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STEP 2

ESI ASSESSMENT

GOAL:

The goal of this step is to develop a strong understanding of the potential sources of relevant ESI to prepare for subsequent stages.

KEY TASKS:

- IT Department Interviews
- Department Head Interviews
- Custodian Interviews
- Data Mapping Creation
- Assessment of ESI Impact
- Preliminary Collection Plans

USEFUL DOCUMENTS:

- ESI Source Checklist
- Data Map Questionnaire
- Custodian Interview Checklist
- Collection Readiness Checklist

In preparation for collection, a meticulous review of ESI sources & custodians is initiated.

During the ESI Assessment phase, a wide range of tasks are performed to identify and evaluate all ESI relevant to a given legal matter. This work is done to prepare for subsequent stages that depend on an accurate picture of the sources of ESI.

First, it is essential to develop an inventory of the organization's information systems to record all potential data sources, including on-premise servers, cloud storage, employee computers, mobile devices, backup storage, and even third-party data repositories. The results of this investigation are often represented in a "data map."

Next, key personnel who may have relevant data are identified, which often starts with discussions with the organization's legal team, department heads, and the IT department. Potential data custodians are interviewed using a standardized questionnaire to ensure a consistent set of responses is collected and documented.

Finally, a preliminary analysis of the ESI is often conducted to understand its potential impact on the case, informing the overall legal strategy. The organization's data management practices are evaluated to identify potential risks and ensure compliance with legal and regulatory requirements.

The meticulous work performed in this stage sets the foundation for subsequent phases of the E-Discovery process.

NEXT STEP
DISCOVERY NEGOTIATIONS
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