

Buying Legal Hold Software: Green Flags and Promising Features

A Best-Practice Buyer's Guide for Legal Hold Software Selection and Adoption



Introduction

Organizations are required to pause and preserve relevant information upon learning of upcoming litigation or investigations – and immediately communicate that pause to the wider organization via a [legal hold](#). However, traditional methods of managing legal holds are challenging, expensive, and prone to errors, exposing companies to significant risks.

Relevant data and documents are often dispersed across various custodians, systems, departments, and locations. This dispersion makes manual compliance both labor-intensive and costly. Without an automated legal hold solution, employees face difficulties in identifying custodians and securing the necessary attestations to guarantee defensible compliance.

An effective legal hold process is a bit like insurance – if you don't invest in it now, you're sure to need it later (and not having it could be costly).

What is a Legal Hold, and What Are the Pain Points of a Manual Process?

[Legal holds](#) are designed to prevent the destruction or alteration of possible evidence – an important step to get right if you want to avoid legal, financial, or reputational penalties.

Once a company reasonably anticipates litigation, a court expects it to – at the very least – ensure that physical documents or any electronically stored information (ESI) won't be deleted, destroyed, or made unavailable. With this process comes a few pain points:

1. Difficulty locating vital data or reaching the right custodians
2. Inaccurate and incomplete attestation
3. High cost and inefficiency
4. A source of risk

Let's dive into the need-to-haves to keep in mind when evaluating legal hold software to avoid these stressors and ensure your litigation process hassle-free.



Green Flags in Legal Hold Software Selection

1 Automated Custodian Engagement

The legal hold process is built on effective engagement with key custodians of potentially relevant data or documents. This process begins with sending notifications to all parties involved and ensuring their compliance. Having standardized templates for notifications can save time and avoid miscommunication as custodians receive reliable notice of the legal hold.

Traditionally, it falls to the legal department to either conduct in-person interviews with these custodians to ascertain where this information is held or, frequently, to delegate the job to outside counsel.

Legal hold technology integrates with your active directory so you can:

- Automatically cease disposal of relevant data upon pending litigation
- Email custodians all at once (without having to track down email addresses)
- Preserve all evidence in a centralized database that is easily accessible for discovery
- Enable automatic tracking of legal hold status and custodian engagement
- Make results instantly reportable for immediate, reliable compliance insights

Automating this process using a legal hold software solution can spare a legal department much of the cost involved in this part of the process through questionnaire templates, elimination of sit-downs with attorneys, and automated reminders and escalations.



2 Integrated Security

Effective legal hold software addresses the inherent lack of visibility and control in traditional legal hold processes, which often result in incomplete compliance, inefficiency, and difficulties in locating critical information. Given the foundational importance of the legal hold process in corporate legal operations, effective monitoring and management are essential.

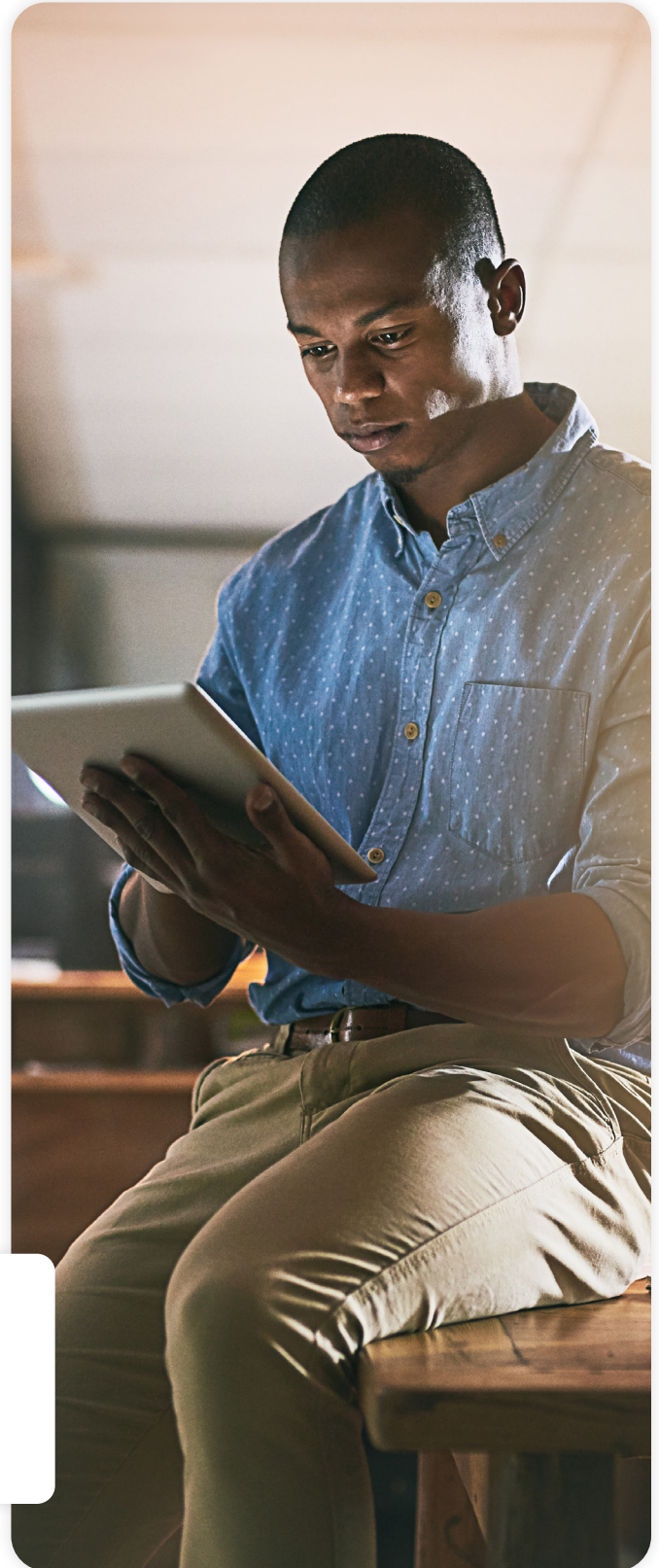
For enterprises with a large number of custodians or facing multiple litigations, managing legal holds manually can be overwhelming and error-prone leading to issues with security through increased risk.

