

Case Study: Complying with a Client's Public Information Request with Google's eDiscovery tools

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Background

Our client, a Texas special purpose district, received a Public Information Request (PIR) under the Freedom of Information Act (FOIA). The request covered more than four years of communication records, including emails and messages. This kind of request can present a daunting task to a District's recordkeeper, consultants and board members.

Fortunately, our client had adopted a well-crafted communications policy that outlined the rules and best practices for email, including implementation of Google's eDiscovery tools and permanent record retention software.

Objective

1. Locating relevant communications.
2. Ensuring data integrity and compliance with legal requirements.
3. Producing the requested information in a timely and organized manner.

Approach

Our approach involved several key steps:

1. Initial Assessment and Plan:
We reviewed the request with the District's legal counsel to ensure we correctly interpreted the scope covered by the request.



2. Data Collection:

- a. Query Parameters: Using Google eDiscovery tools, we crafted 10 specific search queries to locate messages that fell within the search parameters. These queries included keywords, to and from email addresses, and date ranges.
- b. Data Export: Once the relevant data was identified, we generated exports for each of the 10 queries—yielding 10 separate export files.
- c. Reporting: A summary report was generated, “Public Information Act eDiscovery Production Log,” outlining the query parameters used for data collection and the resulting count of files generated for each used to further validate integrity of the data.
- d. Data Conversion: The exported files were provided in their native format to legal counsel along with tools to allow them to quickly filter and review. We also extracted and converted 2,345 individual messages to PDFs.
- e. Access and Tools: We provided software and support to the District’s attorney along with the file transfer to facilitate quick and convenient review.

Positive Outcomes

1. Compliance and Accuracy: The District’s communication policy put them on solid footing to be fully compliant with the FOIA request. All relevant data was accurately located, preserved, and produced without any accidental omissions or deletions.
2. Efficiency: By leveraging the powerful search and export functionalities of Google’s eDiscovery tools, and identifying additional software to facilitate review, we were able to reduce the response time to fulfill the PIR request by more than 25%.
3. Client Satisfaction: The District met its obligations for transparency and response, and board members were able to continue doing the work of the District without interruption.

Conclusion

Establishing an intelligent communications policy and leveraging Google’s eDiscovery tools proved to be an invaluable tool in fulfilling the client’s timely response to a public information request. We were able to quickly deliver a precise and compliant production, thereby reinforcing the client’s trust in our services and ensuring adherence to legal requirements.