



How to Capitalize on the Growing eDiscovery Software and Services Market

BRING SIMPLICITY AND COST SAVINGS TO USERS
WITH ENHANCED VIEWING AND COLLABORATION
FUNCTIONALITY IN YOUR APPLICATION



How Discovery Is Evolving

In the legal space, discovery refers to the process through which parties share information and evidence for state and federal proceedings. The fine details of discovery are outlined by the Federal Rules of Civil Procedure (FRCP), and their intent is to “secure the just, speedy, and inexpensive determination of every action and proceeding.”¹

This procedure was adopted by the U.S. Supreme Court in 1937. However, with the arrival of commercial Internet access and mass adoption of personal computing in the 1980s,

data transmission modes changed. As a result, FRCP rules have grown to include digital means of transmission.

Keeping pace with changing requirements in this space means legal professionals must rely on third party application providers to deliver evergreen eDiscovery and collaboration features that scale with their needs. To this end, the worldwide eDiscovery software and services market is expected to reach \$20.63B by 2024, with a Compound Annual Growth Rate (CAGR) of 12.93% between 2019 and 2024.²

IN THIS WHITE PAPER, YOU'LL LEARN ABOUT

- 1 The Quantum Leap from Discovery to eDiscovery
- 2 The Market Opportunity for eDiscovery Software & Services
- 3 The Electronic Discovery Reference Model
- 4 The Cost of Poor Data Management Practices
- 5 How to Close Security Gaps in eDiscovery Collaboration
- 6 Why Top eDiscovery Application Developers Partner with Accusoft

As the sheer number of data points increase, organizations of all sizes need not only a large enough virtual container to hold all the data required to conduct legal proceedings, but they also require ways to ensure the speed, compliance, and accuracy of their efforts to provide fair and impartial justice in the U.S. legal system.



1



The Quantum Leap from Discovery to eDiscovery

Prior to personal computing and commercial Internet access, discovery was a straightforward but entirely manual process that looked something like this: meet with clients, gather physical documentation/evidence, begin review, which included boxes of files, redaction by hand with markers, ink-based Bates stamps for page numbering, and then physical mailing of documentation to appropriate parties. As one might imagine, this process included a significant opportunity for evidence loss through mislabeling, misfiling, accidental or intentional damage, and natural disasters.

The movement to digitize discovery aimed to minimize or eliminate many of these opportunities for error, by creating a system of redundancy and accountability within the process. With documents living in a digital state, no one needed to worry about accidentally shredding the only copy of an important file. It seemed like the answer to everyone's problems.

But with the advent of personal computing, the sheer amount of data and evidence available in case work took a quantum leap, and digital platforms were soon pushed to their limits to house, organize, and share data throughout organizations.

Backed by the U.S.'s broad approach to discovery, this trend of collecting and processing large data sets for litigation is likely to grow to greater proportions in the coming years as litigants' efforts in large patent suites continue to be rewarded with seven and eight figure sums.



2

The Market Opportunity for eDiscovery Software and Services

The growth of discoverable data is unlikely to slow down in the future. Thankfully, neither is the opportunity for technology vendors to provide new ways to bring simplicity and cost savings to eDiscovery processes. Software developers poised to include or enhance eDiscovery functionality in their applications could capitalize on this growing opportunity.

DOUBLING IN SIZE

In 2019, the worldwide eDiscovery software and services market was worth \$11.23B and is expected to reach \$20.63B by 2024. ³

TOTAL EDISCOVERY SOFTWARE OPPORTUNITY

The worldwide eDiscovery software market represented just \$3.23B in 2019 but is predicted to grow to \$6.26B by 2024. ⁴

