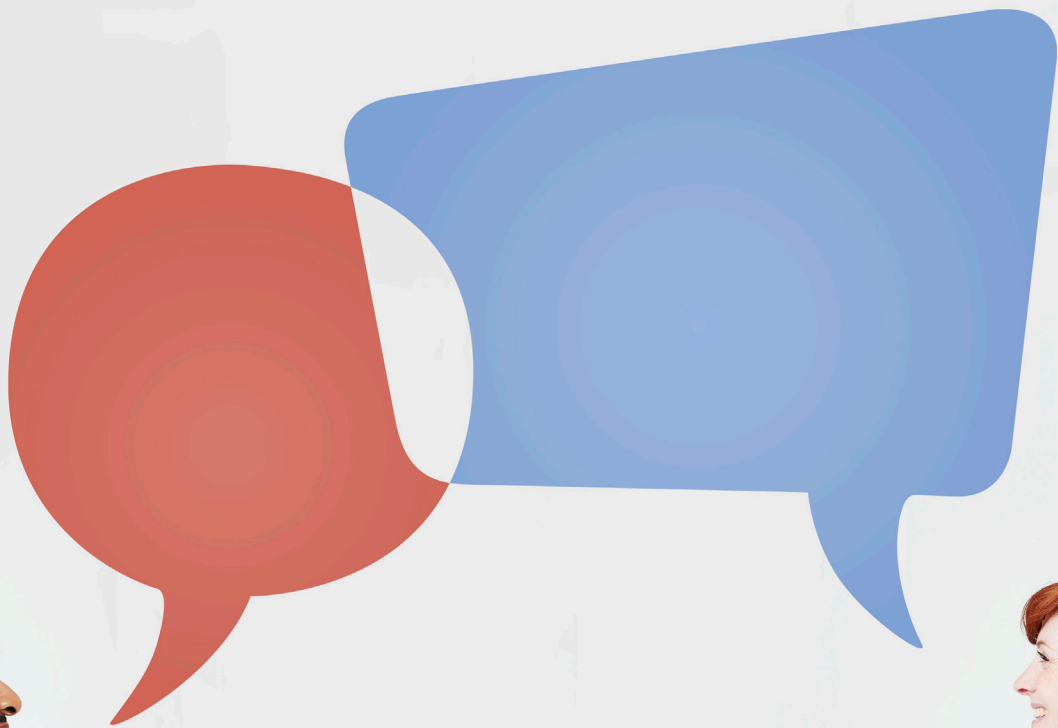


# COLLABORATION TOOLS & E-DISCOVERY

OVERCOMING *DATA DISCOVERY CHALLENGES*  
PRESENTED BY SLACK, MICROSOFT TEAMS, AND  
OTHER COMMUNICATION APPS



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# COLLABORATION TOOLS & E-DISCOVERY

Think about how you've communicated with your workplace peers for the last several months: unless you already worked for a fully remote employer, there's a pretty good chance you've expanded the usage (and potentially the number) of workplace tools that allow you to collaborate with other team members.

For obvious, social-distancing reasons, these tools have fantastic benefits to employers. They allow team members to maintain a healthy working relationship, and work together in a way that is close to normal. At the start of 2020, workplace collaboration and communication tools like Slack and Zoom were already common. However by mid-year, they were [worth nearly \\$50 billion more](#) than before the COVID-19 pandemic, as employers utilized videoconferencing and chat tools to quickly alter operations for a mobile workforce.

But this expansion is not without consequence for many businesses, as videoconferencing software and communication apps are just new data types that an organization will (usually) store, often without retention policies to determine how long this data is kept. Already, organizations hold an astounding amount of data; every day 190 million emails and more than 78 million instant messages are sent *each minute*, in [addition to activity on various social sites](#). It's an unbelievable amount of data, and much of it is routinely discoverable.

Combine this vast global data proliferation with the increased use of collaboration tools team-wide, and the takeaway is that preserving, collecting, and processing data for review and production of these various electronically stored information (ESI) sources is one of the biggest challenges facing legal professionals today.

