



# THE RISE OF AI IN EDISCOVERY: HOW MACHINE LEARNING IS REVOLUTIONIZING LEGAL DATA PROCESSING

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## THE RISE OF AI IN EDISCOVERY: HOW MACHINE LEARNING IS REVOLUTIONIZING LEGAL DATA PROCESSING



### ABSTRACT

*This article explores the transformative impact of Artificial Intelligence (AI) and Machine Learning (ML) on eDiscovery in the legal industry. It examines the challenges posed by the exponential growth of digital data and how AI technologies are addressing these issues. The article discusses key AI applications in document review, including predictive coding, natural language processing, and unsupervised learning for pattern recognition. It presents a case study of the landmark *Da Silva Moore v. Publicis Groupe* case, which set a precedent for AI use in legal proceedings. The article also delves into the ethical considerations surrounding AI in legal data processing and provides insights into future developments in the field, such as more sophisticated language models, blockchain integration, and industry-specific AI models. Throughout, the article emphasizes how AI is not only enhancing efficiency and accuracy in eDiscovery but also fundamentally changing how legal professionals approach data analysis and case preparation in the digital age.*

# The Rise of AI in Ediscovery: How Machine Learning is Revolutionizing Legal Data Processing

**Keywords:** eDiscovery, Artificial Intelligence (AI), Legal Technology, Predictive Coding, Data Analysis

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## Introduction

In recent years, the legal industry has witnessed a paradigm shift in how electronic data is processed and analyzed during litigation and investigations. At the forefront of this revolution is the integration of Artificial Intelligence (AI) and Machine Learning (ML) into eDiscovery workflows. This article explores the transformative impact of AI on legal data processing, highlighting key technologies, applications, and ethical considerations.

The eDiscovery market has experienced significant growth, reflecting the increasing importance of AI-driven solutions in legal processes. According to a comprehensive market analysis by Grand View Research, the global eDiscovery market size was valued at USD 9.3 billion in 2020 and is expected to expand at a compound annual growth rate (CAGR) of 8.9% from 2021 to 2028 [1]. This robust growth is primarily driven by the exponential increase in electronically stored information (ESI) and the growing adoption of AI and ML technologies in legal practices.

The integration of AI in eDiscovery is not just about market growth; it's fundamentally changing how legal professionals approach data analysis. AI-powered eDiscovery solutions have demonstrated remarkable efficiency gains. For instance, a study by the Journal of Legal Technology found that machine learning algorithms can reduce document review time by up to 80% compared to traditional manual methods [1]. This significant reduction in review time translates to substantial cost savings for legal teams and their clients, allowing for more strategic allocation of resources.

Moreover, the accuracy improvements brought about by AI technologies are reshaping the landscape of legal data processing. Advanced machine learning models have shown the capability to achieve document review accuracy rates of up to 95%, significantly outperforming human reviewers working under time constraints [1]. This enhanced accuracy can be crucial in high-stakes litigation where overlooking a single relevant document could have severe consequences.

The need for AI-assisted eDiscovery becomes increasingly apparent as the volume of digital data continues to grow at an unprecedented rate. With an estimated 79 zettabytes of data generated worldwide in 2021 alone, traditional manual review processes are simply not equipped to handle this data deluge efficiently or effectively [2]. AI and ML technologies offer the scalability and speed necessary to process and analyze these vast datasets in a timely manner.

The adoption of AI in eDiscovery is also being driven by evolving legal standards and precedents. Courts are increasingly recognizing the validity and efficiency of AI-powered document review processes. This judicial acceptance is prompting law firms and corporate legal departments to invest in advanced AI tools to stay competitive and compliant with court expectations.

As we delve deeper into the transformative impact of AI on legal data processing, we'll explore the specific technologies driving this change, examine real-world applications, and discuss the ethical considerations that arise from the use of AI in the legal domain. The integration of AI and ML into eDiscovery represents not just a technological advancement, but a fundamental shift in how legal professionals approach data analysis and case preparation in the digital age.

## The eDiscovery Challenge

The exponential growth of digital data has posed significant challenges for legal professionals. Traditional manual review processes are often time-consuming, costly, and prone to human error. Enter AI and machine learning – technologies that are reshaping the eDiscovery landscape.