U.S. GETS MAJORITY OF GROWTH

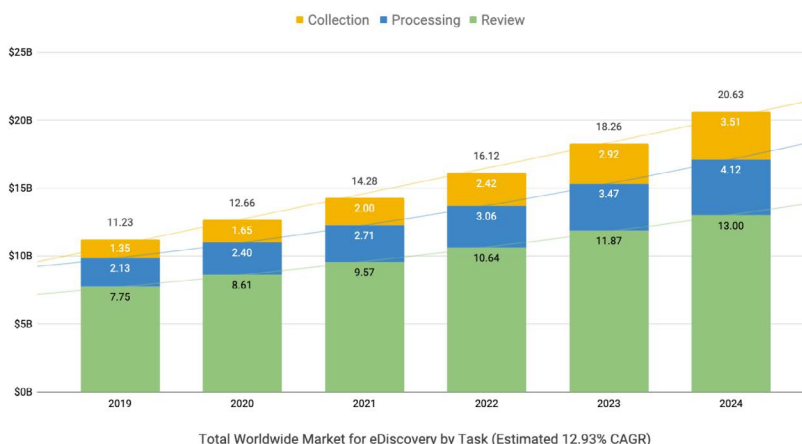
The United States is on track to receive just over 52% of the worldwide eDiscovery market growth through 2024. ⁵

REVIEWING CAPABILITY WIN GREATEST UPTICK

While collection and processing functions will each receive an uptick of around \$2B each through 2024, the largest spend on a specific function will go to review at \$5.25B during the same timeframe. ⁶

The opportunity is clear, and software developers can create more competitive value in their applications by incorporating highly sought-after eDiscovery capabilities into existing platforms being used by legal professionals today.

eDiscovery Market By Task (2019-2024)



When prioritizing by dollar value alone, focusing on review features first is a great place to start, followed by data collection and processing (see chart 1.1 left). That being said, organizations require all three features to practice eDiscovery in a way that meets the U.S. state and federal eDiscovery requirements.

Chart 1.1 – eDiscovery Market Size Mashup: 2019-2024 Worldwide Software and Services Overview, [Complex Discovery](#)

3 The Electronic Discovery Reference Model

The Electronic Discovery Reference Model (EDRM) was created in 2005 to help those in the eDiscovery space gain a fluid process for paring down large amounts of Electronically Stored Information (ESI). This process reduces information down to only what legal professionals need to proceed with litigation in court, thereby diminishing the effort required to not only produce the content, but also process and review it, for all parties involved. It looks like this:

ELECTRONIC DISCOVERY REFERENCE MODEL

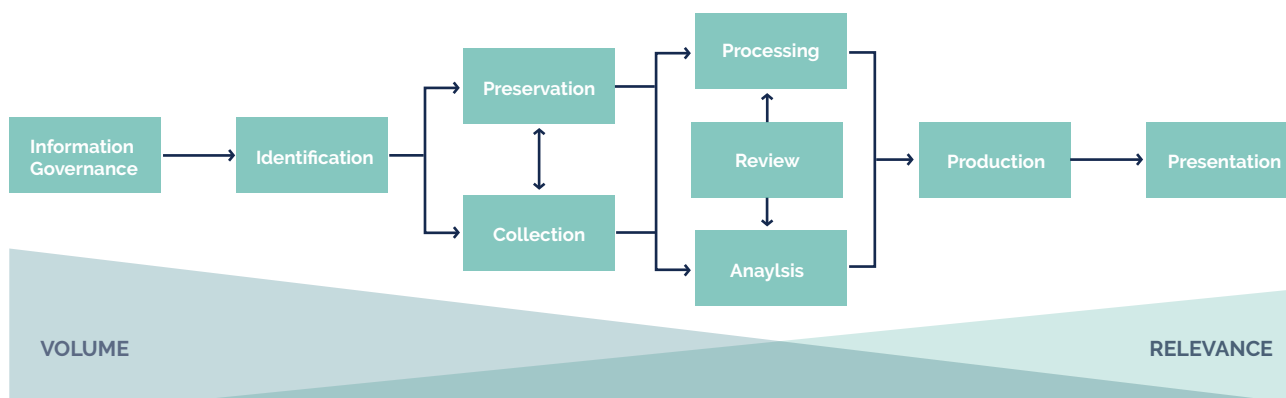


Chart 1.2 - EDRM

As mentioned in the overview, moving from physical documentation to digital formats via document imaging technologies seems like a no-brainer. However, as ESI volumes grew, it became necessary to establish boundaries and frameworks, like the EDRM, in order to prevent exorbitantly high document processing fees and times that could bring U.S. court systems to a grinding halt.

