

A Newton's cradle with five silver balls and one red ball on the left. The red ball is in motion, having just struck the others or about to. The background is dark with a spotlight effect on the floor.

WHITE PAPER

ENHANCING MANAGED REVIEW WITH
AI-POWERED SOLUTIONS



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INTRODUCTION

As the dynamic world of eDiscovery continues to evolve, legal professionals need to keep abreast of the latest tools, technologies and innovations to improve the overall efficiency and accuracy of document review. With the advent of generative AI (“GenAI”) technologies over the past few years, it’s more paramount than ever to understand how leveraging this world-changing software can enhance document review in parallel with the humans who manage it.

In this white paper, we specifically explore how GenAI-powered tools can significantly enhance the Quality Control (“QC”) process during linear document review.

- How can GenAI tools be integrated to enhance Hire Counsel’s managed review offerings?
- What impact will this integration have on our existing products?

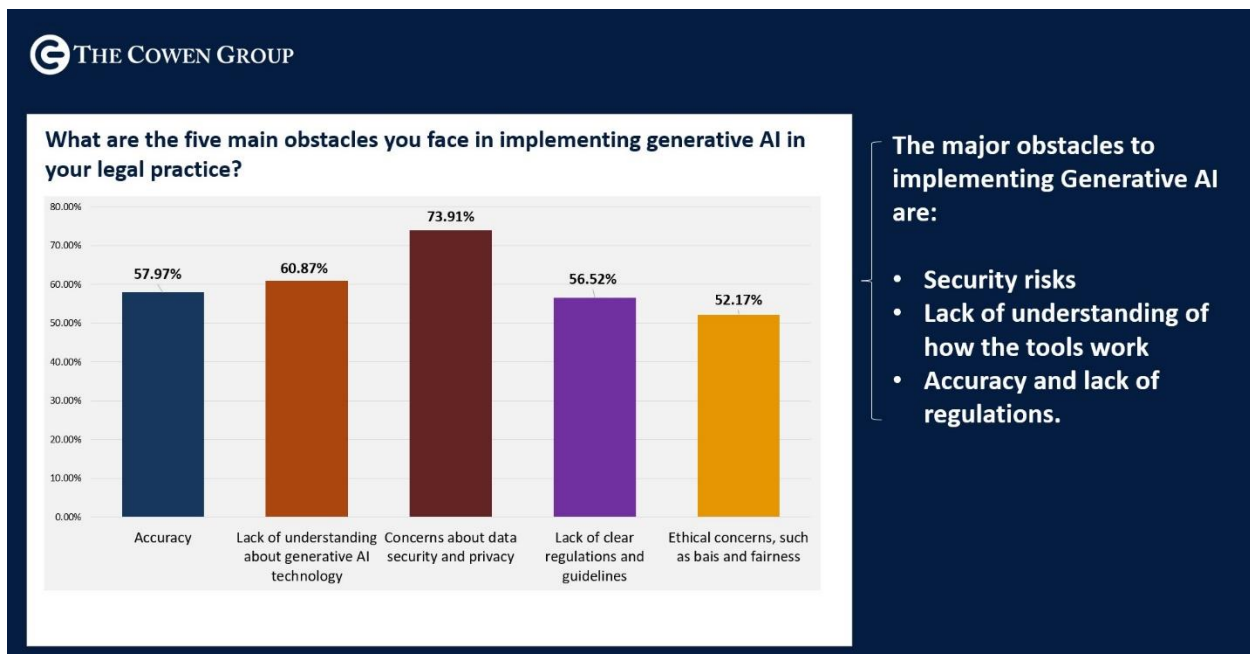
LEVERAGING GENERATIVE AI FOR ENHANCED QC

THE QUANDARY

Document review involves manual scrutiny of large volumes of data. This process is time-consuming, resource-intensive and susceptible to human error. According to John Thacher, Managing Director of Managed Review at BDO USA, P.C., “Looking at documents in QC that were properly marked in first review is a necessary evil when using old school sampling, search or keywords to drive your primary QC approach. We end up looking at lots of extra documents to find the few that are wrong. This low yield scattershot QC approach leads to more time spent on QC and more money spent on Review Management.”

The process to maintain the quality of the review is constant and needs to be executed expeditiously and accurately. One viable solution is to leverage GenAI tools to verify reviewer decisions more consistently and efficiently.

However, as illustrated within the following graphic from *The Cowen Group’s* independent research survey, organizations express several obstacles in implementing GenAI into their practices ranging from accuracy concerns to ethical considerations.



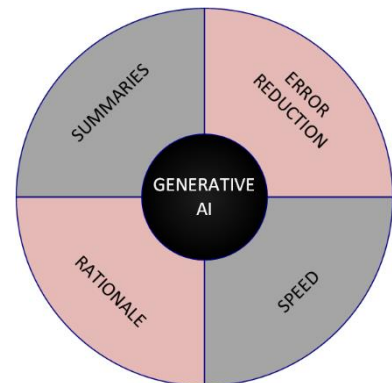
The first two obstacles in the chart above are intertwined. Concerns with accuracy are based, at least in part, on the nature of large language models (“LLMs”) that power GenAI such as ChatGPT, is not understood by most people. A computer can execute a well-designed algorithm to solve a logical problem and yield consistently accurate results. LLMs were not designed to execute algorithms that solve logical problems. Instead, they are based on a transformer neural network architecture that allows the model to process information efficiently, understand context and undertake complex natural language processing (“NLP”) jobs. Those strengths however do not guarantee consistent accuracy in the typical workflow encountered in the legal profession.