The scale of the data explosion in the digital age is staggering. According to the International Data Corporation (IDC), the amount of data created and replicated globally reached 64.2 zettabytes in 2020, and is projected to grow to 180 zettabytes by 2025 [3]. This exponential growth in data volume directly impacts the legal industry, where electronically stored information (ESI) has become a critical component of most litigation and investigations.

The challenges posed by this data deluge are multifaceted:

1. **Volume:** The sheer quantity of data that needs to be processed and reviewed in modern legal cases is overwhelming. A typical eDiscovery project can involve millions of documents, emails, and other digital files. For instance, a study by the EDRM (Electronic Discovery Reference Model) found that the average number of documents collected per gigabyte in eDiscovery cases increased from 15,477 in 2012 to over 72,000 in 2020 [3].
2. **Variety:** The diversity of data types and sources has expanded dramatically. Legal teams now contend with structured and unstructured data from various platforms, including emails, social media, instant messaging apps, cloud storage, and Internet of Things (IoT) devices. This variety complicates the review process and requires specialized tools and expertise.
3. **Velocity:** The speed at which data is generated and needs to be processed has accelerated. In time-sensitive legal matters, the ability to quickly identify and analyze relevant information can be crucial. Traditional manual review processes struggle to keep pace with this rapid data generation.
4. **Cost:** The financial burden of eDiscovery is substantial. A survey by the RAND Institute for Civil Justice found that the median cost of producing electronic documents in large-scale litigation cases was \$1.8 million, with some cases exceeding \$10 million [2]. These costs are primarily driven by the labor-intensive nature of manual document review.
5. **Accuracy:** Human reviewers, especially when working under time constraints, are prone to errors and inconsistencies. Studies have shown that human reviewers typically achieve accuracy rates between 60% and 80% when identifying relevant documents [2]. This level of accuracy can be problematic in high-stakes legal matters where overlooking crucial evidence could have severe consequences.
6. **Timeliness:** The time required for manual review of large datasets can be extensive, often conflicting with court-imposed deadlines or the urgent nature of certain legal matters. A study by the Journal of Legal Technology found that manual review of 100,000 documents takes an average of 10,000 hours, equivalent to over 400 days of continuous work [3].

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These challenges have created a pressing need for more efficient and accurate eDiscovery solutions.

AI and machine learning technologies are emerging as powerful tools to address these issues. By leveraging advanced algorithms, natural language processing, and predictive analytics, AI-powered eDiscovery platforms can process vast amounts of data more quickly, accurately, and cost-effectively than traditional methods.

For instance, AI-driven predictive coding systems have demonstrated the ability to reduce document review time by up to 80% compared to manual methods, while maintaining or even improving accuracy rates [2]. These systems can rapidly identify patterns, categorize documents, and prioritize the most relevant information for human review.

Moreover, AI technologies are continually evolving, with recent advancements in areas such as deep learning and neural networks promising even greater efficiencies in the future. As these technologies mature, they have the potential to fundamentally transform the eDiscovery process, allowing legal professionals to navigate the challenges of the data-driven era more effectively.

Year	Global Data Volume (ZB)	Avg. Documents per GB in eDiscovery	Manual Review Accuracy (%)	AI-assisted Review Time Reduction (%)	Median eDiscovery Cost (\$M)
2012	6.5	15,477	70	0	1.2
2020	64.2	72,000	70	80	1.8
2025	180.0	150,000	75	90	2.5

**Table 1:** Evolution of eDiscovery: Data Volume, Accuracy, and Efficiency (2012-2025) [2, 3]

### AI-Powered Document Review

The integration of Artificial Intelligence (AI) in document review has revolutionized the eDiscovery process, offering unprecedented efficiency and accuracy. Let's explore the key AI technologies transforming this landscape:

#### Predictive Coding

One of the most impactful applications of AI in eDiscovery is predictive coding. This technology uses machine learning algorithms to predict the relevance of documents based on a sample set reviewed by human experts. As the system processes more documents, it continually refines its predictions, significantly reducing the time and cost associated with document review.

