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THE J.M. SMUCKER Co

Case Study: How One Packaged Food Industry Giant Leads with a Sophisticated Approach to eDiscovery

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Background

One of the nation’s oldest and most venerated packaged food industry giants is not just making noise with its delicious products – like Smucker’s jams, Folgers coffee, Jif peanut butter, and Uncrustables; it’s also making noise with its inspired, next-generation approach to eDiscovery. The J.M. Smucker Co. (“Smucker”) legal team has moved beyond its formerly complex processes by partnering with an industry leader, adopting a next-generation eDiscovery technology and evolving its workflows in order to control and gain predictability of costs, and become faster and more efficient end-to-end.

“We wanted to revolutionize our approach to eDiscovery”

Lolita Kumar, Head of eDiscovery, joined Smucker in 2015 with a focus on making eDiscovery better, faster, and cheaper for the company. “We wanted to revolutionize our approach”, said Kumar when reflecting on her initial charter. She tells of a former practice that over-leveraged full-service eDiscovery providers and law firms, and lacked efficiency. “There was an interest in modernizing and evolving what we were doing. There were progressive paths we could’ve taken, and needed to take, to help our company control costs, speed up delivery so we weren’t as pressured by deadlines, and also be more cost predictable – especially for our smaller matters.”

Kumar was fully supported by Kimberly Weese, Senior Paralegal of Dispute Resolution and HR Law. Together, the duo formed the team of change agent visionaries that ushered in evolution for the company’s eDiscovery processes. Having a team vision for improvement and full commitment to evolve was essential to making progress happen.

“Efficiency was the yardstick by which we were going to judge our progress” reflected Kumar. “As a small corporate legal team, we are always going to be busy. So, we’ve got to maximize efficiency and minimize wasted movements – especially if we’re going to be self-reliant and do things ourselves that we were historically paying others to do for us.” Progress was only going to happen if eDiscovery was fast, easy, and didn’t create new hurdles or obstacles.

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Lots of Smaller Matters Means Lots of Opportunity to Improve

With over 7,000 employees, a worldwide distribution network, hundreds of physical plant facilities and technology and supplier-dependent manufacturing operations, the legal team is always going to be busy. Smucker's corporate legal team handles hundreds of matters and disputes yearly – including subpoenas, employment matters such as wrongful termination, policy violation and harassment disputes, internal investigations, compliance audits, and litigation. Smucker's legal team understood that to the extent these matters could be handled more efficiently in-house, there was considerable potential to save costs, improve service to the business units, and have less data parked at external sources.

“For the average matter, it used to take us days to get that data shipped to a firm or services provider, so they could process and load it just for us to be able to look at it”, reflects Kumar. “Plus, we felt like the more we could do ourselves, the lower the total cost would be to the company, and we could better predict what those costs would be. If we chose correctly and could gain control, there was opportunity to just perform better.”

Picking the Right Partner that Was Right In Front of Them

We had a long-standing relationship with Advanced Discovery, which became part of Consilio in 2018. This relationship was forged over dozens of historic eDiscovery matters; and one that was rooted in trust. “Evolving meant asking more from our partner who we'd known for years,” said Kumar. “We had to ask for something different than what we had been asking for previously. Forming the ask was honestly the hardest part. How can you help us be more self-reliant so that we can improve our efficiency and be happier?”

Consilio demonstrated its innovative end-to-end, next-generation eDiscovery software, Sightline. “We were blown away – it's not that it was so simple, so powerful, and checked all the boxes for us, it was serviced and supported by the partner we'd always wanted and trusted inherently. This was the best of all worlds.”

“Consilio wasn't just the services and technology provider we wanted, they were the partner we were seeking”

With Sightline, the Smucker legal team had an easy-to-use software that allowed for self-sufficiency. Automation throughout, analytics fully embedded and exposed in useful ways, intuitive data visualizations, templated workflows, fast productions – Sightline provided the Smucker team with all of those tools in a single platform.

“Consilio wasn't just the services and technology provider we wanted, they were the partner we were seeking. They held our hand through onboarding, every step of the way. Even through the pandemic, Consilio didn't skip a beat,” says Weese. “First, they helped us define the new workflow based on their best practices. Then, they customized the training and created materials to help us communicate internally.”

“They were willing to fly to meet us and train us in person at no cost, but with the pandemic that wasn't possible. So, we trained remotely for different modules in succession. And every time we needed a hand, the Consilio team was there to support and guide us.”

It is All About the Results

Kumar and Weese led the evolution by taking the first steps forward with subpoena productions to help them get comfortable. “We were super-bullish on the solution. We were now able to upload and process data in an hour – it used to take days!” remarks Kumar. “Easy to use. Does what it claimed to do.” reflects Weese.

Now, instead of a \$5,000 invoice from a law firm to deal with these matters, Smucker has reduced that by over half. And the same is true for non-subpoena matters. Smucker’s legal team sees a bright future ahead. “When we think about future matters – the investigations, the audits, the employment issues, the tort claims, the contract disputes – we’re really excited about this revamped and evolved approach to discovery. We know we have done well by the company and will be a more effective legal team going forward.