



2022

Collaboration Data Benchmarking Report

Collaboration applications are becoming the new “Can’t live without it” tool for fostering business communication and collaboration. The voluminous, complex, and increasingly relevant data for discovery is creating new challenges for enterprises. This survey explores corporate readiness for managing this data.



ACEDS | ASSOCIATION OF CERTIFIED
E-DISCOVERY SPECIALISTS
A BARBRI Professional Association

Introduction

In 2022, Hanzo and The Association of Certified Ediscovery Specialists (*ACEDS*) reprised the Legal Industry Survey on Collaboration Data, the first industry benchmark of collaboration data. This survey assesses the prevalence and the reliance on collaboration tools within enterprises. We also take a pulse from the market about the organizational readiness for legal, IT, HR, and enterprise information archiving professionals to respond effectively to litigation, investigations, governing data, and manage risk now and in the future.

In this third year of the survey, we are pleased to share our collective analysis of collaboration data and corporate readiness across various factors. We surveyed industry professionals on the importance of collaborative data sources to their business and:

- retention policies, preservation methods, and confidence in their processes; scoping data
- collections, how teams respond to discovery requests, and their belief in collection methods;
- investment roadmap, and legal professionals' most significant concerns regarding collaboration data.

We hope these survey findings and benchmark analysis regarding organizational preparedness for responding to discovery obligations and managing risk are beneficial.

Summary

With the ongoing reliance on remote work, and the need to enhance the connection among teams, we've seen collaboration platforms and channel-based messaging applications like Microsoft Teams and Slack replace or reduce the total dependence on email inside many companies. As a result, business communications are increasingly becoming more collaborative and less formal. This ongoing trend powers productivity but presents new challenges for data risk management, information governance, investigation effectiveness, and discovery response.

Here are three key points we observed:

Collaboration tools continue to solidify their importance in the enterprise as remote work persists.

The increasing reliance on collaboration applications fundamentally changes how businesses foster communications. Collaboration tools bring new complexity and risk when managing, governing, protecting data, and responding to litigation.

Collaboration data is increasingly recognized as in-scope for discovery. With more case law highlighting the relevance and proportionality of collaborative data sources being comparable to email, enterprises recognize the duty to preserve collaborative messaging data. More organizations are implementing organization-wide retention policies and are leveraging in-place preservation where possible.

Preservation confidence is higher than confidence in production. As organizations experience the complexities of managing ediscovery or investigations processes and producing the data for review, they encounter the challenges that this new data paradigm of data imposes, dampening confidence more with specific platforms.

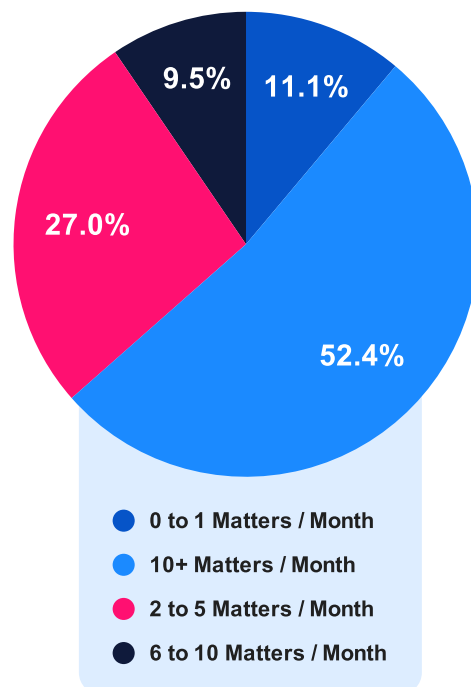
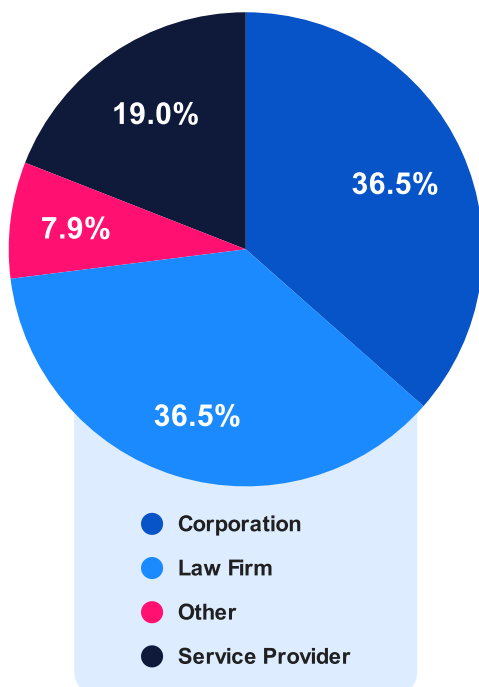
Demographics