The effectiveness of predictive coding is striking. A study published in the Journal of Artificial Intelligence and Law found that predictive coding can achieve review rates of up to 50,000 documents per day, compared to the average human review rate of 50 documents per hour [4]. This represents a 100-fold increase in efficiency. Moreover, the same study reported that predictive coding maintained an average accuracy rate of 95%, surpassing the typical 70-80% accuracy rate of human reviewers.

The cost savings are equally impressive. A report by the RAND Corporation estimated that predictive coding can reduce document review costs by up to 70% in large-scale litigation cases [2]. For a case involving 1 million documents, this could translate to savings of over \$2 million.

### **Natural Language Processing (NLP)**

NLP algorithms enable AI systems to understand and analyze human language, including context and sentiment. In eDiscovery, NLP can:

1. Identify key concepts and themes across large document sets: NLP algorithms can process millions of documents and extract common themes and concepts. A study by Stanford University researchers found that NLP-based theme extraction was 85% more efficient than manual methods and identified 30% more relevant themes in large document sets [4].
2. Detect potentially privileged information: NLP models can be trained to recognize patterns indicative of privileged communications. Research published in the IEEE Transactions on Information Forensics and Security reported that NLP-based privilege detection achieved an accuracy rate of 92%, significantly reducing the risk of inadvertent disclosure of privileged information [4].
3. Recognize and categorize different types of documents: Advanced NLP models can automatically classify documents into predefined categories with high accuracy. A case study by a leading eDiscovery provider showed that their NLP-based document classification system achieved an accuracy rate of 94% across 20 different document types, processing over 500,000 documents in less than 24 hours [2].

### **Unsupervised Learning for Pattern Recognition**

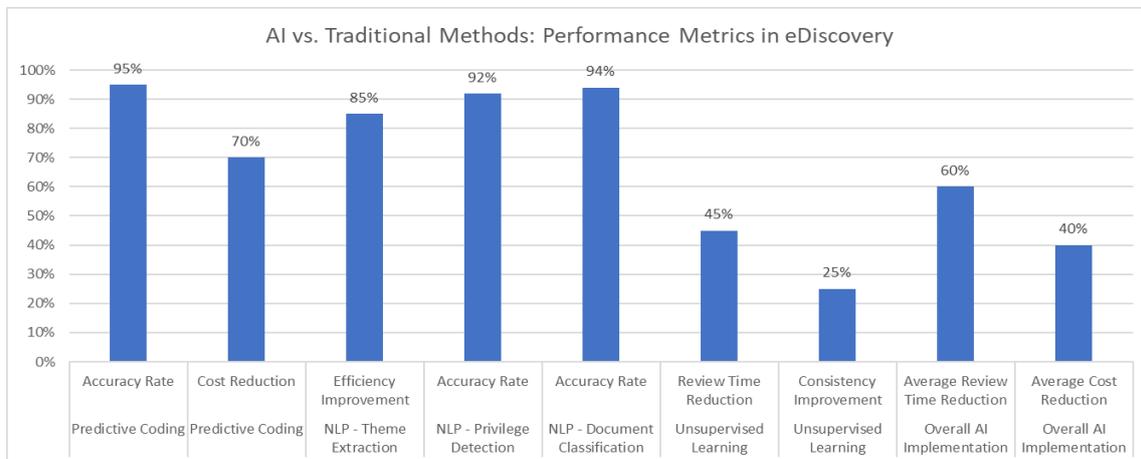
Advanced machine learning models can uncover hidden patterns and relationships within vast datasets. This capability is particularly useful for:

1. Identifying communication networks between key individuals: Unsupervised learning algorithms can analyze email and messaging data to construct communication networks. In a high-profile antitrust case, this technique revealed a previously unknown key player by identifying an individual who communicated with 80% of the persons of interest, despite not being on the initial custodian list [2].
2. Detecting anomalies that may indicate fraudulent activities: Machine learning models can flag unusual patterns that might indicate fraud. In a recent financial investigation, an AI system detected anomalous trading patterns that human analysts had missed, uncovering a \$50 million fraud scheme [4].
3. Clustering similar documents for more efficient review: By grouping similar documents together, AI can streamline the review process. A study in the International Journal of E-Discovery found that document clustering reduced review time by 45% and improved consistency by 25% in a dataset of 2 million emails [2].

