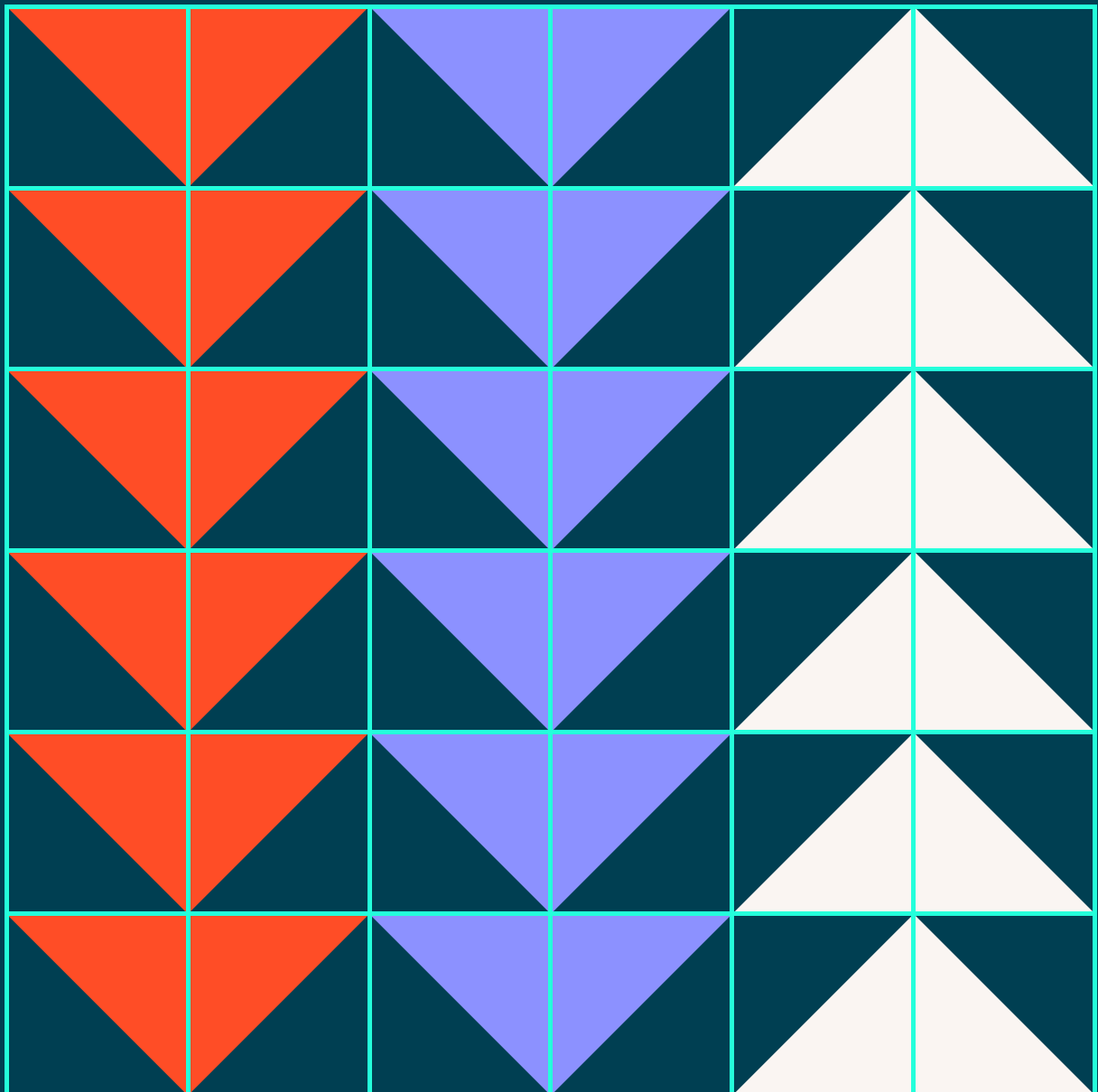


Solutions for reducing the cost of discovery



In this guide, we unpack Sky Discovery’s proven approach for reducing discovery costs, without compromising quality or compliance.

