



## Big Data, Predictive Coding and Data Reuse among Top E-discovery Trends in FTI Consulting Study of Fortune 1000 Counsel

March 5, 2013

### Fourth Annual Advice from Counsel Study Shares Predictions on the Future of E-discovery

WEST PALM BEACH, Fla., March 5, 2013 /PRNewswire/ -- [FTI Consulting](#), Inc. (NYSE: FCN), the global business advisory firm dedicated to helping organizations protect and enhance their enterprise value, today announced the results of a study of corporate e-discovery trends conducted by its FTI Technology practice. From [predictive coding](#) to the [cloud](#), Fortune 1000 counsel gave their predictions and advice on the future of e-discovery in the fourth annual [Advice from Counsel](#) study. A report summarizing the study's findings is available for download from FTI Technology, and a [complimentary webcast on the results](#) will take place on Wednesday, March 6, at 10 a.m. PT.

"Over the past four years, [Advice from Counsel](#) has served as a benchmark on the key e-discovery strategies and tactics for corporate legal teams," said Mike Kinnaman, a Senior Managing Director in the FTI Technology practice. "This year's report continues the tradition and provides prescient and practical guidance for corporate counsel in targeting and improving the complex and costly e-discovery process."

Among the 2013 [Advice from Counsel](#) study's findings and predictions:

- **The impact of Big Data on e-discovery requests will be the greatest e-discovery challenge by 2015:** Sixty-four percent of the in-house lawyers participating in the survey noted that the impact of Big Data on e-discovery requests will be the overwhelming challenge for the foreseeable future, followed at 32 percent by both ["social media and data in the cloud"](#) and the "emergence of the 'bring your own device' environment becoming a workplace norm." A notable 14 percent believe the ongoing conflict between U.S. e-discovery requirements and [data privacy rules](#) overseas will continue to present obstacles to seamless discovery.
- **Predictive coding has the biggest potential to improve e-discovery by 2015:** Fifty-seven percent of respondents believe that [predictive coding](#) will improve e-discovery and be a mainstream tactic by 2015. Many respondents expressed optimism that predictive coding technology can better automate the document review process and dramatically reduce costs.
- **Reuse of documents and metadata in e-discovery will become a more commonplace practice:** Fifty-seven percent of participants currently [reuse coding decisions](#) made on documents for previous matters, and many expressed the opinion that this number is likely to increase among e-discovery practitioners.
- **E-discovery practitioners will need new skills:** Reflecting expectations that predictive coding will play a greater role in e-discovery, respondents broadened the list of skills helpful for future e-discovery practitioners. While legal and technology aptitude remained high at 83 percent and 77 percent, respectively, respondents also listed new, and perhaps surprising, skills — including [statistics](#), accounting, project management and linguistics.
- **In-house counsel, outside counsel and service providers will collaborate on e-discovery management:** Seventy-three percent of the respondents expect these three groups to more [effectively collaborate](#) on e-discovery tasks in 2015.

"As part of the [Advice from Counsel](#) study, I spoke with inside counsel to identify the most important trends that will transform e-discovery in the next decade," said Ari Kaplan, legal consultant and Principal of Ari Kaplan Advisors. "The candid and practical advice by respondents offers a window into the evolving digital landscape of modern litigation and provides guidance on how their peers can safely and cost-effectively navigate these changes."

FTI Technology will host a March 6 webcast to discuss the findings with Kaplan and Renee Meisel, Legal Director of Dell Inc. To register for the event, please visit the [FTI Technology site](#).

For more information on FTI Technology, please visit [www.ftitechnology.com](#).

#### About the [Advice from Counsel](#) Study

For the past four years, FTI Technology has partnered with Ari Kaplan Advisors to publish the annual [Advice from Counsel](#) study, a quantitative and qualitative view into e-discovery best practices for corporate counsel. The study is conducted by phone interviews of 30 in-house legal professionals with responsibilities that include e-discovery. All participants are from Fortune 1000 corporations, and interviews are conducted under condition of anonymity. A full copy of the 2013 report is available for download at the [FTI Technology site](#).

#### About FTI Consulting

FTI Consulting, Inc. is a global business advisory firm dedicated to helping organizations protect and enhance enterprise value in an increasingly complex legal, regulatory and economic environment. With 3,915 employees located in 24 countries, FTI Consulting professionals work closely with clients to anticipate, illuminate and overcome complex business challenges in areas such as investigations, litigation, mergers and acquisitions, regulatory issues, reputation management, strategic communications and restructuring. The Company generated \$1.58 billion in revenues during fiscal year 2012. More information can be found at [www.fticonsulting.com](#).

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