Defining Terms

Now that you have a visual reference for the workflow that the EDRM employs, let's dig into what each of these items entails, so that you can get a better idea of how this type of functionality might best be incorporated into your software application.

INFORMATION GOVERNANCE

This consists of a framework through which to

manage ESI from creation to deletion within an organization or application.

IDENTIFICATION

This step involves locating information needed for litigation purposes as well as scoping the volume of data available for discovery.

PRESERVATION

eDiscovery systems must have measures in place to ensure relevant discoverable ESI isn't changed or deleted during defined litigation timeframes.



COLLECTION

The way ESI is collected needs to be done in such a way that the data's integrity remains intact.

PROCESSING

To ensure secure review and transmittal of ESI, a copy of the information is made and transferred into an image format.

REVIEW

Attorneys review the information in a secure manner to prevent their client's sensitive information from falling into the wrong hands.

ANALYSIS

Attorneys further review available ESI, this time for themes and discussions that support their arguments.

PRODUCTION

ESI earmarked as essential to the legal proceeding is compiled into a transmittable format.

PRESENTATION

Select pieces of ESI that attorneys deem appropriate to share in support of their client's case may be presented in court to help substantiate claims.

4

The Cost of Poor Data Management Practices



Imagine what a difference it would make in an organization to only need to provide 1,000 documents versus 80,000. If, for example, the total cost of finding and serving up each document were \$50 when each touchpoint—client, legal offices, courts—is factored in, then that would mean the difference between \$50,000 and \$4,000,000 in processing and handling fees.

The goal of the EDRM is to make eDiscovery realistic while still meeting relevant state and federal regulations for document submission.

Removing unnecessary documentation from the litigation equation can save millions of dollars in administrative fees and help decision makers focus on only the information they need to make a ruling. Done well, it's a win-win.





5 How to Close Security Gaps in eDiscovery Collaboration

Unsurprisingly the most expensive and time-consuming part of the discovery process is collaboration. It's also the most risky. As documents move between attorneys and other essential team members, information needs to be secured to prevent the need for collaboration to be done over email, files to be downloaded and edited on local machines, and version control issues to arise.

Mitigate these risks in the eDiscovery process by enabling users to securely manipulate and process documents within your application. Some of the tools legal professionals need at the ready include:

1. REDACTION

Removing and writing over sensitive ESI is an essential part of eDiscovery. This capability also needs to extend to metadata—descriptive, relational, or locational information embedded in digital files.

2. ANNOTATION

As attorneys peer review materials to build a case, they need the ability to digitally share their input with fellow collaborators. Having annotation capabilities within secure eDiscovery solutions helps legal teams stay on the same page.

3. DOCUMENT RIGHTS MANAGEMENT (DRM)

When it comes to sensitive legal proceedings, everything is on a need-to-know basis. To prevent sensitive information from being accidentally viewed or leaked, legal firms need the control user level permissions within the application.

4. FULL TEXT SEARCH

With high-value staff often spending nearly 7 hours per week just looking for documents, litigators need robust keyword search functionality that helps them find what they're looking for in seconds rather than hours.⁸

5. FILE FORMAT SUPPORT

Another issue that affects productivity and security as well as compliance with important regulations like the European Union's General Data Protection Regulation (GDPR) and the California Consumer Privacy Act (CCAP) is file format support. If users of your compliant application must move files in and out to adjust file formats, it creates opportunities for compliance breaches. By including the ability to view all common file format types as well as compile them into unified formats, you minimize compliance concerns.

Building this type of functionality from the ground up can seem quite daunting for even the most experienced software development team. With talent and resources spread thin, it could take years to code these features from scratch. Thankfully, you don't have to. There are several customizable third-party solutions—like those available from Accusoft—that trim integration and implementation time from years to months or even weeks.

6 How Accusoft Enhances eDiscovery Application Capabilities

Accusoft has deep roots in document imaging. Founded in 1991, Accusoft has decades of experience in creating cutting-edge imaging technology and holds 40 patents for its intellectual property (IP) related to imaging. This technology includes a myriad of application programming interfaces (APIs) and software development kits (SDKs) that can be seamlessly integrated into

existing applications to enhance functionality, or used as components to build brand new products. One such solution is [PrizmDoc Viewer](#). When added as the central viewing and collaborative component to eDiscovery applications, this product can drastically improve the efficiency of many stages of the EDRM workflow. Here's how it works.