The survey was conducted this year between September 20 and October 28, with 62 respondents that ranged from corporate legal teams to law firms that serve corporate clients, and service providers. We collected demographics about litigation profiles, including the average number of matters per month, which is useful when comparing potential differences based on litigation volume. We also asked about their current collaboration tools.

The respondents provided a balance of perspectives from various types of organizations, including 37% from corporate legal teams, 37% from law firms representing their clients, 19% from legal service providers in discovery, and 8% from other institutions including education, professional organizations and consultancies.

Organization Type	2022	2021	2020
Corporation	37%	37%	38%
Law Firm	37%	28%	29%
Other	8%	19%	15%
Service Provider	19%	16%	18%

Organization Type

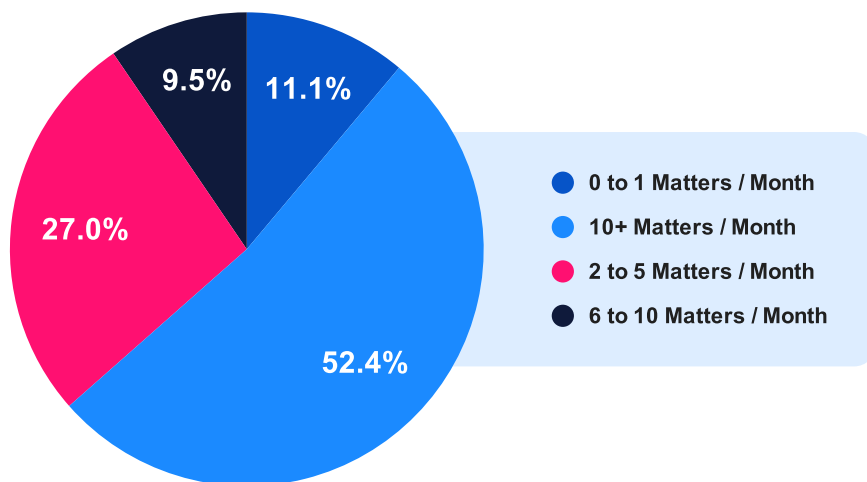




The survey respondents varied significantly by litigation volume, from those with only a few matters arising in a given month to those reporting 10 or more new matters each month. We used these statistics to compare and contrast how organizations with different litigation profiles approach collaboration content.

Litigation Profile (matters per month)	2022	2021	2020
0 – 1 Matters / Month	11%	15%	16%
2 – 5 Matters / Month	27%	21%	20%
6 – 10 Matters / Month	10%	13%	15%
10+ Matters / Month	52%	51%	49%

Litigation Profile (matters per month)



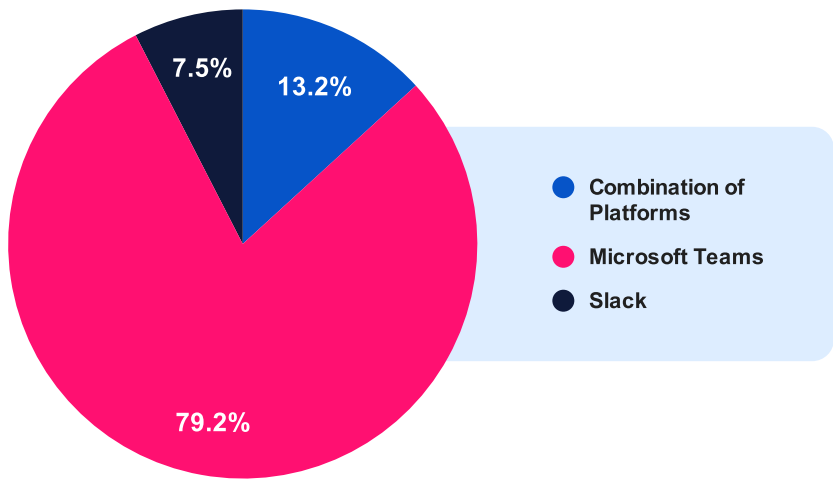
Microsoft Teams is the dominant market leader across collaboration platforms growing to a whopping 79% in 2022 from 55% in 2021 of those reporting use of collaboration tools. According to data published by [Statista](#), as of October 2022, daily active Teams, users had eclipsed 270 million. That is up from 145 million users in 2021.

