



Innovation the key to improved services

One of Auckland's oldest law firms, Hesketh Henry, has embraced technology to increase productivity and lower their costs to clients.

During a due diligence or discovery process, a great deal of time and money is spent by lawyers collating, reviewing and providing access to documents.

Hesketh Henry partner, Christina Bryant, says the use of electronic discovery and data rooms can greatly reduce these costs, as well as relieve pressure on the courts.

"This technology revolutionises the way law firms prepare cases and store client documentation, The benefits to our clients are enormous," explained Ms Bryant.

For large transactions or litigation matters, the sheer volume of documents makes it difficult to organise the thousands of pages in a way that is coherent, useful and readily accessible to the many parties or witnesses who may need to review them.

Traditionally in litigation, documents required for discovery are inspected at the premises of each party's solicitors, a process that can be long and arduous and can result in the exchange of very large quantities of photocopied documents.

"Thanks to our new system, one of our most recent large document discovery requests was delivered on three DVDs. In another case we were also able to electronically transfer over 60,000 documents from Australia into a litigation related e-discovery database," Ms Bryant added.

Another Hesketh Henry case saw the firm electronically store over one million pages of documents, any of which can be viewed by their lawyers, client and relevant witnesses in a matter of seconds.

Hesketh Henry has developed a solution that overcomes any security concerns. This allows clients and other parties to view specific documents via the internet. A three tier security system ensures that only those persons who have been granted access can view the documents. Each document has its own security setting so that different people can be granted access to different documents.

Each individual document is scanned and converted into Acrobat PDF format. Optical Character Recognition (OCR) is applied to these documents to enable full text search capabilities. This has proved to be remarkably accurate, enabling the location of all relevant type written, and some hand written, documents within a matter of seconds.

Documents can be classified by practically any search criteria that is required. The documents can be located by full text search or by document classification (or both) which results in considerable cost and time savings for those inspecting the documents.

The use of an e-Discovery database is not limited to inspection by other parties; witnesses will also need to review relevant documents and may require their own copy set. In a substantial case, this could mean boxes of documents being sent to recipients all around the country, or even the world. Using e-Discovery, witnesses can instead access selected documents over the internet, in their own time and at their convenience.

At trial, the e-Discovery database can be used as a virtual bundle of documents, removing the need for multiple sets of paper files. The judge, the parties and the witnesses will have immediate access to documents under discussion, eliminating delays caused in shuffling through large volumes of paper and reducing the time and cost of trial for both parties and the Court.

The use of this technology is not limited to litigation projects. Hesketh Henry's Commercial Property team has also developed data rooms based on the same technology for several clients. These allow access to property information and documents including leases, sale and purchase agreements and titles. These data rooms have proven to be a great success; clients are delighted with the new levels of convenience that this solution offers.

The firm's Corporate & Commercial team is also developing data rooms for clients with due diligence projects. These data rooms will assist parties (such as large international corporations) considering a purchase; they will be able to access all of the information and documentation relevant to that transaction on-line.