

8.1.27 EDRM

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<u>Company Description</u>	
<p>Empowering the global leaders of e-discovery, the Electronic Discovery Reference Model (EDRM) creates global practical resources to improve e-discovery, privacy, security and information governance. Since 2005, EDRM has delivered leadership, standards, best practices, tools, guides and test datasets to improve best practices throughout the world. EDRM has an international presence in 136 countries, spanning 6 continents and growing and an innovative support infrastructure for individuals, law firms, corporations and government organizations to collaborate as peers to improve the practice and provision of data and legal discovery.</p>	
<p>Founded in 2005 by George Socha and Tom Gelbmann, EDRM was created to address the lack of standards and guidelines in the eDiscovery/eDisclosure industry. Since its inception, the EDRM community has steadily grown with participation from hundreds of domestic and international organizations, including representatives from service and software providers, law firms, industry groups, law schools, city governments, state attorneys general, state and federal agencies, and corporations involved with eDisclosure.</p>	
<p>In 2016, EDRM became part of the Duke Law School. The Duke community and the Bolch Judicial Institute supported EDRM in its efforts to provide educational and professional resources in eDisclosure and information governance, supporting its mission to promote understanding of the judicial process and improving the administration of justice</p>	
<p>In October, 2019 EDRM was acquired by Mary Mack (CISSP, CEDS, CIAM) and Kaylee Walstad (CEDS, CIMP), the former executive director and former vice president of client engagement, respectively, of The Association of Certified eDiscovery Specialists (ACEDS).</p>	
<p>Mack and Walstad led ACEDS, stewarding the growth of the association, its certification program, and its chapters to international status and recognition. In their roles at EDRM, Mack serves as the chief executive officer and chief legal technologist, and Walstad is the chief strategy officer. The Bolch Judicial Institute at Duke Law School remain involved in the work of the EDRM community as a Foundation Partner.</p>	
<u>Vendor Offerings</u>	
<p>EDRM is a multidisciplinary, contributor driven organization. Contributors work with project trustees, who oversee the participation and work product. EDRM work product is published as creative commons with attribution, with commercial use encouraged. In 2022, projects will have the opportunity to publish monthly.</p>	
<p>EDRM develops and publishes global eDisclosure/e-discovery, security, privacy and information governance frameworks. Each framework is designed with two fundamental goals in mind. First, the framework should help people and organizations better understand the framework’s topic – what are the typical major steps in e-discovery, for example. Second, the framework should help them better understand what to do, at a practical level, with respect to that topic. The seven EDRM frameworks are:</p>	

- [Electronic Discovery Reference Model](#)
- [Technology-Assisted Review Reference Model](#)
- [Information Governance Reference Model \(IGRM\)](#)
- [Metrics Model](#)
- [Privacy & Security Risk Reduction Model](#)
- [Talent Task Matrix](#)
- [M-SAT \(The eDiscovery Maturity Self Assessment Test\)](#)

EDRM Active and New Projects for 2022

Beyond frameworks, EDRM contributors collaborate to solve problems or respond to opportunities. The following projects are active or recently concluded and may be actively seeking contributors. Please reach out to info@edrm.net with interest in joining a project. Dave Cohen, Partner at Reed Smith is the Chair of the Project Trustees.

DATA MAPPING – This project is designed to document community standards around data mapping in response to the Senior Executive Accountability Regime (SEAR) in Ireland.

Project Trustees are Rachel McAdams and Eoghan Kenny of A & L Goodbody out of Dublin, Ireland and is closed to new contributors and has produced their work product here: <https://edrm.net/active-projects/data-mapping/>

PROCESSING Guidelines-This project was launched to update the processing stage of the EDRM. Organized in concert with John Tredennick, Founder of the Merlin Search Technologies and Craig Ball, of Craig D. Ball, LLC- this EDRM project will build processing specifications such as de-NISTing, de-duping and other functions and has completed their work here: <https://edrm.net/wiki/introduction/> .

DATA SETS Initiative-This project, in its formative stage, seeks to update and increase the number of datasets available to the community. Project Trustee is Mark Michels, and Cash Butler, CEO & Founder of Clarilegal and welcomes new contributors.

STATE E-DISCOVERY RULES- This project seeks to create a central resource for State eDiscovery Rules. Project Trustee is Suzanne Clark, Mass Torts Discovery Counsel, Beasley Allen and is currently seeking new contributors from states not yet covered. You can see the states that are currently covered here: <https://edrm.net/active-projects/state-rules/>

EDRM REVISION – Recognizing that the EDRM model has not had a refresh in some time, the project focuses on updating the underlying documentation of the EDRM model to reflect changes in technology, process, and the law. Project Trustees are Tara Emory and Shannon Bales and is concluding their final work product in the 2nd quarter of 2022.