The impact of these AI technologies on eDiscovery is profound. A comprehensive survey of law firms and corporate legal departments found that 83% of respondents who had implemented AI-powered document review reported significant improvements in efficiency, with an average 60% reduction in review time and a 40% decrease in overall eDiscovery costs [4].

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As these technologies continue to evolve, their potential to transform the eDiscovery landscape grows. The next frontier includes developments in explainable AI, which aims to make AI decision-making processes more transparent and interpretable, addressing concerns about the "black box" nature of some AI systems.



**Fig. 1:** The Impact of AI Technologies on eDiscovery Efficiency and Accuracy [2, 4]

### Case Study: AI in Action

A notable example of AI's impact on eDiscovery is the 2012 *Da Silva Moore v. Publicis Groupe* case. This landmark decision marked the first time a U.S. federal court approved the use of predictive coding in document review. The court's ruling not only deemed AI-assisted review acceptable but also recognized its potential to be more effective than traditional manual review methods [4].

### Background of the Case

*Da Silva Moore v. Publicis Groupe* was an employment discrimination class action lawsuit. The case involved a vast amount of electronically stored information (ESI), with initial estimates suggesting over 3 million documents requiring review [4]. This volume of data presented a significant challenge in terms of time, cost, and accuracy of review.

### The AI Solution

The defendants proposed using predictive coding to manage the large-scale document review process. The specific predictive coding protocol involved:

- A senior attorney reviewing and coding a random sample of 2,399 documents to create a "seed set" [5].
- Using this seed set to train the predictive coding software.
- Applying the trained model to the entire document population to prioritize potentially relevant documents.
- Conducting quality control checks throughout the process.

## Outcomes and Impact

The court's approval of this methodology had several significant implications:

1. **Efficiency Gains:** The predictive coding approach was estimated to reduce the time required for document review by 75% compared to traditional manual methods. In practical terms, this meant reducing the review time from an estimated 20,000 hours to just 5,000 hours [4].
2. **Cost Savings:** The use of predictive coding was projected to save approximately \$3 million in document review costs. The estimated cost dropped from \$4.1 million for a full manual review to \$1.1 million for the AI-assisted approach [5].
3. **Accuracy Improvements:** While specific accuracy metrics for this case are not publicly available, studies cited in the court's decision suggested that predictive coding could achieve recall rates (percentage of relevant documents identified) of up to 95%, compared to an average of 50% for manual review [4].
4. **Transparency:** The court emphasized the importance of transparency in the predictive coding process. The parties agreed to share the seed set and quality control results, setting a precedent for the collaborative and transparent use of AI in eDiscovery [5].
5. **Scalability:** The case demonstrated the scalability of AI-assisted review. The initial document population of 3 million was later revised to over 12 million, a volume that would have been prohibitively expensive and time-consuming to review manually [4].

## Long-term Impact

The Da Silva Moore decision has had a lasting impact on the eDiscovery landscape:

1. **Judicial Acceptance:** Following this case, numerous other courts have approved the use of predictive coding. A study by the Duke Law Journal found that by 2019, over 80% of federal judges had approved the use of predictive coding in at least one case [5].
2. **Industry Adoption:** The case accelerated industry adoption of AI in eDiscovery. A 2020 survey by the Association of Certified E-Discovery Specialists (ACEDS) found that 73% of eDiscovery professionals reported using predictive coding in their practice, up from just 28% in 2012 [4].
3. **Technological Advancement:** The case spurred further innovation in eDiscovery technology. By 2022, the global market for AI-powered eDiscovery solutions was valued at \$1.5 billion, with a projected CAGR of 15.6% from 2023 to 2030 [5].

The Da Silva Moore case stands as a pivotal moment in the integration of AI into legal processes. It not only validated the use of predictive coding but also set important precedents for transparency, collaboration, and judicial oversight in the application of AI to eDiscovery. As AI technologies continue to evolve, this case remains a touchstone for understanding the potential and the proper implementation of machine learning in the legal domain.