Where previously nearly a third reported using a combination of platforms, Slack and the combination of other platforms now seem to have plateaued in their market positions. For example, it has been estimated that Slack's Daily Active Users only increased from 14 to 18 million from 2021 to 2022. Additionally, in this year's survey, Google Chat was not mentioned, whereas, in the past, it had a 2-3% mention from respondents. While the combination of platforms is ceding market share to Microsoft, declining from 32% in 2021 to 13% today, many organizations with Teams will also have parallel use of a combo of other platforms.

Although the global pandemic may have hastened the adoption of collaboration tools to support remote work, that is not the only goal. Companies are embracing collaboration platforms to improve how they work as well. We anticipate that collaboration platforms will continue to grow in adoption, which will mean greater integration across enterprise applications. It will be interesting to see if levels shift among platforms as communications shift to SaaS-based models and as the applications develop new functionality to reduce the friction of business communication. For example, business applications continue to apply ways in which to incorporate other applications (*plug-ins/apps*) as well as in-app communications such as chats, sticky notes, collaborative commenting, etc.). Technology developments are also moving us toward more organizational control in the applications we use for official communications. For example, it's easier to manage data in a messaging application like Slack or Teams than it is to keep track of co-mingled business and personal messages on employees' mobile devices.

Primary Collaboration Platform	2022	2021	2020
Combination of Platforms	13%	32%	24%
Microsoft Teams	79%	55%	54%
Slack	8%	8%	5%
Google Chat	0%	3%	2%

Primary Collaboration Platform



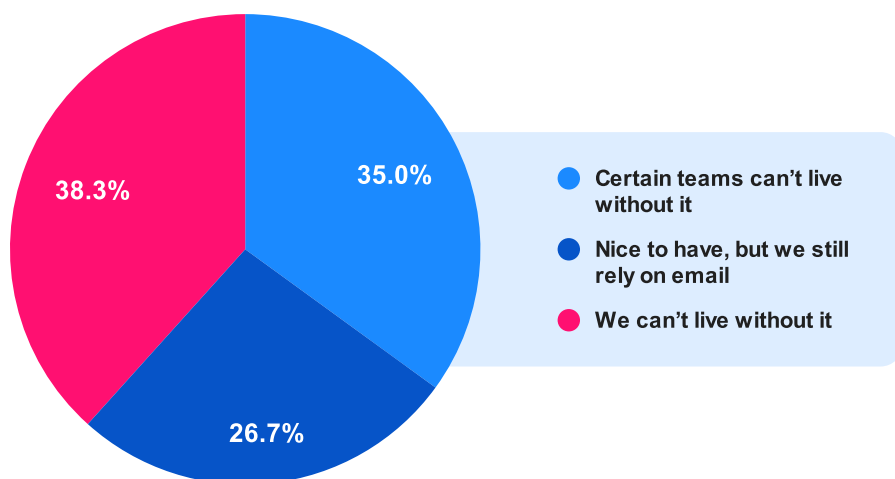
Survey Responses

How integral are collaboration platforms to your organization for business communications today?

We began by asking how integral collaboration tools are for their organizations, now and in the future. Organizations that use collaboration tools today clearly express a strong reliance on these platforms, with over two-thirds saying that their organizations, or at least certain teams, **can't live without** using their collaboration platforms. Reliance on email is incrementally declining but remains vital for respondents, showing the stickiness and formality of email communication. Corporate legal departments must maintain their e-discovery for email playbooks and processes in good shape while incorporating new data sources.