Introduction	3
Early-stage preparation	4
Matter scoping	4
Reducing document volumes	5
Speeding up the review	7
Analytics tools	8
Continuous Active Learning	10
GenAI-powered review tools	11
Sky Discovery tools	12
Helpful resources	14
How we help	15

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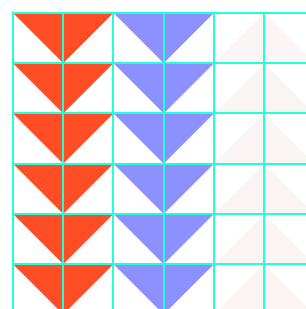
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Reducing the cost of discovery is where our team's experience is most evident.

We are always working to identify opportunities that proactively and sustainably reduce review costs. This starts before a matter even begins (through our ongoing education programs and early-stage consulting), continues in the very early stages of a matter (ensuring we are not collecting too much or too little), and continues through the negotiation of protocols (that can see costs minimised or blown out) and the formulation of review strategies (that meet review objectives and are proportionate to the value of the matter).

We use a mixture of traditional workflows as well as cutting-edge technologies. Our team want to understand your legal objectives and build an efficient and effective eDiscovery workflow to get you over the line. We know we deliver the highest quality eDiscovery support and have anecdotal and empirical evidence (through supplier assessments conducted for other law firms) to support this contention. We can show in some cases that we bill 40-60% less than our competitors.

There are many ways to reduce document review costs during the review phase, whether for discovery or another endpoint. Our team's experience means we can proactively guide you to adopt the most accurate and cost-effective strategy for the document review process, tailored to each of your matters and aligned with your specific objectives. Some of the ways we provide this support are included in this guide.



Early-stage preparation

Engagement with an eDiscovery partner as early as possible increases the potential effectiveness of any resulting eDiscovery work.

This early engagement does not necessarily mean that additional fees will be incurred or that data will be collected, processed, or reviewed; however, it could provide high-level guidance for the legal team, allowing them to manage data and documents effectively.

Sky Discovery is unique in that we have a dedicated Client Engagement team comprising of subject matter experts with extensive eDiscovery consulting experience. This team focuses on long-term, meaningful partnerships with our clients and provides complimentary early-stage advice on all aspects of the eDiscovery workflow. This ensures that we are adopting the best application of eDiscovery technology to reduce the volume of documents for substantive review.

Matter scoping and ongoing proactive consulting

One of the roles of our client engagement team is to thoroughly scope matters at the pre-engagement stage to ensure that the most technologically efficient and cost-effective solution is proposed.

Our team will also provide advice at the pre-engagement stage to help streamline any eDiscovery workflows. This helps reduce future document review costs. This pre-engagement advice, along with our ongoing consulting advice, allows us to design solutions that:

- reduce document volumes and
- speed up the review process.

Reducing document volumes

We can help reduce review volumes. This in turn reduces the cost and time associated with document review in many ways. Some of these are set out below.

A targeted collection

- By targeting specific folders or mailboxes, we only collect the data likely to be relevant to the case. With a smaller, more relevant dataset, the review process becomes faster and more efficient.
- Reducing the volume of data to be reviewed directly translates to lower processing, hosting and review costs.
- Targeted collections can help to minimise the risk of missing important documents.
- By ensuring only necessary data is collected and reviewed, targeted collections can also assist in compliance with legal and regulatory requirements.
- We also help to mitigate the risks associated with “under-collecting”. If under-collecting is identified, additional collection might be necessary, leading to unnecessary delays, costs, and review time.

Early case assessment culling

During the Early Case Assessment (ECA) stage, we help clients develop a high-level understanding of the document set. We also help clients reduce the volume of data that needs to be reviewed. To achieve this, we apply a range of techniques, including:

- Utilising analytics tools such as conceptual clustering to develop a high-level understanding of the document set.
- Applying specific keywords and search terms to filter out non-relevant data.
- Limiting data to a relevant time frame.
- Analysing metadata such as dates, authors, recipients and file types.

Through an effective ECA process, we aim to manage client expectations, budgets, and assist them in preparing effective review guide workflows.



Assistance with keyword searches

Using multiple strategies, we provide valuable assistance with keyword searches during the category negotiation stage. These include:

- Working closely with our clients to understand the specific requirements and objectives of the matter.
- Encouraging a collaborative approach and engaging in discussions to ensure both parties agree on search terms and categories.
- Educating ways to refine keyword searches, such as utilising Boolean operators and proximity searches.
- Implementing an iterative approach to run proposed search terms across the data set and refine terms based on the results.
- Advising how search terms can be adapted for specific data sources, e.g. short messaging data or email communication.
- Conducting validation and sampling to ensure the relevant data is being captured.

