

Toward a Generational Model of eDiscovery Classification

Generational models of classification are not new to technology. These models have driven discussions of such important technologies such as wireless connectivity (i.e. 3G) and computer processing units (i.e. 7th Generation Processors). The classification of technology generations is generally based on a new design or approach that truly changes the way the technology performs. When considering eDiscovery technologies, this same classification approach appears to be a reasonable way in which consider comparisons between available products and services. With design focus and integration approach in mind, current electronic discovery products and services appear to fall into one of the three generational categories depicted in Table 1.

Generation	Design Focus	Integration Approach
1st Generation	Adapted for Electronic Discovery	Adapted for Task Integration
2nd Generation	Designed for Electronic Discovery	Adapted for Task Integration
3rd Generation	Designed for Electronic Discovery	Designed for Task Integration

Table 1 - Generational Look at Electronic Discovery Offerings

Generational Differences in Design Focus

In considering the differences in design focus, it appears that eDiscovery offerings in the marketplace today were either **adapted** for eDiscovery or **designed** for eDiscovery. Depending on specific needs, this generational difference may or may not be important in choosing an eDiscovery offering. However, it does appear reasonable to assert that eDiscovery offerings that were not designed specifically for eDiscovery run the risk over time of lacking both the capability and/or flexibility of offerings designed specifically for eDiscovery.

Generational Differences in Integration Approach

In considering the differences in integration focus, it appears that eDiscovery offerings in the marketplace today were either **adapted** for eDiscovery task integration or **designed** for eDiscovery task integration. Depending on specific needs, this generational difference may or may not be important in choosing an eDiscovery offering. However, it does appear reasonable to assert that eDiscovery offerings that were not designed specifically for eDiscovery task integration run the risk over time of lacking both the capability and/or flexibility of offerings designed specifically for eDiscovery task integration.

Beyond General Design and Integration Approach Focus

In looking beyond an offering's general design focus and integration approach, it appears important to understand the distinct differences that stem from whether a product or service is adapted for or designed for eDiscovery and eDiscovery task integration (interoperability). This understanding can be developed by answering the following questions pertaining to an offering's *capability, delivery method, integration, and pricing.*

Capability: What is an offering's capabilities?

Does the tool provide Analytics?
Does the tool provide Processing?
Does the tool provide Review?

Flexibility: How well does it integrate with other electronic discovery tasks?

Can the offering work with other eDiscovery offerings with additional data transfer development?
(Can the offering be adapted for integration?)

Can the offering work with other eDiscovery offerings by using standard data transfer protocols (XML/Load Files)?
(Can the offering use intrinsic design for integration?)

Can the offering work with other eDiscovery tasks within its design platform without requiring additional data transfer development or data transfer protocols?
(Does the offering have application level integration?)

Is the offering flexible enough to accommodate changes necessary to meet task needs driven by future court decisions? *(Is the offering adaptable enough for task refinement and/or change?)*

Delivery: What is the offering's delivery model?

Does the offering require purchasing of hardware and/or software?
Does the offering require purchasing of a hardware/software/firmware integrated appliance?
Is the offering delivered as a managed service?
Is the offering delivered as Software as a Service (SaaS)?

Affordability: What is the offering's pricing model?

Does the offering require purchasing of hardware, software, and/or an appliance?
Does the offering require payment for licensing and/or maintenance?
Does the offering require payment for usage via a subscription?
Does the offering require payment for usage (i.e. data volume, document volume, time utilized)?

Taking the understanding of an offering developed through consideration of the aforementioned questions, one can then begin to truly compare and contrast eDiscovery offerings through the use of a simple Generation Model of eDiscovery Classification.

Tying It All Together – The Generational Model of eDiscovery Classification

In looking at both an offering's *design focus and integration approach as well as being able to determine an offering's capability, flexibility, delivery model, and affordability, one can visually compare and contrast different offerings using the Generational Model of Electronic Discovery Classification (Figure 2).*

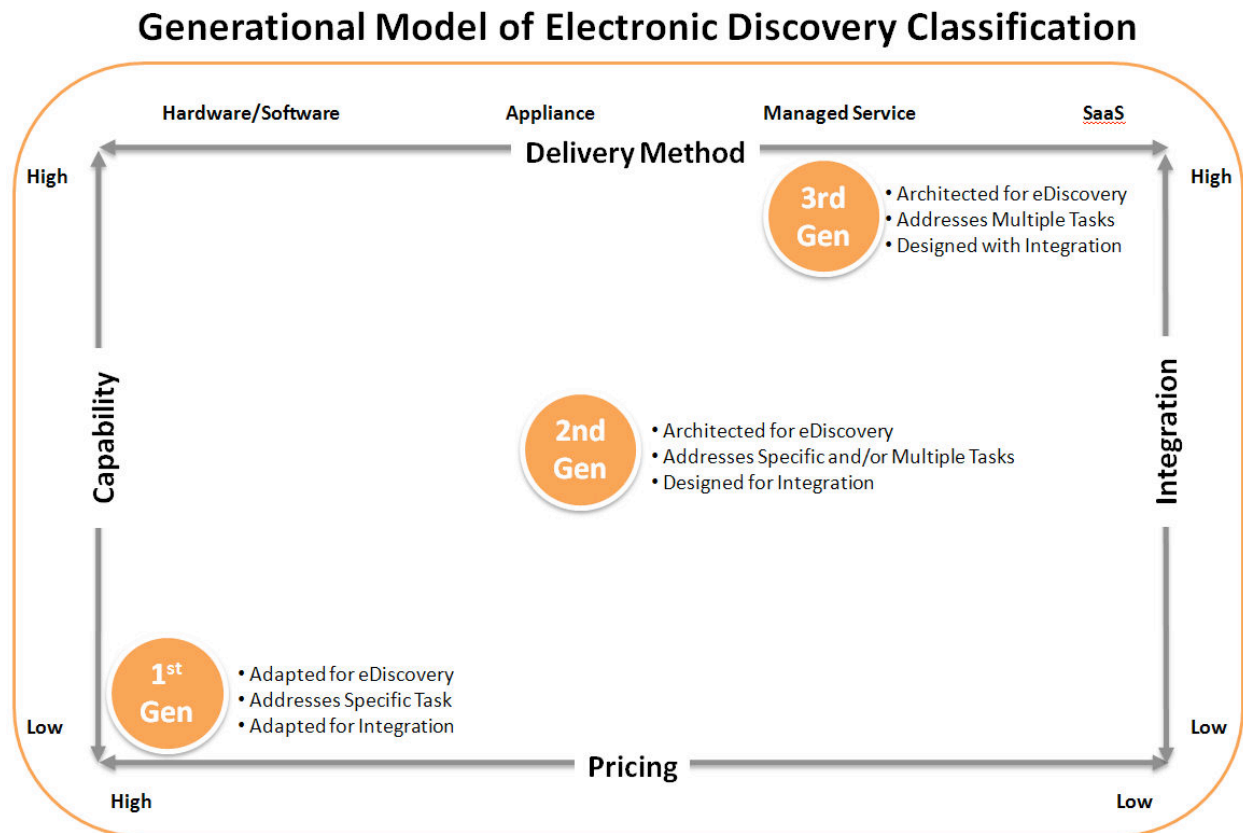


Figure 2 - Generational Model of Electronic Discovery Classification

This model portrays in a general fashion where most generational offerings fall in relation to capability, delivery method, integration, and pricing.

While there are and will continue to be many ways in which legal professionals can evaluate, compare, and contrast different electronic discovery offerings, hopefully this simple generational model for classifying electronic discovery offerings can help in providing a useful framework for electronic discovery decision making.

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