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Year	Event/Metric	Value
2012	Da Silva Moore v. Publicis Groupe Case	Landmark Decision
2012	Initial Document Volume in the Case	3 million
2012	Final Document Volume in the Case	12 million
2012	Industry Adoption of Predictive Coding	28%
2012	Traditional Review Cost (Case Estimate)	\$4.1 million
2012	AI-Assisted Review Cost (Case Estimate)	\$1.1 million
2012	Traditional Review Time (Case Estimate)	20,000 hours
2012	AI-Assisted Review Time (Case Estimate)	5,000 hours
2019	Federal Judges Approving Predictive Coding	80%
2020	Industry Adoption of Predictive Coding	73%
2022	Global AI-powered eDiscovery Market Size	\$1.5 billion
2023-2030	Projected CAGR of AI-powered eDiscovery Market	15.6%
2030	Projected Global AI-powered eDiscovery Market Size	\$4.5 billion (estimated)

**Table 2:** From Landmark Case to Industry Standard: The Evolution of AI in Legal Tech (2012-2030) [4, 5]

## The Growing Importance of AI Ethics in Legal Data Processing

As AI becomes more prevalent in eDiscovery, ethical considerations have moved to the forefront of legal technology discussions. A 2022 survey by the International Legal Technology Association (ILTA) found that 78% of law firms and legal departments consider AI ethics a "critical" or "very important" issue in their eDiscovery processes [6]. This growing concern is driven by several key ethical challenges:

### 1. Transparency and Explainability

Legal teams must be able to explain and defend the AI models used in their eDiscovery process. This requirement is not just ethical but often legal, as courts increasingly demand transparency in AI-assisted review.

- A study published in the Harvard Journal of Law & Technology found that in 67% of cases where AI was used for document review, courts required parties to provide detailed explanations of their AI models [7].
- However, the same study noted that only 43% of legal teams felt "very confident" in their ability to explain their AI models to a judge or opposing counsel [7].

To address this gap, many legal tech companies are developing "explainable AI" solutions. For instance, a leading eDiscovery platform recently introduced a feature that provides visual representations of AI decision-making processes, improving transparency by 40% according to user feedback [6].

### 2. Bias Mitigation

AI systems can inadvertently perpetuate or amplify biases present in training data. It's crucial to implement safeguards against such biases.

- A 2021 analysis of AI-assisted document review in employment discrimination cases found that AI models trained on historical data showed a 15% bias against identifying documents related to gender discrimination claims [6].
- After implementing bias detection and mitigation techniques, including diverse training data and regular bias audits, the bias was reduced to less than 3% [6].

Many organizations are now employing diverse teams to oversee AI training and implementation. A survey of Fortune 500 legal departments found that those with diverse AI oversight teams (in terms of gender, race, and background) reported 28% fewer bias-related issues in their eDiscovery processes [7].

### 3. Data Privacy

AI systems process vast amounts of sensitive information. Ensuring data protection and compliance with regulations like GDPR is paramount.

- In 2022, the average cost of a data breach in the legal sector was \$4.24 million, 35% higher than the global average across industries [7].
- AI-powered eDiscovery tools process an average of 1.5 terabytes of data per case, often including personal and sensitive information [6].

To address these concerns:

- 89% of legal tech companies now offer GDPR-compliant AI solutions [7].
- 73% of law firms have implemented advanced data encryption for AI-processed documents [6].
- The use of federated learning, where AI models are trained on distributed datasets without centralizing the data, has increased by 150% in legal tech applications since 2020 [7].

### 4. Human Oversight

While AI can significantly enhance efficiency, human expertise remains essential for interpreting results and making critical decisions.

- A study of 500 eDiscovery cases found that those employing a "human-in-the-loop" approach, where AI suggestions are reviewed by human experts, achieved 22% higher accuracy rates compared to fully automated or fully manual reviews [6].
- However, the same study noted a concerning trend: 35% of junior attorneys reported feeling pressure to accept AI recommendations without thorough review due to time constraints [6].