Speeding up the review

There are many ways in which the review of a potentially relevant set of documents can be sped up to reduce the cost and time associated with the review process. Some of these are set out below.

Workflow development

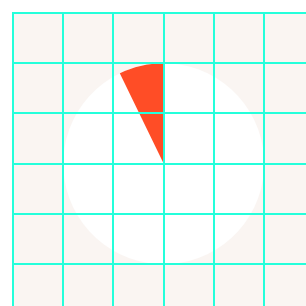
Our highly skilled and experienced consultants work closely with our clients to develop an efficient workflow. We apply a range of tools and techniques, including:

- Ensuring a clear understanding of the matter background, the review objectives, timelines and available resources.
- Prioritising datasets for review.
- Applying techniques including email threading and Textual Near Duplicates Identification (see further information below).
- Creating a simple and consistent review coding layout to include automated validation rules.

Advanced review – standard features

Sky Discovery applies the full suite of Relativity's analytics tools to streamline the review workflow.

The application of analytics is included on all data hosted in any Sky Discovery Relativity review workspace. The team has four certified Relativity analytics specialists and regularly provides complimentary analytics training sessions for clients.



Analytics tools

During the review process, we use a range of analytics tools help your legal team sort through the mounds of documents. Below is an overview of key analytics tools we use to organise, prioritise and assess the content within discovery documents.

Email threading

This tool helps organise email conversations into threads, making it easier to review related emails together. It is run by default on all matters.

In addition to reducing the review set, we regularly use email threading as an effective quality assurance (QA) tool to identify potential inconsistencies in review coding within email threads.

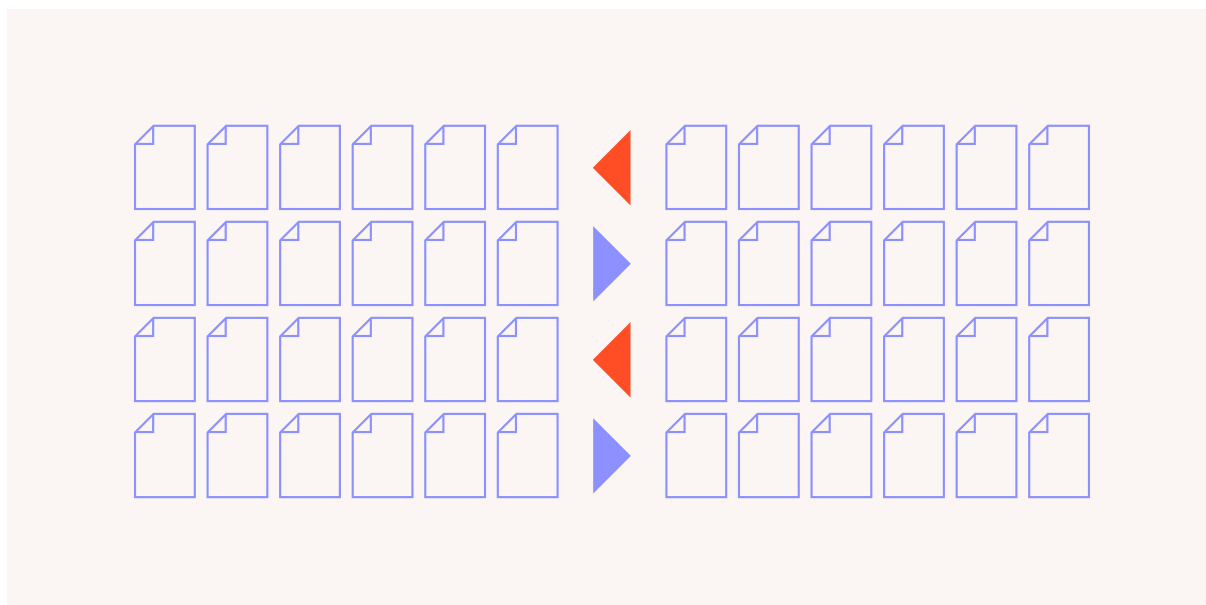
Textual near duplicate identification

Textual Near Duplicate Identification flags documents that are near duplicates in content, helping to reduce review time. This is run by default on all matters.

We use this tool to streamline the review process by grouping similar documents for review. We also use Textual Near Duplicate Identification as a QA tool to identify review coding inconsistencies within similar sets of documents.

Language identification

This tool detects the language of documents, allowing for more efficient review and translation processes. We have a workflow to feed these results directly into our machine translation tools.



