



Enterprise Search for E-Discovery Compliance

For attorneys in the midst of complex litigation, the term ‘e-discovery’ need not be explained. To the CTO of a large, global organization, e-discovery might not be as familiar, but is no less significant, thanks to amendments to U.S. Federal Rules of Civil Procedure (FRCP), and more specifically, laws concerning the discovery of electronically stored information.

Whatever your familiarity or level of involvement with e-discovery, without question the topic is affecting a greater number of business professionals each day. And with the emergence of e-discovery as a market unto itself has come a host of technology solutions promising to solve all your woes with a simple signature on a vendor contract. If only it were that easy.

The fact of the matter is e-discovery is much more complex, and no single magic pill or sacred sword exists to tackle it. Just ask the legal professional who is more familiar with the technology. A recent Fulbright & Jaworski survey stated that only 19 percent of corporate counsel believe their companies are well prepared to handle e-discovery issues. Needless to say, there’s a lot still to be learned here.

If you span the software industry, you’ll find a number of names with a hand in this market, from Attenex and EMC Corporation to Symantec and Stratify, each offering different approaches and ways to address e-discovery. In reviewing product offerings from these organizations, you’ll quickly spot one common thread among their solutions – the ability to search and retrieve information.

At the risk of over-simplifying, it’s safe to say that e-discovery at its very core is the process of pinpointing precise content or culling silos of concepts or subject matter for further investigation. It’s true there’s much more to it than that, but without a solution for conducting queries, processing results and gleaning vital intelligence from the search, e-discovery would be reduced to a new way to organize and analyze your electronic content in aggregate.

All of which is to say that enterprise search is rapidly emerging as a key component to electronic discovery and is proving to be the very technology that organizations need today to comply with FRCP, which went into effect Dec. 1, 2006. E-discovery platforms can be adequate at searching the content within their systems, but only enterprise search enables you to simultaneously search across all of your critical repositories, from file servers to databases and email archives.

Need additional convincing as to the importance of e-discovery? Ask a certain investment banking firm about its \$1.4 billion defeat (that’s billion, with a ‘b’):

<http://snipurl.com/188gd>

Critical Capabilities

It goes without saying that not all enterprise search software is the same, and conducting a review of the various technologies can be a daunting task, given the diversity in functionality, pricing and support models. Perhaps you already have enterprise search in action at your organization, in which case it makes sense to extend these capabilities to address your new e-discovery needs. Whether you're looking to do this or turn to enterprise search for the first time, here's a snapshot of what you'll need to look for to ensure compliance is made as easy as possible.

- **Broad file format and language support.** The essence of e-discovery means learning a great deal more about an unknown set of content, which means the repositories you're searching could include dozens of document types in a handful of different languages. Your enterprise search solution should support a wide variety of structured, semi-structured and unstructured formats, otherwise critical information could remain hidden, thus putting you in possible violation of FRCP. And when it comes to languages, broad support is a must but Unicode support is more ideal, which enables you to index content comprised of a mix of different languages.
- **Forensic indexing.** In extreme cases where nothing is known about a content store, forensic indexing capabilities ensure you can index and search anything that's electronically stored, even formats that a search engine doesn't normally understand. If text exists in a file, forensic indexing will account for it and include it in your collection.
- **Multiple query methods.** Depending on the user or situation, different query methods will be required. For example, it's one thing to conduct a basic keyword search for all instances of 'Steve Jones,' but because FRCP guards against so-called 'fishing expeditions,' you may be permitted to search only emails where Steve Jones is the sender or documents where he is the author. Whatever the scenario, your enterprise search solution should be able to account for the various ways in which people need to search.
- **Results Navigation.** Enterprise search success is often measured by accuracy and efficiency. The old-school methodology of returning a long, laundry-list of results is extremely inefficient, particularly when it comes to e-discovery. Not only is this time-intensive, it essentially ensures you'll miss key pieces of information. Therefore, your search capabilities should include functionality that enables you to sift and sort, drill down and further analyze. This comes in the form of classification/categorization, hit highlighting, context views and clustering capabilities.
- **Entity extraction for discovery.** To further assist in the navigation and analysis phases, some of today's enterprise search technologies are including entity extraction. This functionality automatically extracts key pieces of information, such as names, email addresses and more, and presents them alongside your results to enable further discovery and investigation.
- **Tag, annotate and extract.** The ability to tag relevant results, annotate them with notes for later searching and reference, and extract them for use in trial are vital components. Without these means, your enterprise search isn't addressing your full scope of requirements.

ISYS for E-Discovery

Established in 1988, ISYS Search Software is a global supplier of enterprise search solutions for business and government. The company's award-winning software suite offers a broad range of products designed to enable search, navigation and discovery across desktops, networks, websites, intranets and custom applications.

Over the years, we've had the opportunity to work with more than 14,000 organizations worldwide, including hundreds of law firms such as: Dewey Ballentine; Faegre & Benson, Sheppard Mullin Richter & Hampton LLP; Barlow, Lyde and Gilbert (UK); Perkins Coie; Holland & Hart LLP; Norton Rose (UK); Lionel, Sawyer & Collins; Vascoe Valdes LLP; and many more.

Comprised of three core applications – ISYS:desktop, ISYS:web and ISYS:sdk – the recently released ISYS 8 suite of enterprise search, navigation and discovery software serves as a valuable component to your e-discovery solution, providing key functionality that includes:

- **ISYS Entities.** ISYS Entities is our proprietary approach to entity extraction, which enables users to quickly and easily identify the “who, what and where” of a given search. Simply enter a query, and ISYS automatically identifies people, organizations, locations, websites and email addresses. ISYS Entities is even available in ISYS:desktop, making it the first desktop search application to offer automatic entity extraction.
- **ISYS Federator.** To account for the high volume of disparate information contained across an enterprise and its various geographic locations, ISYS 8 enables customers to federate results from multiple ISYS:web servers. Through the ISYS Federator, index maintenance can be decentralized, thus reducing overhead, improving performance and ensuring users are accessing the most up-to-date content.
- **Forensic Indexing.** ISYS now enables you to index all text files, regardless of whether ISYS understands them or not.
- **File and Language Support.** With the ISYS 8 release, we now support more than 200 file formats and 60 languages, including full Unicode, Microsoft Office 2007 and Vista support.
- **On-The-Fly Categorization.** At index time, ISYS automatically classifies your documents, so when users run queries, they can quickly and easily sift through a results list by simply clicking on one of the presented categories.

Prove it for yourself

We invite you to [read more](#) about our e-discovery success, [download our software](#) and test drive its capabilities for yourself. In addition to being easy to implement, maintain and use, ISYS remains the most cost-effective solution on the market, as we don't charge on a per-document basis or subject you to lease terms. Where e-discovery is concerned, this amounts to significant savings, since the size of your document collections are constantly in flux and not always known.

Resources

Several resources are available to help you better understand these new laws, including a handy book from www.legalpub.com, entitled "The New E-Discovery Rules." You can also gain additional insight from the following articles, some of which were used in producing this white paper:

New e-discovery rules will change document management

<http://snipurl.com/188g9>

Could you produce old e-mails and IMs in the event of a lawsuit?

<http://snipurl.com/186sn>

Believe It — eDiscovery Technology Spending To Top \$4.8 Billion By 2011

<http://snipurl.com/188gb>

The New World of Electronic Discovery: The Calamity of the Morgan Stanley Lawsuit

<http://snipurl.com/188gd>

Fulbright's Third Annual Litigation Trends Survey Findings

<http://snipurl.com/188ge>