Reliance of Collaboration Tools	2022	2021	2020
Certain teams can't live without it	35%	33%	29%
Nice to have, but we still rely on email	27%	28%	29%
We can't live without it	38%	39%	41%

Reliance on Collaboration Tools

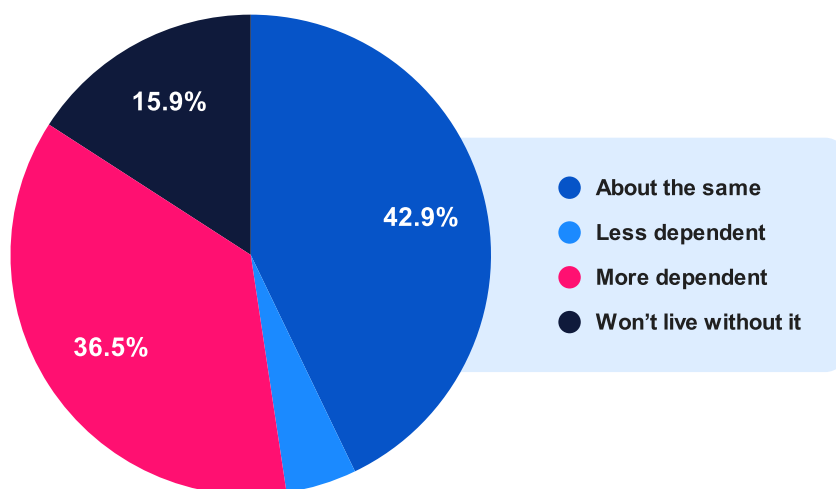


How integral will collaboration platforms be for your organization in 12 months?

The expectation is that such tools will become more integral over the coming year, with 37% indicating their organization will become more dependent on collaboration platforms (*interestingly, this decreased from 43% in 2021 and the 55% who anticipated an increase when surveyed in 2020*). Another trend to note is the jump in those who said, “Won’t live without it,” that rose from 9% last year to 16%. These trends demonstrate a maturing of the enterprise’s use of collaboration tools. It is logical that when remote work became an overnight requirement in 2020, respondents anticipated greater dependence in the future.

How will your reliance change in 12 months	2022	2021	2020
About the same	43%	43%	31%
Less dependent	5%	5%	2%
More dependent	37%	43%	55%
Won't live without it	16%	9%	12%

Expected Reliance Change in 12 Months





Are you or your clients applying retention policies to your collaboration content?

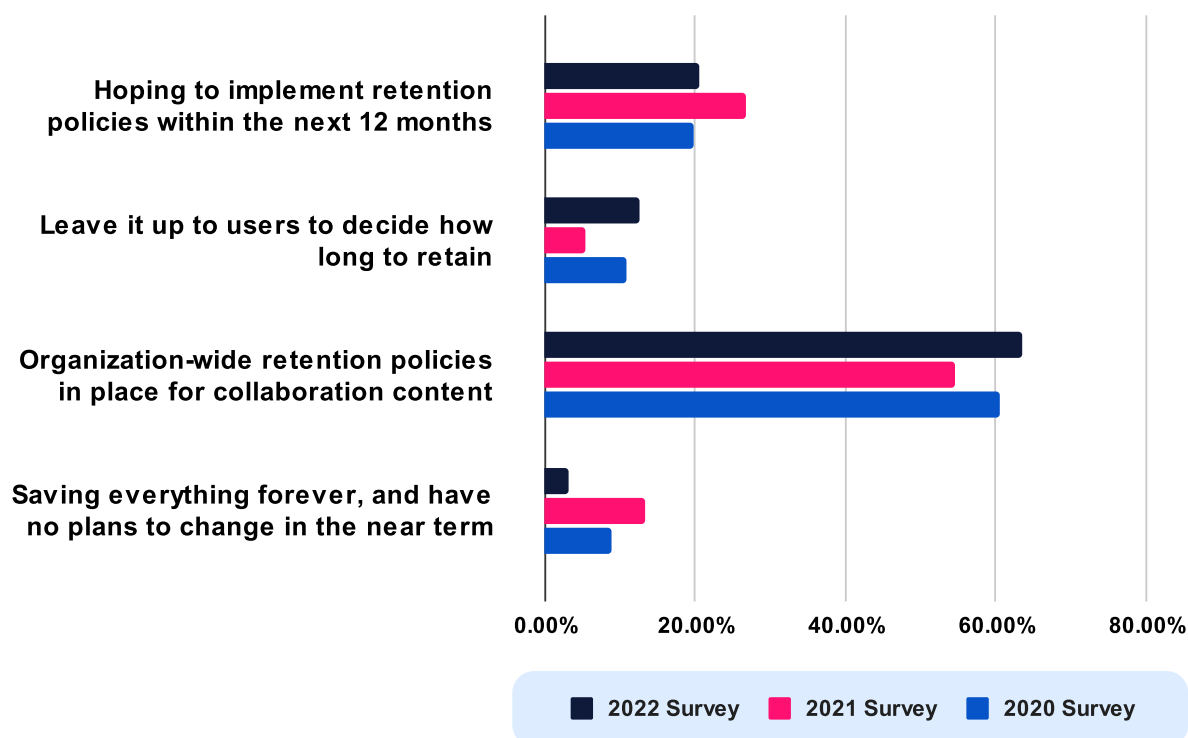
Overwhelmingly, organizations reported having retention policies in place for collaboration content, with an increase over last year reporting organization-wide policies. This is good news, yet a curious result to watch. Perhaps, due to the dominance of Teams, there is an assumption that default retention policies of their Microsoft systems automatically apply to chat messages too. Indeed, in practice, few organizations consistently apply retention policies in Slack.