Clustering

Clustering groups of documents based on conceptual similarities, providing a visual representation of related documents.

There are multiple use cases for this tool:

1. Provide high-level insights into the data set during the early case assessment stage.
2. Prioritise potentially relevant clusters/documents for review in data sets.
3. Quickly exclude obvious irrelevant document sets that don't need to be physically reviewed or only reviewed by a lower-cost resource.

Sentiment Analysis

The purpose of this tool is to analyse the sentiment expressed in documents, helping to identify positive, negative, or neutral tones.

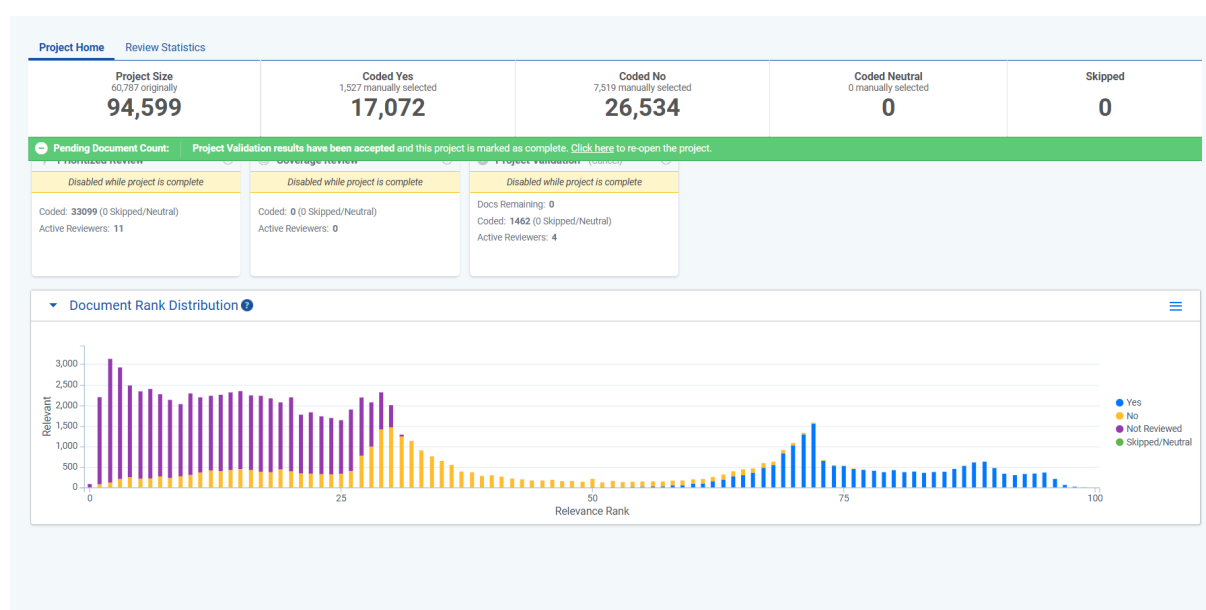
Continuous Active Learning

Sky Discovery is well-equipped to assist the legal teams in determining the appropriateness of a Continuous Active Learning (CAL) workflow on each matter. We have deployed it on countless matters in many standard and creative ways. On a recent project, CAL was effectively applied to a review set of ~27,000 documents, which would be considered the smaller size for a CAL review.

After deploying a CAL review for seven days and subsequently running a validation or “elusion” test, the legal team was satisfied that no further review was required, saving the review of ~12,000 documents. This is shown in the graph depicted below.

CAL is only one method to increase review efficiency and Sky Discovery will endeavour to take every opportunity to apply eDiscovery workflows to reduce reviewable document sets or increase the speed with which documents are reviewed.

To achieve this outcome, both procedural and technical steps can be taken at all stages of the eDiscovery process. Of course, these steps will need to be taken within the legal context of each matter including the time and budget available.



GenAI-powered review tools

Sky Discovery's consultants are trained on effective AI workflows and are familiar with the latest Generative AI (GenAI) Court Practice Notes.

We have a dedicated internal GenAI team. Four members of the team have completed Relativity's Generative AI Pro certification. Sky offers Relativity aiR within RelativityOne. This is a suite of AI-powered tools designed to enhance the efficiency and accuracy of document review and analysis within the RelativityOne platform.