*In this whitepaper, we'll cover some tips for improving your data preservation, collection and processing outcomes with data from communication apps like Slack, Microsoft Teams, and Zoom.*



# IMPLEMENTING A RETENTION STRATEGY FOR COLLABORATION DATA

As companies begin partially returning to their workplaces, surveys indicate that many companies will continue work from home policies, meaning videoconferencing and collaboration tools will require an organizational retention strategy for these data types.

For example, most common videoconferencing software includes the ability to record conversations. Before the recent shift to telecommuting, how did your organization handle video conferencing records? Did you choose to regularly record team meeting and project calls, or did they already happen? And what about meeting notes that discuss potentially sensitive matters?

The same is true for Slack data. If Slack was never utilized prior to this year's work from home changes, that data now represents potential organizational risk. And without a strategy in place that defines how Slack data is stored and retained, it's not clear exactly how much risk that data represents.





# OTHER DATA MANAGEMENT CHALLENGES WITH COLLABORATION TOOLS

Aside from retention concerns and the potential risks that those raise, the major challenges lie in e-discovery—specifically, in preserving, collecting, and reviewing data stored in these collaboration tools. Part of the difficulty is that there are so many to keep track of and potentially account for. **Facebook Messenger**, **WhatsApp**, **Snapchat**, **Slack**, and **Google Hangouts** are just a few popular communication tools, and several support

the ability to create “ephemeral” messages which only last for a specific amount of time before they’re automatically deleted.

Ephemeral messaging apps are notorious for creating headaches during discovery—mostly because messages that are necessary during litigation are missing—meaning that there is risk of spoliation sanctions.

*Make the following considerations when determining your organizational collaboration app usage:*



## RE-FIGURING RETENTION SETTINGS:

Some collaboration apps allow the user to configure retention settings, which will impact preservation and production obligations for instant messages and similar apps. If your organization uses apps that allow for configuration of retention settings, it’s a great opportunity to establish policies on retaining communication and other data.

### TECHNOLOGY CONSIDERATION:

Many e-discovery platforms, including Exterro, offer an [API connector](#) which will help the user access Slack data but may not allow for built in redaction or review.



## DATA REQUESTS:

A data request might come from anyone: a regulator, a consumer (as in the case of a data subject access request (DSAR) under the GDPR or CCPA), a former employee, or even a potential litigant. Pulling data in collaboration apps will be necessary to ensuring total compliance with these requests.

### TECHNOLOGY CONSIDERATION:

Companies should establish [intake portals](#) for these requests, and automate their process workflows to ensure that all data is found (and data on a legal hold isn’t deleted by accident).

## KNOW WHO USES WHAT:

Keep records of which departments utilize which apps for what types of communications, and ensure that these are kept up to date. Consider this to be part of an organizational “Data Management Playbook” that is maintained and transparent to all key stakeholders. Include the following information on business unit usage of collaboration apps:

- › Which apps are being used by which departments?
- › How are the apps being used by employees and managers?
- › What policies do you have in place for managing those apps right now?

### TECHNOLOGY CONSIDERATION:

Understanding what data you have, where it’s stored, how it’s used, and who can access it is critical to truly knowing how to best utilize your organizational data—and understand where risks lie. A comprehensive and up-to-date [data inventory or data map](#) is the best way to reduce risk from data uncertainty, as well as uncover dark or rogue data.

# HOW EXTERRO CAN HELP?

More than **90%** of Exterro's clients are Global 2000 enterprises. Having worked closely with their legal teams over the prior 10+ years, we understand their issues and work to address their specific pain points. The challenges they face when it comes to handling complex collection can be daunting—but it's an obstacle that can be overcome by utilizing the right technology.

Exterro's Partnership with Slack and other collaboration tools utilizes the latest APIs to collect data for litigation from these data sources. The integrations between these two industry-leading software solutions provides the user with the capability to collect surgically-targeted data from collaboration tools while decreasing the cost it takes to obtain defensible information.



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