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Cost Matters:

Understanding eDiscovery Line Items

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eDiscovery costs are a significant portion of litigation and investigation case budgets, and they're made more complicated by the inherent uncertainty around data volumes and various models presented by software and service providers. Here are some high-level insights and context about eDiscovery costs.

Data Collection

Flat Fees and Hourly Rates
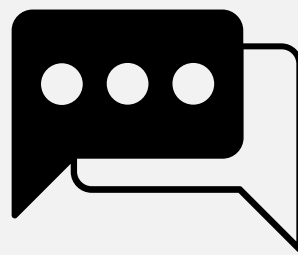
Remote Collections

Remote collections from a device like a laptop or mobile device, or an account like Outlook, are generally billed at a flat fee to provide clients with an element cost predictability.

On-Site Collections

Traditional, **on-site collections** do still exist (and there is a time and place for them) but come with associated costs (i.e. travel, hotel, meals, etc). These are typically billed in half-day increments.

Remember

Data collection is the "easy" part – costs can rise substantially depending on counsel's desire for subsequent forensic analysis, reports, affidavits, etc. These are all bespoke and billed hourly.

Note: The collection method used (i.e. shipping a kit compared to utilizing a product like Cellebrite Endpoint or ModeOne) will also impact the cost.

eDiscovery Hosting

Data, Users, and Hourly Rates

Ingesting, processing, productions, hosting, analytics, user fees.

eDiscovery Service Providers

Most eDiscovery service providers evolved from paper shops – and it shows in the pricing models.

- Every time a document was touched, there was an associated fee (i.e.: $/doc to remove staples, $/doc to scan, $/doc to OCR, $/doc to code fields, $/doc to reassemble binders).
- This billing model was transplanted into digital workflows ($/GB to apply analytics, $/GB to produce documents). This leads to massive spikes in invoicing during data processing and productions, sometimes reaching into the tens of thousands, or even hundreds of thousands of dollars.

eDiscovery Software Providers

eDiscovery software pricing varies widely. Some models currently offered by software providers include:

- $/GB for initial processing + a flat monthly case fee
- $/users with no data fees
- $/GB for hosting + $/GB for users
- $/GB for hosting

Some service providers then determine their margins (usually based on hosting volumes) and determine when and where to take loss leaders (i.e., by reducing user fees).

The Struggle is Real

The long list and wide variety of line items can be a massive headache for clients to audit and ensure compliance with the contract or statement of work (SOW).

Document Review

$ per Doc, $ per Hour
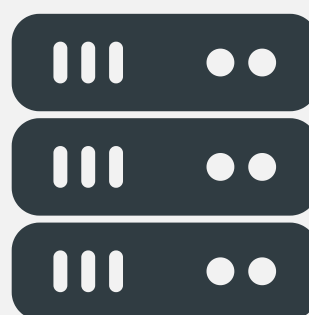
Pricing Models

Doc review evolved from manual paper workflows, when documents were pulled from filing cabinets or warehouses and stacked into piles of "responsive" or "not responsive". This work was generally performed by young law firm associates and billed hourly, hence the default doc review model today.

The "per doc" model emerged in the shadow of TAR workflows. It is marketed as a way to offer cost predictability (i.e. "you have 100,000 documents? That will cost $100,000"). While some clients do like this, it usually disproportionately benefits the service provider if every document in the workspace is billed.

Other vendors charge per doc but utilize predictive coding workflows and culling techniques so they only need to review a fraction of the total number of documents. This can result in significant savings for the client compared to traditional batching and linear review workflows.

To Sum it Up

When outsourcing document review, look to a vendor that offers transparent pricing and is able to simply explain the cost model and scalability options.

Cut the complexity, partner with Proteus.

When you are able to understand the costs associated with eDiscovery it provides clarity and helps prepare you to assess and select the correct vendor. Proteus has the most straightforward pricing model in the industry. Contact us to learn more.

www.proteusdiscovery.com