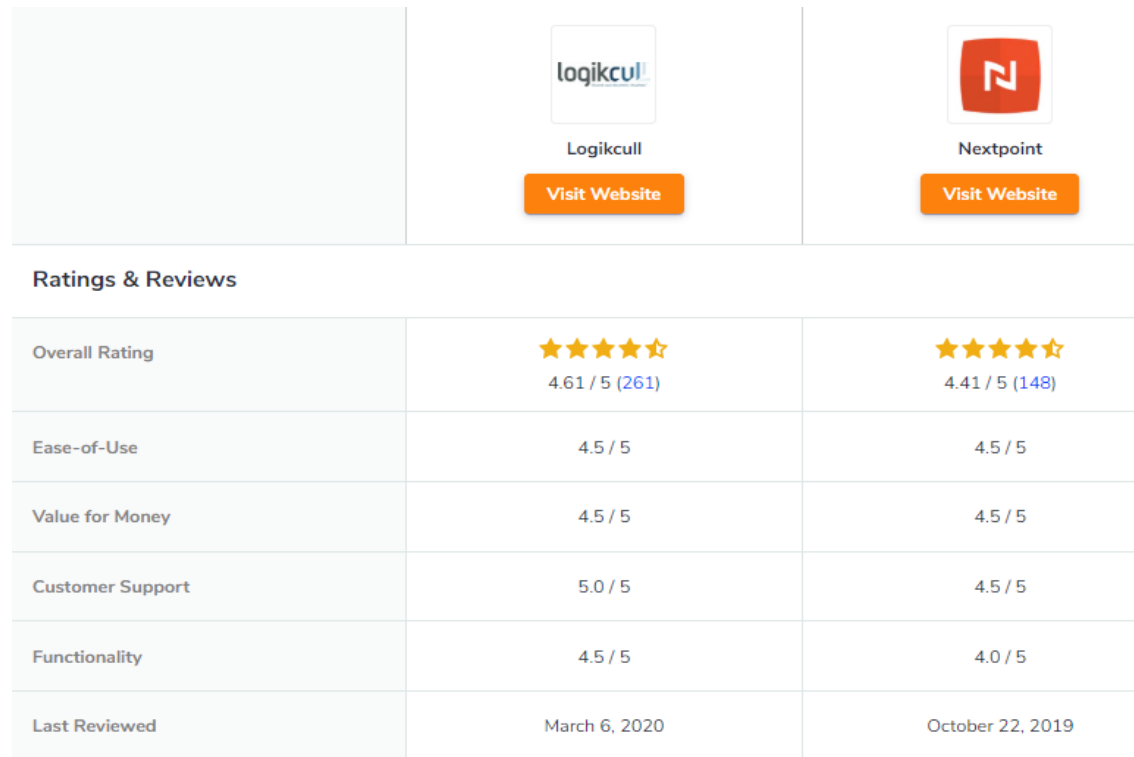
Figure 7.

<https://complexdiscovery.com/an-ediscovery-market-size-mashup-2019-2024-worldwide-software-and-services-overview/>

Figure 7 supplements Figure 6 by providing data regarding the increase in the eDiscovery services market from 2019 to 2024. This graph courtesy of Complex Discovery quantifies market increases of services – that is, officials predict an increase in the market value for contracted eDiscovery providers and servicers that account for the majority, if not all, of the EDRM.

Task 3. Identify and compare two available servicers of eDiscovery technology that have been determined as the most accessible and effective

Figure 8.



<https://www.softwareadvice.com/ediscovery/logikcull-profile/vs/nextpoint/>

Figure 8 is an at-a-glance comparison of the two recommended software providers Logikcull and Nextpoint, based on user reviews. This graphic was acquired from *Software Advice*.

Figure 9.

Pricing

Logikcull	Nextpoint
Per GB	Per User

This is a chart created by the contracted writer that compares methods of pricing for the eDiscovery software providers Logikcull and Nextpoint. Careful analysis of both Logikcull and Nextpoint determine that neither eDiscovery providers contain any hidden, extra, or data import fees.

Conclusions

EDiscovery software is still heavily utilized and depended on today by businesses, corporations, and legal professionals.

Sufficient evidence has been assessed and analyzed to conclude that eDiscovery technology, software, and servicers remain essential to the productivity and efficacy of electronic data acquisition. EDiscovery requires the completion of a several time-sensitive steps, and so purchased or contracted software and servicers suffice to accomplish the majority of the tasks in the EDRM. As a result, attorneys limit malpractice risks, perform better with more efficient organization of discovery documents, and may prosper from the increase in time-management that eDiscovery software can provide. The importance of eDiscovery is also supported by its significant predicted increases in market value for both services and software, thus promoting the value of eDiscovery and its financial feasibility to be utilized in wide range of law firms with varying budgets, clientele, and practicing attorneys.

Logikcull and Nextpoint represent the two best options for eDiscovery software with specific regards to accessibility, price, and user reviews.

Highly rated user reviews, pricing advantages, and the analysis of stream-line processes for ease of use were factors that were considered when investigating two of the best eDiscovery software providers. Logikcull and Nextpoint both maintained a large quantity of five-star reviews, as well as listing pricing methods that were easily identifiable by accessing the individual websites. The selection of one of the two surveyed software providers would enable successful use and implementation of eDiscovery.

Recommendation

I, Madison Black, recommend that the managing partners of Lovorn & Ogle, PLLC implement eDiscovery technology within their law firm. In addition, it is also recommended that the managing partners choose one of the two suggested eDiscovery software providers, Logikcull and Nextpoint. Upon all performed research, acquired statistics and definitions, and analysis of the current standings of eDiscovery technology, the recommendation is well founded and supported. The definitive recommendation of eDiscovery technology to be implemented within the law firm of Lovorn & Ogle, and to be utilized by support staff and attorneys will guarantee the future success of the firm and its employees and clients.

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