

AOL Optimizes its Legal Hold and E-Discovery Processes

AOL®

CUSTOMER PROFILE

Company Name: AOL Inc.

Industry: Mass Media Corporation

Location: New York City

Employees: 5,600+

Years in Business: 30



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~ TARA JONES
Lead Paralegal for Litigation at AOL

AOL Inc. (NYSE: AOL) is a media technology company and home of a world-class collection of premium brands. One of its core missions is to simplify the Internet and media consumption for consumers by continuously innovating, growing, and investing in brands and experiences that inform, entertain, and connect the world. For many years, however, that trademark efficiency and ingenuity was not being sufficiently reflected in AOL's e-discovery processes, which were highly manual and ad hoc.

Where to Begin?

The company's legal hold process was emblematic of its larger e-discovery challenges. AOL's legal team long relied on a shared spreadsheet for tracking all legal hold activities. As the company evolved and expanded, managing custodian information became increasingly cumbersome on the legal team. “We are a multi-faceted company that has a number of acquired companies so it became very difficult to store all custodian information on one single spreadsheet,” explained Tara Jones, the company's lead paralegal for litigation who is responsible for managing AOL's company-wide legal hold process.

Among the custodian information that needed to be tracked by AOL were things like company names, ID numbers, managers and start and end dates. Forced to input this information manually, Jones and her team were concerned about data entry errors and the time that was being committed to constantly updating legal hold and custodian information.

Besides obvious efficiency issues, defensibility was another major concern. “We were constantly battling potential loss of information,” said Jones. “For instance, if a single cell in the spreadsheet was accidentally deleted, the whole thing was impacted

as fields no longer matched up properly.” When minor mistakes did occur, Jones explained, it wasn’t always clear who made them because so many different people were accessing and updating the spreadsheet. That lack of direct accountability made it hard to spot areas where the process could be improved.

Time for a Change

Recognizing that AOL’s expanding company footprint and evolving workforce necessitated changes to its e-discovery process, the company’s legal team engaged a full assessment of its current practices. The team carefully reviewed how much data was being accessed at the front and back end of the process, how much time was being spent on the work being performed and how much money was being spent on outside counsel fees. Based on the assessment, the team decided to start with the legal hold process. Jones and her colleagues began looking to replace the spreadsheet approach with a more automated, defensible system.

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Among the capabilities that AOL desired in a solution were advanced reporting capabilities that could provide the much needed audit trail that the current system lacked. To help eliminate manual data entry, AOL also was looking for a solution that could integrate with its HR system so that basic custodian information and changes to that information could be automatically populated in the legal hold application without the need for human intervention. This functionality was becoming critically important to the legal team as more and more companies and their employees were brought under the AOL brand.

After extensive market research, vendor interviews and product demos, AOL selected Exterro Legal Hold to manage its legal hold process.

Getting Results

Today, AOL’s legal hold process is much more streamlined and defensible. Nightly feeds from the company HR system are fed into the legal hold application to update custodian information as it changes or as new employees are added. Jones and her team receive daily reports detailing each of the changes that occurred since the previous update, which helps them identify immediate needs and take responsive action. “When custodian information is updated, such as a change to employee status or a managerial change, we know those changes first thing the next morning when we log into the system,” explained Jones.

In addition to automated custodian updates, AOL has benefited from improved tracking now that all legal hold information and custodian information is consolidated in one system. “We can pull up a custodian and know instantaneously which legal holds they are associated with, as well as any past holds, which is information we greatly value,” said Jones. The system also records all user actions which has improved accountability. “There’s never a question of who changed or altered a legal hold because everything is tracked within the system.”

Looking Towards the Future

Encouraged by the improvements to its legal hold process, the AOL team has many other e-discovery initiatives on the horizon. One important change has been that the team now reviews and refines its processes every six months. “We use our review process as a basis for making process improvements, so that we don’t have to recreate the wheel every time a change is made,” said Jones.

All of these e-discovery plans are being guided by a strong strategy, a clear mission and a commitment to innovation that have helped to make AOL the iconic company it is today.