For organizations with high litigation profiles (*10+ matters/month*), the reliance on org-wide policies is more pronounced. Sixty-nine percent of those organizations reported having retention policies in place for collaboration data, representing an increasing trend of over 61% reported in 2021.

Tools in which to set and maintain retention policies for collaborative data have steadily increased over 2021 as well. For example, Slack instituted a legal hold and retention service late in 2021 for their Enterprise Grid clients. Tools such as these inherently provide better comfort and control over collaborative data. A key takeaway for enterprises is to review their retention policy documentation for collaboration data, actual practices, and their training programs to employees about the policies. It is far better to understand what you're dealing with and proactively manage risk rather than being surprised by data that should have gone through disposition and is now discoverable.

Retention policies for collaboration content	2022	2021	2020
Hoping to implement retention policies within the next 12 months	20.63%	27%	20%
Leave it up to users to decide how long to retain	12.70%	5%	11%
Organization-wide retention policies in place for collaboration content	63.49%	55%	60%
Saving everything forever and have no plans to change in the near term	3.17%	13%	9%

Retention Policies for Collaboration Content



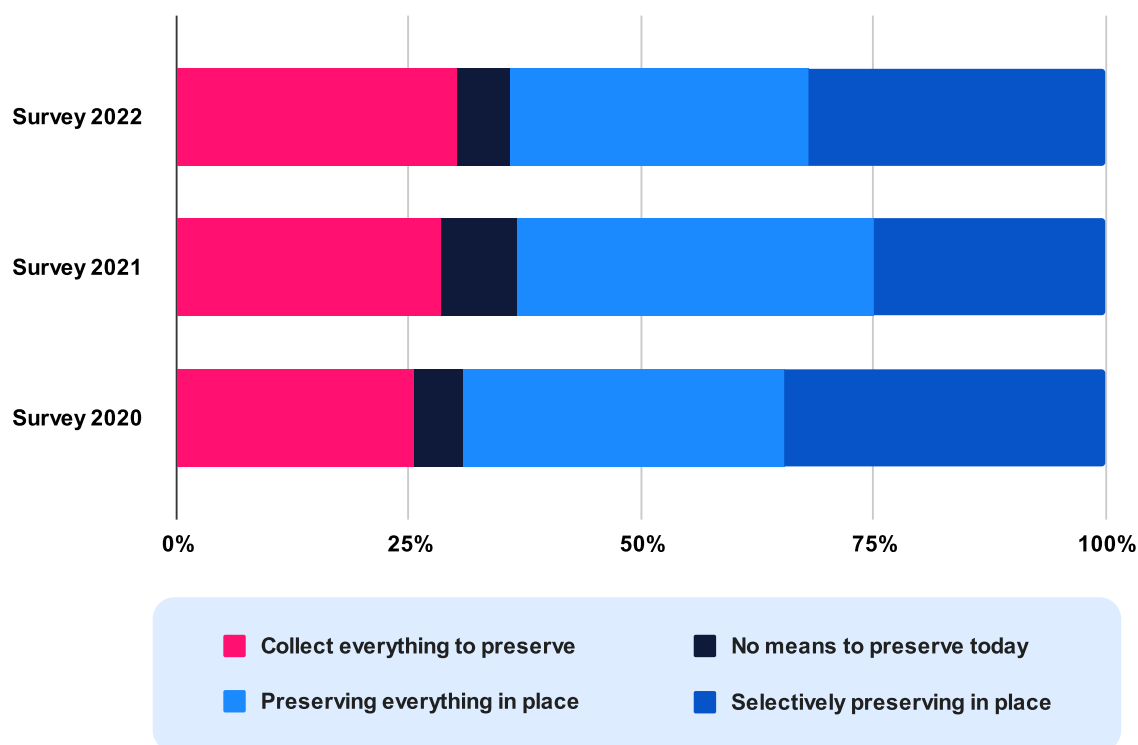
It appears that even those in the *(0-9 matters/month)* category reported a higher likelihood of retention policies (57% in 2022 vs. a reported 49% in 2021), representing that information governance is becoming more mainstream across the spectrum.

