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# 6 TIPS for Migrating Your E-Discovery Platform to the Cloud

By Nicolas Quairel and Marc Cressall

Over the past several years, corporate enterprises and their major professional service providers have been cautiously adopting the strategy of storing data in the cloud.

The concept is as simple as it is daunting: Instead of being stored directly on your organization’s on-premises network, your organization’s data is stored on high-capacity servers and made accessible to authorized professionals via the Internet. Concerns about data security, cost-effectiveness and platform stability were raised and needed to be tested before risk-averse professionals—such as attorneys and their outside advisors—would be willing to embrace the concept of

moving sensitive data off their premises and into some unseen storage destination.

Those early days of skepticism are now behind us. One recent survey found that 56 percent of The Am Law 200® firms now use some form of cloud computing and *Legaltech® News* reported last year that “cloud adoption is approaching a tipping point” in the legal services marketplace.

Within the legal sector, perhaps the most dynamic area of technology innovation for cloud migration has taken place in the area of e-discovery. This niche in the litigation world is responsible for substantial costs and

information risk management requirements. Perhaps that's why a survey by Ari Kaplan Advisors found that 50 percent of corporate counsel and 67 percent of in-house administrative e-discovery leaders prefer to access their future technology solutions solely in the cloud.

Still, even if you've done all of the homework and received the green light to proceed with migration of e-discovery to the cloud, it can be intimidating to know where to start and how to proceed in a manner that is both cost-effective and prudent. On top of that challenge, there seems to be a plethora of vendors out there with no shortage of encouragement for you to jump to the cloud, but little practical advice to help you determine what approach is best for your unique requirements.

Remember that the power of the cloud is the ability to scale (up or down) your environment and use what you need, versus purchasing servers for what you might need.

To help you sort through some of these important questions, here are six tips for how to identify the wisest course of action in the migration of your e-discovery platform to the cloud:

### **TIP #1** Have a clear strategy

Start by taking a step back and contemplating your strategy. Is it being driven by a need for greater platform stability, more reliable availability, cost savings, accounting strategy or some other consideration? It's important to have clarity on which factors are really driving this migration so you can have an understanding of the strategy that will best achieve those objectives.

### **TIP #2** Focus on compliance, security and data sovereignty

The most important guidance that we can provide is to think security first and keep data security considerations at the forefront of everything you do. The major cloud providers have very robust security systems that meet all major compliance requirements as a base level. These are spelled out in detail under your services agreement, but understand that these systems are based in a shared security model, meaning that you are responsible to architect and deploy environments and workflows that meet your security requirements. For example, you'll need to authorize appropriate log-in credentials and multifactor authentication, establish consistent encryption protocols, consistently monitor access of data by your professionals, and be disciplined about your review of those access logs. The most sophisticated data security features in the world are useless if the data custodians fail to properly monitor, track and evaluate the effectiveness of those features.

In recent months, we have seen a wide range of far-reaching regulatory regimes put in place to govern the way data is obtained, managed, processed, shared and stored around the world. Think about where your data is going to be stored; this jurisdiction is crucial as regulations will influence how that data is processed and managed. Also, give some thought to the locations from which your e-discovery data is being extracted. You need to make sure that your cloud migration initiative is compliant with EU GDPR (General Data Protection Regulation), Privacy Shield and other relevant data protection regulations.

### **TIP #3** Size your investment

The next step is to assess the scope of the platform investment you need to make. If you are starting up a new environment, you can start smaller and increase size and number of instances as your needs expand. If you're migrating over with an existing platform, it may be better to assess your needs based on recent historical usage and size the new cloud platform according to that typical level of volume.



The reality is that data volumes are simply going to continue to climb, so you need to be prepared with respect to storage capacity.

As you look at sizing, remember that the power of the cloud is the ability to scale (up or down) your environment and use what you need, versus purchasing servers for what you might need. Below are online calculators that can assist you in calculating your costs based on your environment sizes:

[AWS calculator](#), [Azure calculator](#)

## **TIP #4** Define your accounting strategy

Cloud migration is not a “one size fits all” proposition. Should you purchase cloud services based on a per-hour-of-use arrangement? Or would it make more sense to purchase by “reserved instance” (RI), in which you make an up-front payment for full-time, anytime access? What we recommend is a combination of RIs where applicable, and per-hour servers when advanced processing is needed.

## **TIP #5** Determine data storage needs

There are two aspects to this tip. First of all, you should evaluate how much storage you are likely to need for the immediate caseloads that will be migrating to the cloud. Second, you should spend some time thinking about your long-term data storage needs to support ongoing litigation and investigations that involve e-discovery. The reality is that data volumes are simply going to continue to climb, so you need to be prepared with respect to storage capacity. There are a number of solutions that will automate the data management from high-speed storage to long-term storage. Continuous monitoring and active archiving of cases will help you to optimize the storage spending.

## TIP #6 Evaluate data transfer requirements

Next, you need to think about what type and volume of data you will be transferring to the cloud once you begin the migration of your e-discovery applications and data. And perhaps more importantly, what capabilities do you have for uploading that data to the cloud? This is especially important if you will be gathering data from on-premise software tools that contain large file types or data sets, as you will likely need greater bandwidth for the data transfer. The mechanics for managing data transfer will influence the approach you take to cloud migration.

The move to the cloud for data storage and retrieval is well underway in the legal industry, with the migration of e-discovery leading the way. Still, the process is not simple

and the information risks are significant if this migration is not executed with the proper advance planning and selection of the right people, processes and technology to ease the transition.

It's important to work with a service provider that has deep experience executing cloud migrations and a software company that provides reliable cloud-based e-discovery software tools. Mazars Group's Technology and Digital Solutions practice provides IT advisory services across various industries that include technology forensics, cyber security services, data privacy (GDPR) and data management services, and in-depth implementations of cloud migrations. AccessData is a developer of integrated e-discovery software tools that support processing, review and case organization in the cloud.

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