The right software should allow you to:

- Automate reminders and escalations
- Adjust based on legal hold changes and scope
- Continuously monitor custodian changes
- Integrate it with HR and enterprise databases
- Leverage customized, self-guided questionnaires

These features create a legal hold process that not only reduces the time and cost of the hold but also decreases risk, ensuring all parties are compliant.

The legal hold process is foundational to the corporate legal process and protecting the enterprise.



3 The Ability to Track and Report on Legal Hold Responses



Legal hold software helps with tracking and reporting responses by streamlining the data preservation process. Custodians can upload their documents into a centralized location, making it easy to access relevant data when needed. An automated system allows for results to be instantly reportable for immediate, reliable compliance insights. This efficient approach, combined with a solid information governance plan and a reliable technological solution, saves time and money for the company. A faulty tracking and reporting process can result in missing the necessary attestations that are required in being both defensible and compliant.

A TIP FROM THE EXPERTS:

Legal ops plays a critical role in implementing and managing the processes, solutions, and technology that drive an effective legal hold process. Having the right applications in-house enables consistent support and predictable workflow.

4 Reduced Legal Staff Time and Optimized Cost Savings

Legal hold software significantly saves time for legal staff: both in-house legal teams and outside counsel. By automating the issuance, tracking, and management of legal holds, the use of software reduces the manual labor involved in the legal hold process.

Let's take this very conservative example to gauge time (and costs) just spent interviewing custodians:

Outside counsel rate: **\$225/hour**

Hours per interview: **4 hours**

Number of interviews: **20 custodians**

Total: **\$18,000.00**

This is just the tip of the iceberg of the time and cost of a legal hold. It doesn't even begin to cover the time spent with outreach to custodians, tracking and reporting of responses, and presentation of the case. With traditional approaches, hours are unpredictable as staff work through a legal hold.

Legal hold software provides centralized data storage that allows for quick access to necessary documents, eliminating the time-consuming process of manually searching through disparate sources. Additionally, automated reminders and progress tracking ensure that all custodians comply promptly, reducing the need for follow-up. This efficiency allows legal staff to focus on higher-value tasks, ultimately improving productivity and reducing legal costs.



The Strategic Advantage of Legal Hold Software

Choosing the right legal hold software is crucial for managing litigation or investigation processes efficiently. Traditional manual methods are costly and error-prone. The right litigation software solutions enable timely issuance of legal holds, centralized monitoring, control, and reporting, and allow for continuous improvement by embedding lessons learned from each process to optimize efficiency and defensibility.

These tools streamline the legal hold process by providing centralized data storage, automated reminders, and seamless integration with enterprise systems, ultimately saving time and costs. Investing in effective legal hold software mitigates risks and optimizes corporate legal operations, ensuring organizations are well-prepared for litigation and investigations.

Avoid the hidden costs of manual legal hold management and take full advantage of an automated solution.

Connect with our team to learn how you can save your team hours of unnecessary work all while making your budget run further.

Get In Touch ▶

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