Relativity aiR leverages Microsoft Azure OpenAI in its Generative AI embedded applications. Azure OpenAI is a cloud service that provides access to leading large language models (LLMs) developed by OpenAI, including GPT-3 and GPT-4, to generate natural language responses to various queries within RelativityOne.

aiR for Review

This tool predicts coding decisions and supports predictions with descriptive text and document excerpts. It is designed to enhance the efficiency and accuracy of document review by identifying relevant documents, key documents, and issues.

aiR for Privilege

This tool analyses documents and predicts whether they are privileged. It provides draft privilege log descriptions, streamlining the privilege review process and improving the accuracy of privilege calls.

aiR for Case Strategy

This tool uses generative AI to identify key facts and generate document summaries. It aims to provide insight on the facts, people and legal issues important to the case. Australian aiR for Case Strategy release date is not yet known.

Sky Discovery tools

We have developed an array of solutions and workflows that help support the efficient delivery of our service and ensure our clients can efficiently review and manage the document set. While we draw reference to these tools later in this document, we highlight some key solutions that assist with reducing document review volumes:



Scan

A solution that uses machine learning to tag objects within images to make them searchable. For example, a photo of the Golden Gate Bridge brings back terms such as “bridge” or “suspension”. The legal team can then use keyword searches to identify documents.

This tool was developed to specifically address a document review cost problem in that 20,000 JPEG photographs were discovered by an opposing party, and there was a request by our client to cut down the number of photos the lawyers needed to physically review. The dispute involved cracks in a dam wall. This tool was used to isolate the photos containing images of dam walls and specifically cracks, and it significantly cut down the review set by 1000's of documents.



Script

This solution uses optical character recognition (OCR) to convert images of handwriting and display them as searchable text. It can also read historic documents, such as faded typewriter documents from 50+ years ago. Where you have matters that include documents of this nature, you can use this tool to improve the accuracy of any search and limit the number of handwritten and poor-quality documents the legal team needs to review.



Chat – Mass Action

This is one of Sky Discovery's new GenAI tools and allows you to query multiple documents during the document review process using natural language prompts (NLPs) which are in plain English phrases or sentences used to instruct the LLMs for a task. Our clients have used this tool to create document summaries and allocate mass categories. Both can significantly reduce the review time and costs.

AI or otherwise, when new challenges arise, we find practical, accurate and defensible solutions.

Our growing AI capabilities



Chat

Summarise, translate and label documents using natural language prompts.



Mass Action

Prompt, record and reuse multiple document review queries simultaneously.



Validate

Review, summarise and fact check document references to supporting evidence.



Compare

Review and summarise document similarities or differences in a structured, searchable format.



Chronology

Organise, link, track and review an automated sequence of events from documents.



Retrieve

Gather insights across entire datasets and retrieve quick answers and key references.



Scan

Recognise and tag objects in images and convert them to structured, searchable data.



Extract

Capture and populate data from templated forms into structured, searchable data.



Transcribe

Extract audio and video files and organise them into searchable transcribed data.



Translate

Translate and maintain context in documents in their original format in up to 100 languages.



Review (aiR)

Locate material related to legal issues important to your case strategy.



eDiscoveryAI (eDAI)

First-level AI review, AI-backed early case assessment and automated privilege review.

Leverage AI on your next matter. [Our solutions >](#)

Customer success cases

Extracting data from forms using AI workflows

Investigation, Process, Enhance, Review, Sky Solution

[Read](#)

Leveraging continuous active learning in large scale document review

Dispute, Analyse, Review, Sky Solution

[Read](#)

Migrating an active eDiscovery project from another provider

Dispute, Regulatory, Investigation, Process, Sky Solution

[Read](#)

[Client success ↗](#)

Helpful resources

As specialists we continually invest in R&D and best practice so we can advise our partners with confidence. These insights culminate in helpful [resources](#) and [references](#) for lawyers and decision-makers.

Data Identification Questionnaire

Our questionnaire aims to help you quickly and accurately identify data potentially relevant to your matter. The information captured from key stakeholders will facilitate the development of a collection plan and enable its swift and defensible execution.

[Learn what to consider](#)

Draft Exchange Protocol (Australia)

This reference is used by our teams on most disputes in most jurisdictions within Australia. The template provides a starting point for developing a protocol that governs the exchange of documents for Australian disputes.

[Learn what to consider](#)

Practice direction by jurisdiction (Australia & UK)

Reference our index of all Australian and UK eDiscovery practice directions.

