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Rethink Fixed Costs with Remote Legal Document Review

Legal document review is often regarded as expensive, time-consuming and tedious. While a law firm might be hard-pressed to find a passion for it, every legal professional knows it's essential.

No firm wants to be responsible for accidentally turning over a privileged document to the opposing counsel or for the inadvertent exposure of a client's sensitive confidential information. These scary “what-if” scenarios are one of the many reasons a thorough legal document review process performed inside legal office space has been absolutely nonnegotiable. Firms have been asked to pass through the cost of this expensive process with little or no markup for years. Finally, technology has made it so they can take new approaches to add value to the process.

Even though technology for remotely accessing legal document review databases has been gaining traction over the last several decades, it's still common for firms to hesitate to allow the document review attorneys to work remotely. Legal e-discovery leaders are often highlighting concerns like privacy and confidentiality, and they often have little idea of what to expect from veering away from the tried-and-true methods of having the reviewers do the work inside a physical office space.

As technology reshapes the world of work to be faster and more agile, law firms should have a plan in place to make remote workforce technology work in their favor. By doing so, firms can anticipate cost savings of thousands of dollars per year and position themselves with more flexibility in the face of work that is variable.

EVALUATING ON-SITE LEGAL DOCUMENT REVIEW

Implementing remote legal document review technology gives attorneys the power to work from home, helping eliminate fixed overhead costs. Using in-house or vendor reviewers in

physical office space means managing the cost of that physical presence, office space, IT support, utilities, parking and more — which can add up quickly, depending on the length of the project and the number of reviewers needed. Not only is the cost of overhead expensive, but the needs of the legal document review project can also be subject to change at any time. What may begin as a project with 15 reviewers and two conference rooms might require three people and one room a week later. Despite the decrease in project needs, the overhead costs continue and are unable to be billed.

In addition to managing fixed overhead costs, firms also need to consider the labor market for legal document review. When firms choose not to use remote workforce technology solutions, they're limited to the document review attorneys available in their area, which often forces them to compete with other local firms for the highest qualified reviewers. Additionally, sought-after skills might not be available in certain areas. For example, if a law firm needs a reviewer who understands Japanese or can translate complex technical jargon, that firm may be forced to fly someone in from another market. By using remote workforce technology, law firms gain broader access to the market, allowing them to quickly filter through document reviewers who meet their desired availability, skill set and budget.

CLOUD DOCUMENT REVIEW CENTER TECHNOLOGY

Remote verification technology is generally similar to online test-taking software used in schools. The verification software works like a web browser, but it accesses the legal document review database instead of webpages. Once the verification software is launched and the identity and system are checked, the legal document reviewer logs into the secure document database while their system and webcam verify workspace policy compliance. The verification software is configured to suit the work policy decided by the law firm and its client. The home work environment is verified for policy compliance, so law firms gain peace of mind by having complete control over the document review workspace policy and the ability to verify compliance with their needs. These tools are also designed to be easy for firms to implement and for document reviewers to access, thus eliminating the learning curve commonly associated with technology. The result is the creation of a cloud document review center.

DEBUNKING PRIVACY CONCERNS

Concerns over confidentiality and accountability are always top-of-mind issues that deter legal services firms from choosing to use a remote workforce. While these are valid concerns, the

reality is that cloud review center technology and workplace policy verification can be used to manage these issues. The cloud review center tools of 2019 are a far cry from a blurry webcam and low-quality microphone set up in someone's bedroom. Instead, they're high-security, locked-down portals, and law firms and their clients can set the standards. Firms can set policy as they need to, which can even help address concerns better than a team of in-person supervisors.

With cloud review center technology, law firms can add additional rigor to timekeeping. And even though firms might be accustomed to employing supervisors to ensure the integrity of the review process, supervisors are still humans who are subject to the tedium of the process. If a supervisor looks away for even half a second, there's no telling whether a reviewer captured confidential information for their social media followers to see. Client privacy isn't something that can be left to chance, and technology that doesn't sleep, get bored or look away can provide firms the security they need.

Additionally, even though all activity done inside the software is recorded, law firms don't need to employ someone to sift through the raw footage. These tools are equipped with features that flag all activity not approved by the firm. So if a reviewer is taking personal phone calls, leaving their workstation or having in-person conversations, they'll be flagged for review and possible action. The only difference is that it doesn't take a team of supervisors to determine if reviewers are following procedure — the technology does it on an exception basis, saving time and money throughout the review process.

Technology and litigation aren't two words that are usually associated with one another. But as technology solutions continue to advance, legal professionals can greatly benefit from using cloud review center technology to their advantage. ■

ABOUT THE AUTHOR

Scott Delaney is the Principal of Tiburon Cloud Partners, which specializes in innovation and technology adoption in the legal, security and corporate compliance services markets. Delaney has extensive expertise working with early adopters of technology to develop innovative services, especially when it comes to finding new ways to help law firms and legal service companies deliver outstanding results.



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