FTI Consulting Announces E-discovery Fitness Study Results

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Fortune 1000 Legal Teams Offer Advice and Industry Benchmarks on Five Key E-discovery Trends

WEST PALM BEACH, Fla., Nov. 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 segment. The study and report, conducted by Ari Kaplan of Ari Kaplan Advisors, focuses on five key e-discovery trends and provides benchmarks for companies to measure their e-discovery fitness. A report, *Advice from Fortune 1000 E-discovery Experts: Achieving and Maintaining E-discovery Fitness*, summarizes the survey's findings and is available for download from FTI Technology.

"Over the past five years, we have studied emerging e-discovery trends impacting corporate legal teams and shared the results through our *Advice from Counsel* reports," said Mike Kinnaman, a Senior Managing Director in the FTI Technology segment. "We recently surveyed leading e-discovery experts to get their candid commentary and advice for raising the caliber of an organization's e-discovery fitness in five key areas."

Topics discussed in the study include:

Implementing information governance programs to get Big Data under control
Respondents reported dramatic increases in corporate data volumes, including one e-discovery practitioner stating, "Three years ago, the average custodian had seven gigabytes of data; today, each has 31 gigabytes." To help curb this growth in data, 39 percent of respondents recently implemented a new data retention policy, and the majority of the study's participants were focused on implementing policies and procedures to better manage a growing "bring your own device" workplace.

Repurposing efforts from one case to another so the same documents do not have to be recollected, reprocessed and, in some cases, re-reviewed
The non-profit think tank, RAND Corporation, reports that companies spend, on average, $18,000 per document to collect, process, review and produce a gigabyte of materials relevant to a matter. Increasingly, corporations see that matters have overlapping custodians and documents, and coding decisions and metadata from earlier matters can be leveraged on other matters for cost savings. Currently, only 26 percent have a multi-matter repository to save documents and coding decisions, but this number is likely to increase.

Leveraging the power of advanced technology such as analytics and predictive coding
Sixty-one percent of the survey participants revealed using some type of advanced analytics or predictive coding tools on their discovery projects. Even with this high number, respondents were careful to provide guidance on successful implementations. "It is a good methodology to cull data, but, still, you need skilled reviewers to evaluate the material," stated one expert.

Controlling costs and improving budget predictability for e-discovery
While 61 percent of respondents reported familiarity with their total annual e-discovery spending, only one of the study's participants could provide a precise amount of annual e-discovery spend. As one expert noted, "We cannot identify the average cost per custodian minus outside counsel fees because the company does not require usage of billing codes that would provide additional visibility into that expense."

Managing international data privacy and foreign language challenges
Sixty-five percent of the study's participants reported recent handling of data privacy challenges arising from data in non-U.S. jurisdictions. "Understand what your international business posture might be, what the risks are, and have a plan in place about resources and steps you will take," advised one respondent.

"Even though each program is different, there are tried and true strategies that, when implemented, can signal an effective fitness regimen," said Ari Kaplan, legal consultant and Principal of Ari Kaplan Advisors. "Our goal with this report is to provide e-discovery professionals with tools to benchmark and improve their own programs."

For more information on FTI Technology, please visit www.ftitechnology.com.

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 more than 4,000 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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