

# CORPORATE LEGAL: 8 KEY DISCOVERY METRICS YOU SHOULD BE TRACKING

Just because you can measure something doesn't mean that you need to. And sometimes the really valuable data isn't the easiest to get. To ensure that your eDiscovery process is as effective and efficient as it can possibly be, you need to track the right metrics—and have the ability to act on that data to make improvements where necessary. Here are eight key factors that discovery teams should be tracking, why those metrics matter, and how you can use that information to improve the process.



## 1. The annual total legal spend for discovery

**What you should be tracking**

There are internal costs for both people (i.e., the time it takes to preserve information for discovery) and technology. There are external resources, including outside counsel and third-party providers. And there are opportunity costs; for example, the time spent handling discovery internally when no budget exists.

**Why it matters**

Understanding how much discovery costs you in real resources as well as opportunity costs can help you make more cost-effective decisions. For example, are there low-stakes cases that are cheaper to settle than put through the formal discovery process?

## 2. Annual amount spent with each of your law firms on discovery

**What you should be tracking**

It's not enough to know how much your total spend with outside counsel is; you want to understand how much you are spending with each law firm.

**Why it matters**

The decision of which law firm to work with on a specific case isn't made purely on cost, but it's important to understand the economics so that you are making a more informed decision.

## 3. Annual amount spent on each phase of discovery

**What you should be tracking**

Likewise, it's not enough to know how much you are spending on discovery overall; you want to understand how much you are spending on each phase of the discovery process—preservation, collection, processing, analysis, review, and production.

**Why it matters**

Understanding costs at different points in the process can help you identify and address inefficiencies within the process. This information can also provide valuable insight when you are determining whether to bring in a third-party provider or perform the work in-house.

## 4. Average percentage of data that is ultimately moved into review

**What you should be tracking**

You want to track how much data is being collected, processed, analyzed and ultimately ends up being moved into review. You also want to know what percentage of data that made it to the review process is actually produced to the requesting party.

**Why it matters**

Because review is by far the costliest portion of the discovery process, you want to ensure that you are effectively reducing your data as much as possible before it hits that stage. And understanding how much is ultimately produced can help identify areas to improve your pre-review data reduction strategies.

## 5. Annual amount spent with all third-party legal service providers

**What you should be tracking**

You'll want to understand not just how much you are spending on outside service providers in general, but also how much for each specific provider.

**Why it matters**

Each provider likely delivers different value to the process, so understanding the costs at the provider level enables you to ensure you are truly getting cost-effective value from each provider.

## 6. Average cost per GB to filter electronically stored information (ESI)

**What you should be tracking**

Look at the total cost of filtering ESI annually. Make sure you include third-party costs as well the costs of internal resources.

**Why it matters**

The exploding volumes of enterprise data are increasing the amount of ESI that needs to be filtered for investigations and litigation. Understanding exactly how much it costs to filter data enables you to identify ways to reduce those costs, and even potentially internalize the process.

## 7. Average cost per GB to host ESI

**What you should be tracking**

You also want to look at the cost of hosting ESI across all matters. The easiest way to do this is to look at it on a per-GB basis.

**Why it matters**

This will enable you to compare costs across multiple hosting providers, including both law firms and legal service providers. You need to understand those costs in order to be able to manage them.

## 8. Average length of time that data is hosted by a third-party provider

**What you should be tracking**

In addition to the per-GB hosting cost, you also want to look at the duration your data is being hosted.

**Why it matters**

Taken together, per-GB costs and length of time will give you a full picture of your hosting costs, and help you identify ways to lower those costs.

### About Mindseye

*Mindseye is a leading provider of eDiscovery software solutions. The company's flagship eDiscovery platform helps organizations manage risk, minimize legal exposure, and eliminate wasted time and money throughout the discovery process. Organizations that use Mindseye can quickly input and access early data to make cost and resource estimates, formulate strategy and case direction, and ultimately move less but more relevant data to review.*

**MINDSEYE**

**Discover More. Review Less.®**