Using an HTML5 Document Viewer to Simplify Review, Analysis, and Presentation

An HTML5 document viewer is a document and image viewing solution that allows users to easily view and collaborate on multiple file types from any desktop or mobile device within a browser. HTML5 document viewers make this possible by converting files from native formats into desired outputs, then presenting the resulting content in a browser using standard HTML5 markup.

Single-interface interaction is the biggest draw of HTML5 viewers. Since everything happens in-browser, they're ideal for application integration. As a result, they're often deployed by value-added resellers and software manufacturers to develop specific solutions for client needs.

PrizmDoc Viewer offers industry-leading HTML5 functionality, making it the viewer of choice for developers, integrators, and system administrators looking to enhance document viewing, collaboration, and security without

increasing their workload. PrizmDoc Viewer makes this possible using a collection of REST APIs to support more than 100 proprietary and open file formats including common types such as Microsoft Office documents, PDFs, and email along with case-specific formats like DICOM. This native viewing capability is especially useful in the EDRM review and analysis phases when ESI is evaluated for relevance, content, and context, and in the presentation phase when ESI is displayed before audiences in court.

In addition to client-side viewing, PrizmDoc Viewer includes a powerful backend processing engine that provides key services to streamline and improve the eDiscovery process including conversion, OCR, annotation, redaction, advanced search, watermarking, and more. These functions work together with the document viewer to streamline the processing, review, analysis, and production phases.





Document Conversion Capabilities to Streamline Processing & Production

Document conversion is a key function to streamline eDiscovery workflows, especially in the processing phase where volumes of ESI are reduced and converted to forms more suitable for review & analysis. It is also a common need among litigators during the production process as each case is different and every client and litigator will come to various terms regarding the sharing of pertinent documents.

To improve efficiency, eDiscovery applications must include a powerful document conversion engine that not only turns ESI into native or near-native forms for easy viewing, but also equips users to unify different file types into a singular format—usually PDF or a Microsoft Office format like DOCX.

PrizmDoc Viewer includes a mature and powerful REST API for [content conversion](#). This content conversion service allows your application to convert many document input formats to [several common output formats](#). What's more, the optical character recognition ([OCR](#)) service can take image-based documents like scans and convert them to either an editable text file or a searchable PDF.

For simplified numbering, PrizmDoc Viewer also includes a digital version of Bates stamping, which enables users to [add consecutive numbering to PDF pages](#) for easy reference.



Annotation & Redaction Capabilities to Improve Collaboration During Review, Analysis, and Production



Annotations are a key feature for collaborative processes and thus can show up in many stages of the EDRM. PrizmDoc Viewer's [annotation functionality](#) supports markup for 100+ file types including PDF, Microsoft Office, and common image formats. Multiple users can mark up the document with the layering functionality and choose to see all annotations at once, or show/hide individual user contributions.

In the interest of meeting state and federal preservation-of-data requirements, all markup exists on top of the original document, keeping all original files intact. If required, annotations can also be burned into final presentation files.

PrizmDoc Viewer's annotation features include the ability to add:

- >> Image Stamps
- >> Text
- >> Arrows
- >> Highlighting
- >> Strikethroughs
- >> Hyperlinks and More

Redaction is at the cornerstone of every eDiscovery workflow, as it provides a strong measure of security to the production phase, where ESI is delivered to outside parties. PrizmDoc Viewer's [redaction functionality](#) enables the protection of an abundance of sensitive data in record time.

Using the client-side HTML5 viewer, users can manually add individual redactions, search and redact by specific terms, and apply a single redaction reason (or multiple reasons) to a given selection. Application providers can customize the viewer to use pre-defined redaction reasons and search terms. In addition they can load redaction layers and programmatically create redactions.