As David Gaskey, CEO of Altumatim explains, “Simply relying on an LLM by itself to perform a task such as document review is not adequate to meet the needs of litigants and their counsel. The stakes are too high. That does not mean, however, that GenAI has no place in the document review process. The technology included in our solution boasts significant advances by combining LLM capabilities with robust, proprietary strategies to increase consistency and improve accuracy.”

THE SOLUTION - GENAI-POWERED MANAGED REVIEW

One route in addressing some of the GenAI related concerns is by leveraging GenAI tools to present a transformative solution for the Quality Control process by supplementing and / or confirming the team leader’s QC’s accuracy.

In short, here's (4) ways how GenAI tools can enhance the QC process:



Reduction in the Variability of Decision-Making

- Minimizing human error, properly deployed GenAI ensures greater accuracy in identifying relevant information.
- Consistent Application of Rules
 - GenAI incorporated into a solution that adheres strictly to predefined rules and patterns consistently applies these rules across all documents.
 - Human reviewers, while skilled, may exhibit variations in judgment due to factors like mood, fatigue, or personal biases.
- Mitigating Consistency Errors
 - When appropriate guardrails are in place, GenAI models can achieve remarkable accuracy in part by reducing the variation in decisions inherent to human review.
 - Fatigue and oversight can lead to errors in human review. GenAI minimizes these risks.
- Provide objective Decision-Making
 - GenAI operates objectively, devoid of personal biases.
 - Human reviewers may inadvertently introduce bias or subjective judgments, affecting consistency.

Speed and Scalability

- **Speed and Scalability**
 - The speed at which humans can review written material is limited by their reading speed and capacity. Additionally, as the number of decisions that must be made with respect to the review of a document increases, a human's speed decreases further.
 - GenAI processes documents rapidly due to its computational efficiency.
- **Large-Scale Processing**
 - Human reviewers, even with expertise, face limitations in reviewing extensive document sets within tight deadlines.
 - AI excels in handling large document sets and can process large amounts of data swiftly and consistently, making it a great tool for eDiscovery. Our offering can analyze tens of thousands of documents in a matter of minutes.
- **Parallel Processing**
 - Human reviewers process documents sequentially.
 - AI can simultaneously review multiple documents, increasing efficiency.
- **24/7 Availability**
 - Human reviewers may have limitations related to working hours and availability.
 - AI systems work continuously, without breaks or time zones.

Feedback

- **Human Review**
 - In a QC process with human reviewers, the QC team must reach out to the reviewer about a particular document, ask them to re-review the document, provide their rationale, then review it and provide the reviewer feedback.
- **GenAI**
 - The rationale of each decision performed by the GenAI tool is included for each document allowing you to evaluate whether that decision is correct, you can immediately accept or reject the AI decision.

Summaries

- Each document is also automatically summarized as part of the analysis by the GenAI tool.
- Having a summary is useful in multiple ways:
 - Quickly evaluate the responsiveness of the document at all levels of review
 - Review document to determine if it is applicable for depo prep
 - Use the summaries to prepare timelines and assist in trial preparation!

IMPACT ON EXISTING SERVICES

ENHANCED QC WORKFLOW

Hire Counsel is in the process of developing workflows with GenAI. These workflows include 1L review and full QC schemes. Hire Counsel is rolling the workflows out as the defensibility of the workflows are established. The initial step is to integrate GenAI into the QC process, which enhances Hire Counsel's managed review process. Specifically, a GenAI solution will be used to supplement the Project Manager's QC of the Team Lead's work product to further increase the accuracy of the QC process to make it more efficient, a step that is even considered to be valuable by prudent attorneys - "Generally I'm a little wary of using AI at this point for document review, but I suppose as a QC backstop I'm sure it could serve as a useful third or fourth set of eyes." David Shargel, Partner, Bracewell, LLP. Below are two core advantages of using GenAI in the QC workflow.

Faster & More Consistent Identification

- Once correctly calibrated, AI accelerates the analysis of the document decisions made in QC, confirming whether the reviewer and QCer made the correct decisions.
- We can leverage AI's strengths and reduced human bias to find areas of disagreement between GenAI and the human QCers to further find close-call documents, potential areas where the protocol might be unclear, areas where the human reviewers and QCers are not understanding, unexpected types of documents not covered by the review protocol, etc.
- On the disagreements between the human QCers and AI, we can also use the rationale provided by the AI tool on each of the docs to help establish if the AI system was more likely to be correct than the humans.
- Analysis of the disagreement areas is also used to further tweak the protocol, provide feedback to reviewers.

Reduced Workload

- By reducing the time that the Project Managers need to spend on QC, it gives them more time to focus on complex tasks such as working through more complex workflows like privilege logging / redactions or identifying areas where the review could be more efficient.

CONCLUSION – IMPROVED DEFENSIBILITY

The use of GenAI-generated review results improves QC defensibility by promoting consistency, objectivity, scalability, auditability and error reduction. By leveraging AI technologies for QC, legal teams can enhance the integrity and credibility of their eDiscovery processes, thereby strengthening the defensibility of an already defensible process.