Further, fewer organizations reported relying on a “save-everything” strategy. Another notable point is there was a gain in leaving retention up to users while the “hope” to implement policies has dropped since 2021. The statistics here would tell us that respondents are at least moving from the “hope” phase toward action, even if the action leaves retention policies up to the individual users.

Method of preserving collaboration content today

Collaboration platforms continue to offer greater tool sets for preserving the content in place. Slack began offering custodian-based in-place preservation for their Enterprise Grid clients in the latter half of 2021. There was a slight uptick in the number of respondents selectively preserving data in place with a reduction in “preserving everything in place.” Hopefully, this trend continues and shows that tools to preserve data selectively are expanding, allowing users to be more selective with the content they are preserving while providing a better security posture around when data is collected and where it is stored.

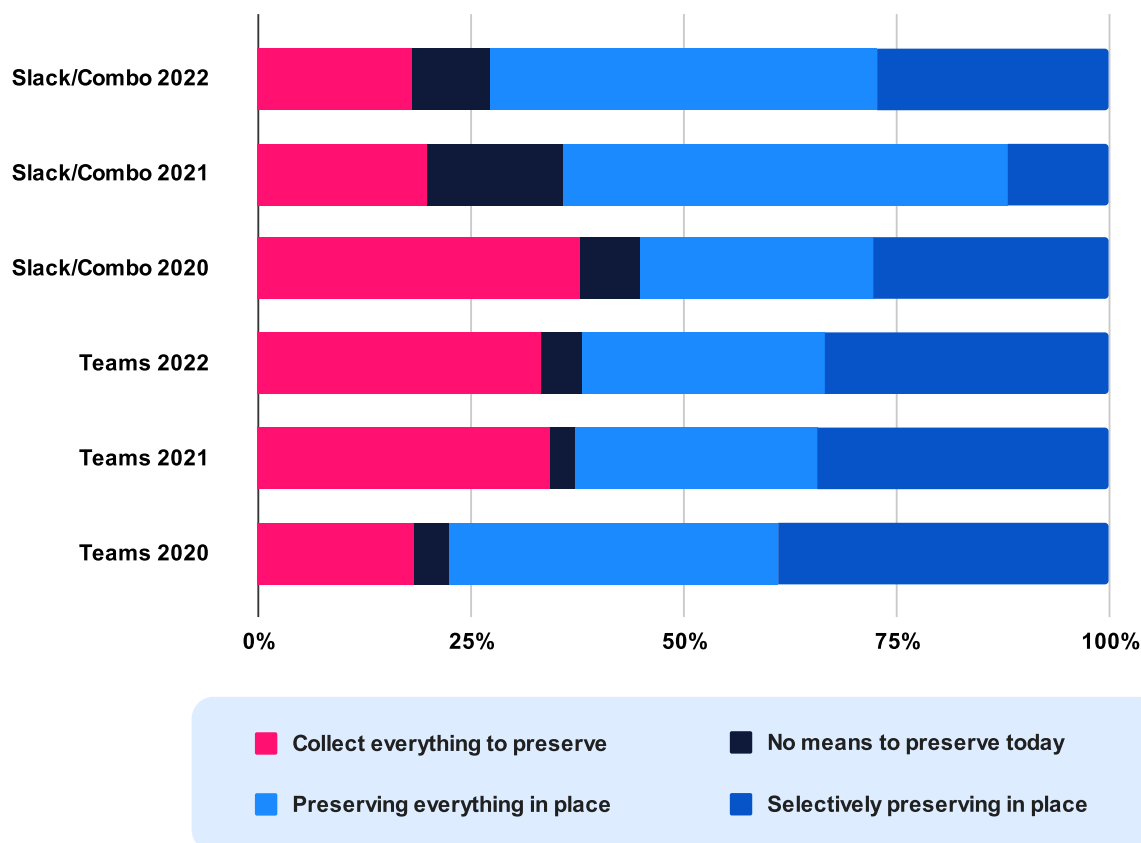
Approach to Preservation (By Year)



