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Unocal Case Study

Kiersted Systems **Case Studies: Discovery**

Process and Customization the Keys to Large-Scale Discovery

The attorneys at Gibbs & Bruns were sweating bullets. Their client, a large energy resource and development firm, was defending a suit that required the review of millions of documents, stored in approximately 10,000 boxes. Gibbs & Bruns had tried a pilot project that showed it would take an unreasonable amount of attorney time to review these documents — and they had only six months to do it. On top of that, they didn't have a way to accurately track this overwhelming mountain of material.

That was when Gibbs & Bruns called in Kiersted Systems. Having worked with Kiersted previously, G&B knew that Kiersted had proprietary systems that could be tailored to meet the demands of a discovery operation on this scale. Kiersted immediately created a customized version of their system for this case. Picklists of frequently-used words and phrases were created to fill in fields so that users could point and click instead of entering information from scratch each time. This cut down dramatically on keystroke time (and the inevitable errors arising from typos or incorrect use of fields). All contingencies specific to this case were included in the user interface, allowing efficient and accurate input of data.

“Kiersted worked with us every step of the way. The finished product is something we're very happy with,” said Kim Reeves, the attorney supervising the discovery project for Gibbs & Bruns. “They streamlined the process by which we decide whether to capture or discard information.”

Kiersted optimized use of attorney time by setting up a box initialization and initial prep station manned by crews of paralegals and legal assistants. Only after the boxes and their contents were bar coded and initial observations about their contents made, did attorneys get involved in review. This resulted in fewer attorney hours — and the amount of data captured increased by a factor of four.

Reeves commented, “Compared to the pilot project, we're spending more man-hours — but it's more paralegal and legal assistant man-hours, not attorney man-hours. The boxes are so well-prepped that the attorneys can zip through them like a well-oiled machine.”

Once the attorneys reviewed a box and noted which documents were relevant, the box went to a quality control station, where other attorneys double-checked to make sure the captured data was relevant and consistent. Then slipsheeters inserted color-coded sheets

of paper indicating where to start and stop scanning and coding. An outside vendor picked up the boxes to scan the indicated documents and create a searchable index. As each box was returned, it went through another QC to make sure everything was in the right order, and nothing was missing. Now that the relevant material was digitized, the paper documents were no longer needed and the box went back into storage.

Kiersted is on-track for completing the discovery process on-time and on-budget. Because Kiersted's process is so highly automated, they have been able to anticipate bottlenecks and problems *before* they occur, saving both time and money. And the process has been very efficient in discovering the information the attorneys need to successfully defend their client's case.

"This outstanding work has made our managers very happy," Reeves said. "Needless to say, our client is pleased with Gibbs & Bruns for helping them to solve a very big problem with a tight timeline."