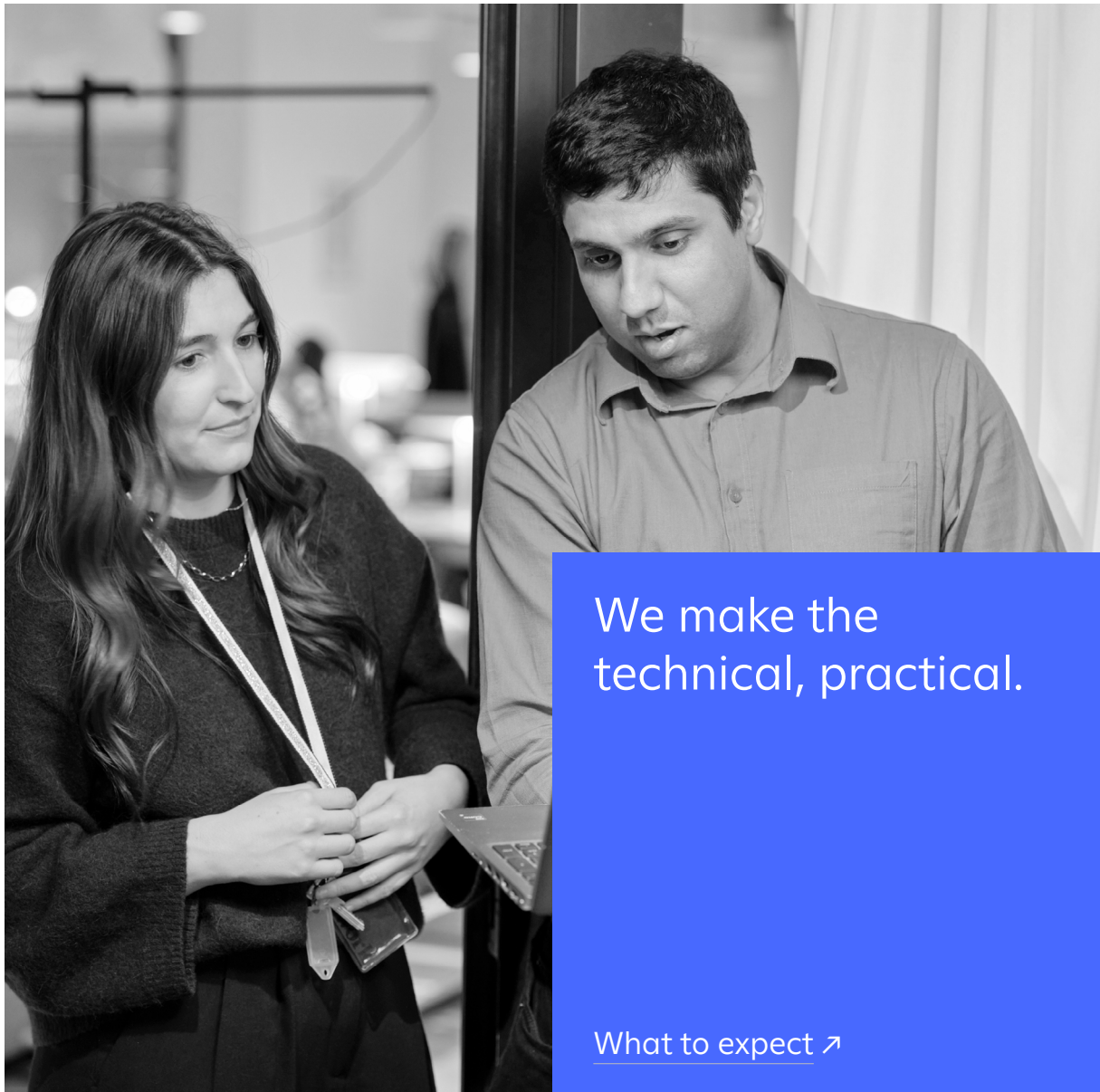
[Learn what to consider](#)

Learn more

Negotiating a document exchange protocol with opposing party	↗
Reducing discovery obligations with another party	↗
Developing an appropriate review workflow	↗

You need a team with a balance of legal,
eDiscovery and technology expertise,
this is who we are.

Our expert team of lawyers and technologists are available to assist you with navigating all stages of your matter, from the first meeting, through scoping, to completion. We focus on technical solutions so you can focus on the law. Find out how we help.



We make the
technical, practical.

What to expect ↗