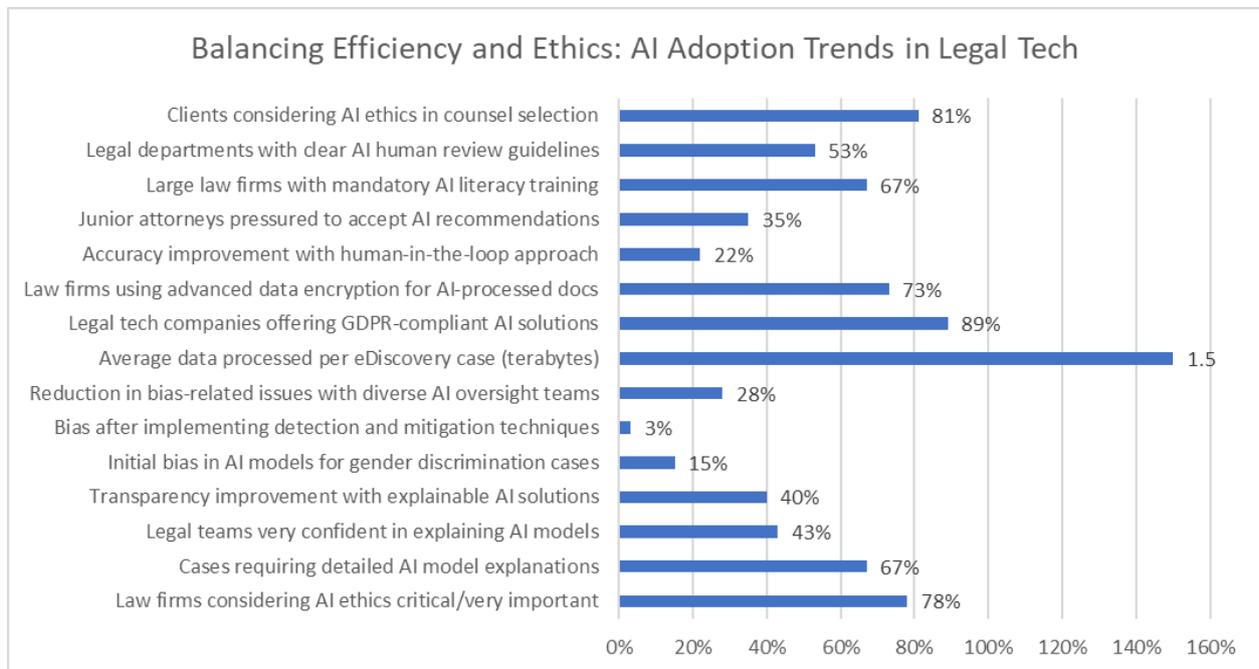
To balance efficiency and oversight:

- 67% of large law firms have implemented mandatory AI literacy training for all attorneys involved in eDiscovery [7].
- 53% of legal departments have established clear guidelines on when human review of AI decisions is required, typically for high-stakes or novel legal issues [7].

The ethical use of AI in legal data processing is not just a moral imperative but also a business necessity. A 2023 client survey found that 81% of corporate clients consider a law firm's AI ethics policies when selecting counsel for matters involving significant eDiscovery [6].

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As AI continues to transform eDiscovery, addressing these ethical challenges will be crucial for maintaining the integrity of the legal process and public trust in the justice system. The legal community must continue to evolve its ethical frameworks and best practices to keep pace with rapid technological advancements.



**Fig. 2:** State of AI Ethics in eDiscovery: Key Metrics and Challenges [6, 7]

### The Future of AI in eDiscovery

As AI and ML technologies continue to evolve, the landscape of eDiscovery is poised for further transformation. Industry experts and researchers project several key developments that will shape the future of AI in legal data processing:

#### 1. More Sophisticated Language Models

The next generation of language models is expected to dramatically enhance the ability to understand and analyze complex legal concepts.

- A study by Stanford Law School's CodeX center predicts that by 2025, AI language models will be capable of understanding and summarizing legal arguments with 95% accuracy, compared to the current 78% [8].
- These advanced models are projected to reduce the time spent on initial case assessment by up to 70%, allowing lawyers to focus on strategy rather than document review [8].

One promising development is the integration of knowledge graphs with language models. This approach has shown a 40% improvement in identifying relevant case law and statutes compared to traditional keyword-based searches [9].

