



Is Your Response Delivery Stuck in the 20th Century?

Once you've assembled and prepped documents responsive to a subpoena, you have a few options for delivering them to the issuer. Subpoena response teams continue to struggle with outmoded, non-compliant and expensive delivery methods. More and more companies are looking to move to a method that is **streamlined, inexpensive, and secure**.



OPTION 1 Paper Documents

Paper is cumbersome to handle, problematic to track, and can't be secured. It requires that people work from a single physical location—where the paper is. Courts don't consider it a "reasonably usable format" consistent with procedural rules. Although it is one of the most common delivery methods, paper is labor intensive, time consuming, outmoded and inconsistent with current legal process.



OPTION 3 External Media

Sending documents on external media is easier than using an email encryption system, but it has some issues. It's costly to buy and ship media for every subpoena. One practice is to ship media and a password in separate packages, doubling the shipping cost of each production. More importantly, shipping sensitive information on external media likely is not compliant with company security protocols.



OPTION 2 Encrypted Emails

Third-party encrypted email systems present myriad process challenges, including the requirement of Outlook plugins, the need to manage encryption keys, lack of integration with other systems, and file-size limitations. The sheer complexity of the process makes this an impractical option for subpoena response.



OPTION 4 FTP Sites

Delivery via FTP alleviates costs of drives and shipping and the risk associated with external media. It's a time-consuming process, though, to manually set up FTP transfers for every subpoena response. It may be efficient for large and relatively infrequent productions in litigation, but it's not practical for small responses.



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OPTION 5

Online Delivery Systems

The modern delivery method is a secure online portal managed by the producing party. Documents are encrypted at rest and in transmission. Rather than separate physical packages, access control works by two-factor authentication. When a production is ready for download, the system sends the issuer an email with a login and a fax with the password. The issuer logs in, enters payment information, and downloads the responsive records. After that, the producing party closes down the portal.

ADVANTAGES: Online delivery eliminates the cost of media and shipping, the manual steps in shipping or setting up an FTP site, and the security issues associated with sending files on external media. Unlike every other delivery method, it's purpose-built for the requirements of subpoena response teams. Specifically, it not only provides a secure and efficient means of delivering many small productions to different parties, but also guarantees cost recovery.



About Safari

Safari is an SOP response management solution for corporate legal process teams. It is the first and only solution to help companies manage subpoenas in a single system, deliver responses electronically, automatically recover costs, and provide unmatched security—all with built-in auditing and reporting. Implement Safari today to immediately reduce risk, recover costs, and save time. Learn more at safarilaw.com

Next Steps

- Sign up for a demo of the Safari Pathways product: safarilaw.com#contact
- Join the Legal Operators Social Network Subchapter: legaloperators.com
- Access our members area to view articles and webinars: safarilaw.com/resources
- Contact Mark Hentschell, VP of Sales at mark@safarilaw.com or 425.298.3620