Like last year, Microsoft Teams users take advantage of the ability to preserve data in place (29% reported collecting everything in place and 33% selectively preserved in place). Organizations that are "using Slack/combo of tools" dramatically shifted from "collecting to preserve" (38% in 2020, to 20% in 2021, and 18% in 2022) to "preserving everything in place" (28% in 2020 to 52% in 2021, and decreasing to 45% in 2022). Slack's ability to preserve data in place is likely a key driver in that shift.

Approach to preservation (by platform)	Slack/Combo	Teams	2022	2021	2020
Collect everything to preserve	18.18%	33.33%	30.19%	28.33%	26%
No means to preserve today	9.09%	4.76%	5.66%	8.33%	5%
Preserving everything in place	45.45%	28.57%	32.08%	38.33%	35%
Selectively preserving in place	27.27%	33.33%	32.08%	25.00%	35%

Approach to Preservation (By Platform)



When looking at the approach to preservation by platform, you can't help but notice that those with a higher litigation volume are significantly more likely to have the capability to preserve collaboration data in place—a best practice for data security and cost mitigation. It also seems to correlate with Microsoft Teams, where respondents rely on in-place preservation. However, since the survey's inception, depending on in-place preservation has also become more prevalent in Slack. It is certainly possible that companies with higher litigation volumes have invested in better tools to preserve data in place, including Teams E3/E5 licensing and Slack Enterprise Grid with in-place preservation capabilities.

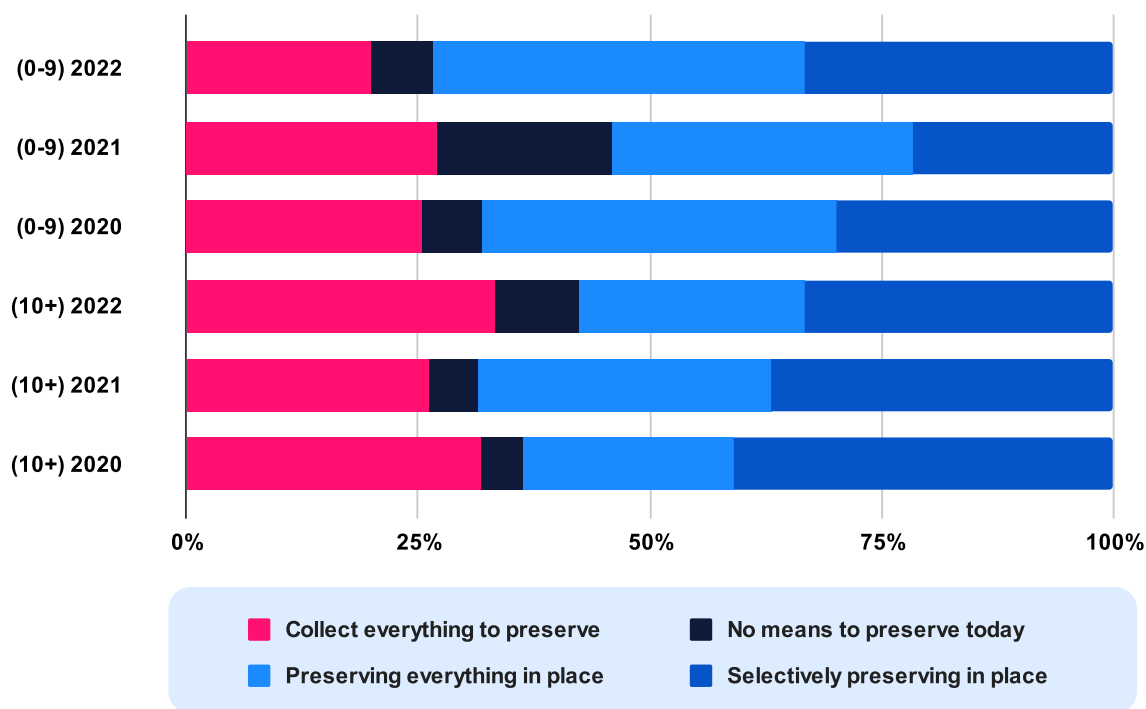
Approach to preservation (by litigation profile)	Monthly Matters 0–9	Monthly Matters 10+	2022	2021	2020
Collect everything to preserve	20.00%	33.33%	26.98%	26.67%	26%
No means to preserve today	6.67%	9.09%	7.94%	12.00%	5%
Preserving everything in place	40.00%	24.24%	31.75%	32.00%	35%
Selectively preserving in place	33.33%	33.33%	33.33%	29.33%	35%



