

E-Discovery & Records Management

McCarter's E-Discovery practice offers efficient and tailored records management and litigation readiness solutions. We are committed to helping clients control discovery costs while mitigating the risks of litigation and regulatory scrutiny.

We offer a wide range of comprehensive and cost-effective records management and e-discovery solutions that address risk management and all stages of the e-discovery lifecycle, from preservation to production. We not only respond to existing litigation, but partner with clients' business, legal, and technical staffs, including outside consultants and third-party vendors, to develop solutions for clients that work within their budgetary limits.

E-Discovery Audits

Our team audits clients' existing data retention and legal hold policies to assess the compliance of current legal and business standards. We also conduct an analysis of your document record systems and data retention protocols. Based on that information, we recommend modifications to current policies and protocols or help you develop new ones.

Preservation

We partner with your legal, regulatory, business, and information technology professionals to develop and implement effective records-retention policies that are legally defensible and do not put a strain on company resources or disrupt business operations. We also draft legal hold notices and auditing compliance protocols.

Collection

Our lawyers devise and implement discovery protocols that consistently and reliably identify, locate, and retrieve potentially relevant data—both electronic and paper based.

Review

In addition to the standard review process, our e-discovery lawyers offer specialized substantive review for purposes of identifying key documents for deposition and trial preparation. All documents are subject to thorough quality-control review. We provide detailed, customized, defensible privilege reports.

Social Media Review

For clients who rely heavily on social media to build and protect their brand, we can draft policies that address the expanded use of social media in the workplace, which helps limit liability and reduce the risk to your company's hard-won reputation.

Articles

Civil Rules Roundtable: Proportion – Not Perfection, Metropolitan Corporate Counsel, 12.1.2015

Data on the Move: The Evolution of Mobile Tech and Compliance, Corporate Compliance Insights, 5.2.2014

Speaking Engagements

Ethical Considerations in eDiscovery, McCarter & English CLE Series, 12.9.2015

Discovery Practice Today: Navigating the Pending Changes to the Federal Rules & Cross Border Discovery, The Legal Intelligencer: In-House CLE Seminar, 10.22.2015

Amendments to the Federal Rules and Issues in Cross Border Discovery, McCarter & English CLE Series, 10.15.2015

Webinars

eDiscovery Playbooks: How to Win by Day and Sleep at Night, JD Supra, 9.22.2022

Quoted

How to Avoid Being a Discovery Pushover, Law360, 11.24.2014