GDPR PROJECT – The project team is working toward developing a code of conduct for cross-border discovery under the EU General Data Protection Regulation. EDRM formed the team in August 2017 to examine GDPR and develop guidance for becoming GDPR compliant, particularly with an eye toward the regulation's impact on cross-border discovery. Initially focused on data transfers from Ireland to the U.S., the guidance is aimed at mitigating some of the risk that international litigation teams and e-discovery practitioners face when balancing U.S. discovery obligations against European data privacy laws. Project Trustees are Dave Cohen and Yelizaveta Kotova and is closed to new contributors.

IGRM – The Information Governance Reference Model was initially created to frame the discussion of information management, in the same way the Electronic Discovery Reference Model functions for e-discovery. The project focuses on updating the IGRM model as well as recognizing the interconnection between this project and the Maturity Assessment project. Maturity is measured in part by reviewing the level of collaboration among key stakeholders which is at the very core of excellent information management. Project Trustee is Eric Mandel and are open to new contributors for Phase 2 of the Project as the IGRM 4.1a model has been finalized.

PRIVILEGE LOGS – A privilege log is a record of the responsive or relevant documents that are being withheld from production on a claim that they contain attorney-client communication, attorney work-product, or trade secrets. The purpose of the project is developing best practices that most efficiently accomplish the task, including consideration of possible rule amendments. Project Trustee is Cristin Traylor and they have completing their final work product and it can be found here: <https://edrm.net/wiki/edrm-streamlined-privilege-log-protocol/>

The project has been re-opened to include further input from both plaintiff and defense counsel.

ARTIFICIAL INTELLIGENCE – Artificial Intelligence is a wide ranging and pervasive methodology reaching all areas of life. The project explores its use in litigation and how it will continue to develop. The project explores and develops opportunities to educate lawyers and judges on the role of AI in litigation. Project Trustee is Kelly Atherton and have completed their final work product. You can see it here: <https://edrm.net/active-projects/artificial-intelligence/>

ANALYTICS & MACHINE LEARNING – Analytics and Machine Learning project (AAML), an umbrella project with four subgroups. The Project Trustees for this are Johannes Scholtes, ZyLAB/iPRO and George Socha, Reveal.

There are four active subgroups:

Group 1: Glossary, taxonomy, and definitions

Group 2: Evaluation, defensibility, and “best” practices (or trade-offs)

Group 3: Ethics and bias

Group 4: Demystification, facilitation, and uses of AI/ML in eDiscovery- they have monthly myths which are debunked and can be viewed here: <https://edrm.net/category/demythigator/>

DISCOVERY MEDIATION - There are several state and federal courts around the country that have implemented a discovery facilitative mediation program over the last 5 or 6 years. This project would involve identifying all such programs and determining how successful they have been. By comparing and evaluating such programs, hopefully we will learn that there are certain factors/components that distinguish a highly successful program from a less successful program. This project might also attempt to address some additional issues such as: (1) are these programs successful in helping the parties develop discovery plans early in the case; (2) are these programs successful in helping courts resolve discovery disputes/motions; (3) what training/qualifications should a discovery mediator possess; (4) how best to motivate courts and attorneys to use discovery mediation (e.g. first two hours at no cost); and/or (5) are there any best practices that discovery mediators should follow. The Project Trustee is Jay Yelton, Partner at Warner Norcross + Judd LLP and is just finalizing their bench book.

DEDUPE ID – This international project’s mission is to develop a “best practice” specification for “hashing” electronic documents and data (e.g. “MD5 hashing”) to

identify exact duplicates. A “best practice” hashing specification will have numerous applications that can generate significant cost savings, such as de-duplicating any data set that complies with the specification, and the creating privilege banks. The Project Trustee is Beth Patterson, Director, ESPconnect from Australia and is open to new contributors.

EDRM’s Newest Project: The Primer on eDiscovery in the Asia Pacific (APAC) Region Susan Bennett, Project Trustee and Principal Drafter, led a global team to create a primer on eDiscovery, region by region. Originally chartered by The Sedona Conference®, EDRM is honored to publish this primer at the request of the project team and Sedona. EDRM plans to webify the content and provide pages for each country, much like the interactive state rules for the next version of the primer. Updates are very welcome for this Version 1.0, and we offer the document in its entirety for Public Comment through March 15, 2022. You can view version 1.0 here: <https://edrm.net/active-projects/ediscovery-apac/>

The EDRM Global Advisory Council 2022 provides input and expertise to forward EDRM projects and mission. With Advisors hailing from South Africa, Ireland, the Netherlands, Australia, Canada, Brazil, Japan, UK, Switzerland, India, Israel and throughout the US, the multidisciplinary group includes judges, attorneys, IT professionals, litigation support professionals, security, paralegals and info gov professionals from government, corporation, plaintiff and defense law firms, service providers, consultants and educators. Robert Keeling, Partner at Sidley Austin is the Chair of the Global Advisory Council for EDRM.

EDRM has a robust **Trusted Partner Program**, which includes many benefits from enhancing and creating brand awareness, lead generation, virtual and in person events, global community education via webinar presentations, video discussions, podcasts and more. Please reach out to info@edrm.net to learn how you can become part of EDRM’s Trusted Partner Network.

You can find the entire Global advisory Council listing here: <https://www.edrm.net/about-us/edrm-advisory-council/>