Using the REST API, application providers can dynamically create markup files based on a set of regular expressions such as social security numbers. This auto-redaction process securely removes any trace of the redacted item from the final document. Redacted content cannot be seen, highlighted, or copied, while content that has not been redacted remains fully indexed and searchable.



Protecting Privacy with Digital Rights Management (DRM)

From beginning to end, DRM helps build data privacy into the eDiscovery and collaboration process by only allowing relevant roles to view certain types of information. Keeping sensitive information from being generally accessible to everyone in an organization is an easy way to help ensure litigation details and strategies don't get leaked—accidentally or otherwise.

By virtue of the fact that DRM controls can be assigned at the user level to control who has access to different functions within a database—printing, saving, downloading, viewing, etc.—the inappropriate spread of information can be at minimized or eliminated completely. And when information does find its way outside a customer's location, there's a digital activity record in the process, so responsible parties can be held accountable.

When it comes to litigation, security is paramount. Without it, miscarriages of justice could easily occur. DRM aims to stand guard against threats to data privacy with a multi-factor approach. In addition to role-based rules, another way this technology can protect documents is by way of watermarking and 256-bit AES content encryption.

Watermarking

While watermarking doesn't provide access control in the way DRM does, it does hard code identifying information into documents. This could include but is not limited to a logo or other information typically delineating the author or owner of content. This can make it easier to prove ownership and prevent reproduction should documentation fall into the wrong hands.

256-bit AES Content Encryption

This encryption method is one of the most secure currently available and is used in most modern technologies and algorithms. 256-bit AES content encryption is so complex that a threat actor would need to try 2256 combinations to break the code. Trusted by top military intelligence and defense organizations, "the U.S. government requires that all sensitive and important data be encrypted using 192- or 256-bit encryption methods."⁶



Summary

As the need for increased security, collaboration, and efficiency grows in the eDiscovery process, software developers can build product stickiness by including core functionality legal professions need to do their jobs better.

That said, coding new features that employ more security methods document viewing, aggregating, and annotating is far from easy. Instead of building everything from scratch, top application developers across the legal space are partnering with third party product developers like Accusoft to quickly deliver transformative eDiscovery and collaboration features in record time.

Discover how your organization can partner with Accusoft to add helpful new functionality in just weeks or months. Whether you're looking for a technical breakdown of features, functionality, and integration capabilities, or you just want a simple product overview that you can take to decision makers, we're here to help. [Contact our team](#) now for details.





Case Study

CLIENT

Cornerstone Discovery

PRODUCT

Accusoft's PrizmDoc Viewer

PROBLEM

The company needed to add a near native viewer into their Junto product quickly. This meant that the company needed to either build or integrate this functionality.

RESOLUTION

Integrating PrizmDoc Viewer into their initial eDiscovery application instead of developing their own viewer saved the company at least 6-8 months of development time, and the redaction feature alone saved them about 2-3 more months of development.

*"It was a better investment to go with [Accusoft] and have the continual updates. I'm glad we did, because now PrizmDoc Viewer is a really polished, high performing application that integrates great with Junto. With each new version, I can usually get the updated version to production within a week."*⁷

- JASON SILVA, DIRECTOR OF OPERATIONS AT CORNERSTONE DISCOVERY

▶ [READ THEIR STORY](#)

ACCUSOFT IS A SOFTWARE DEVELOPMENT COMPANY SPECIALIZING IN CONTENT PROCESSING, CONVERSION, AND AUTOMATION SOLUTIONS.

Our tools help law firms and legal departments build a more productive operation with unique technology that enables easy digital document processing. Replacing a variety of manual and labor-intensive processes from document assembly to redaction, our integrated content processing tools streamline workflows and information-sharing while keeping case files and intellectual property



CITATIONS

- 1 | Federal Rules of Civil Procedure, [United States Courts](#)
- 2 | "eDiscovery Market Size Mashup 2019-2024," [Complex Discovery](#)
- 3 | [Complex Discovery](#)
- 4 | [Complex Discovery](#)
- 5 | [Complex Discovery](#)
- 6 | 256-bit encryption, [Techopedia](#)
- 7 | Case Study: Cornerstone Discovery Enhances Legal Document Processing with PrizmDoc Viewer, [Accusoft](#)