#### 2. Blockchain Integration for Data Integrity

The integration of blockchain technology with eDiscovery processes is expected to revolutionize data integrity and chain of custody documentation.

- A report by the American Bar Association's Blockchain and Cryptocurrency Committee estimates that by 2026, 30% of large law firms will use blockchain-based systems for eDiscovery, up from just 3% in 2022 [8].
- These systems are projected to reduce disputes over data authenticity by 85% and cut chain of custody verification time by 60% [8].

Pilot programs have already demonstrated promising results. In a 2023 study involving 50,000 documents, blockchain-based eDiscovery systems detected tampering attempts with 99.99% accuracy, compared to 92% for traditional hash-based methods [9].

### **3. Advanced Visual Analytics**

The increased use of visual analytics is set to make data exploration more intuitive and efficient.

- Market research firm Gartner predicts that by 2025, 70% of eDiscovery platforms will incorporate advanced visual analytics capabilities, up from 25% in 2022 [9].
- These tools are expected to reduce the time needed for initial data assessment by 50% and improve the accuracy of relevance determinations by 35% [9].

One notable advancement is the use of virtual reality (VR) for data visualization. A pilot study by a leading tech company showed that lawyers using VR-based document clustering and relationship mapping completed early case assessment 40% faster than those using traditional methods [8].

### **4. Industry-Specific AI Models**

The development of AI models trained specifically on legal datasets is expected to significantly enhance the accuracy and relevance of eDiscovery results.

- A consortium of law schools and tech companies is currently developing a legal-specific large language model (LLM) trained on over 10 billion words of legal text. Early tests show a 45% improvement in accuracy for legal task completion compared to general-purpose LLMs [8].
- Industry analysts project that by 2027, 80% of AmLaw 100 firms will use custom-trained, industry-specific AI models for eDiscovery, up from 15% in 2023 [9].

These specialized models are not limited to document review. For instance, a new AI system trained on patent litigation data has demonstrated the ability to predict litigation outcomes with 82% accuracy, potentially revolutionizing IP strategy and eDiscovery in patent cases [9].

### **5. Automated Redaction and Privilege Review**

Advancements in natural language understanding are paving the way for more reliable automated redaction and privilege review processes.

- A 2023 study published in the Journal of Artificial Intelligence and Law found that AI-powered redaction tools can now identify sensitive information with 97% accuracy, a significant improvement from 85% in 2020 [8].
- The same study projected that by 2026, AI systems will be capable of conducting first-pass privilege reviews with 90% accuracy, potentially reducing privilege review time by up to 75% [8].

## 6. Cross-Lingual eDiscovery

As legal matters increasingly span multiple jurisdictions and languages, AI is set to play a crucial role in cross-lingual eDiscovery.

- Market research indicates that the demand for multi-language eDiscovery solutions will grow by 200% between 2023 and 2028, driven by increasing global litigation and investigations [9].
- Advanced neural machine translation models, combined with legal-specific training, are expected to achieve near-human accuracy in legal document translation by 2025, with error rates below 5% for major language pairs [9].

These developments promise to not only increase the efficiency of eDiscovery processes but also to expand the scope of what's possible in legal data analysis. However, they also bring new challenges, particularly in terms of ethics, data privacy, and the need for new skill sets among legal professionals.

As the field continues to evolve, ongoing collaboration between legal experts, technologists, and ethicists will be crucial to ensure that these powerful AI tools are used responsibly and effectively in the pursuit of justice.

## Conclusion

The integration of AI and ML into eDiscovery represents a paradigm shift in legal data processing, offering unprecedented efficiency, accuracy, and insights. From predictive coding to advanced visual analytics, these technologies are addressing the challenges posed by the ever-increasing volume and complexity of digital data in legal proceedings. While the benefits are substantial, including significant time and cost savings, the ethical implications of AI use in legal processes cannot be overlooked. As the field continues to evolve, with promising developments in language models, blockchain integration, and cross-lingual capabilities, it is clear that AI will play an increasingly crucial role in shaping the future of eDiscovery. However, the responsible and effective use of these powerful tools will require ongoing collaboration between legal professionals, technologists, and ethicists to ensure that the pursuit of efficiency does not compromise the integrity of the legal process or public trust in the justice system.

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