What worries you the most?

“The increased volume of ESI and the use of collaboration tools and ensuring that we are correctly preserving.”

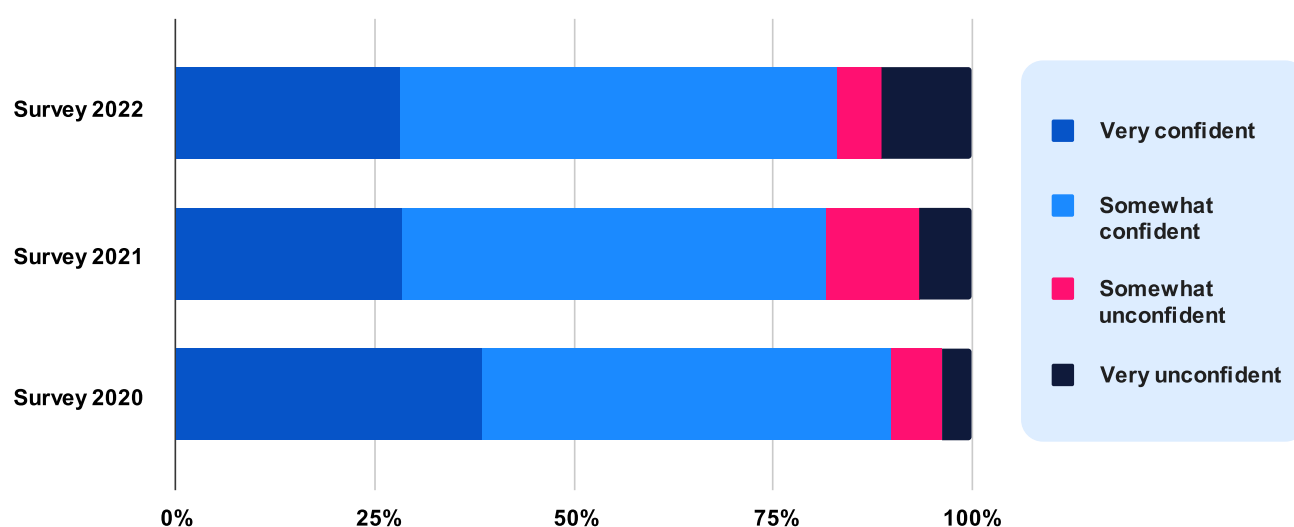
Approach to Preservation (By Litigation Profile)



Confidence in the ability to defensibly preserve collaboration content when required

Overall, the survey reflects strong confidence in current approaches to defensibly preserving collaboration content, with "somewhat confident" or "very confident" reported by 83% of the respondents overall (down from 90% in 2020).

Preservation Confidence (By Year)

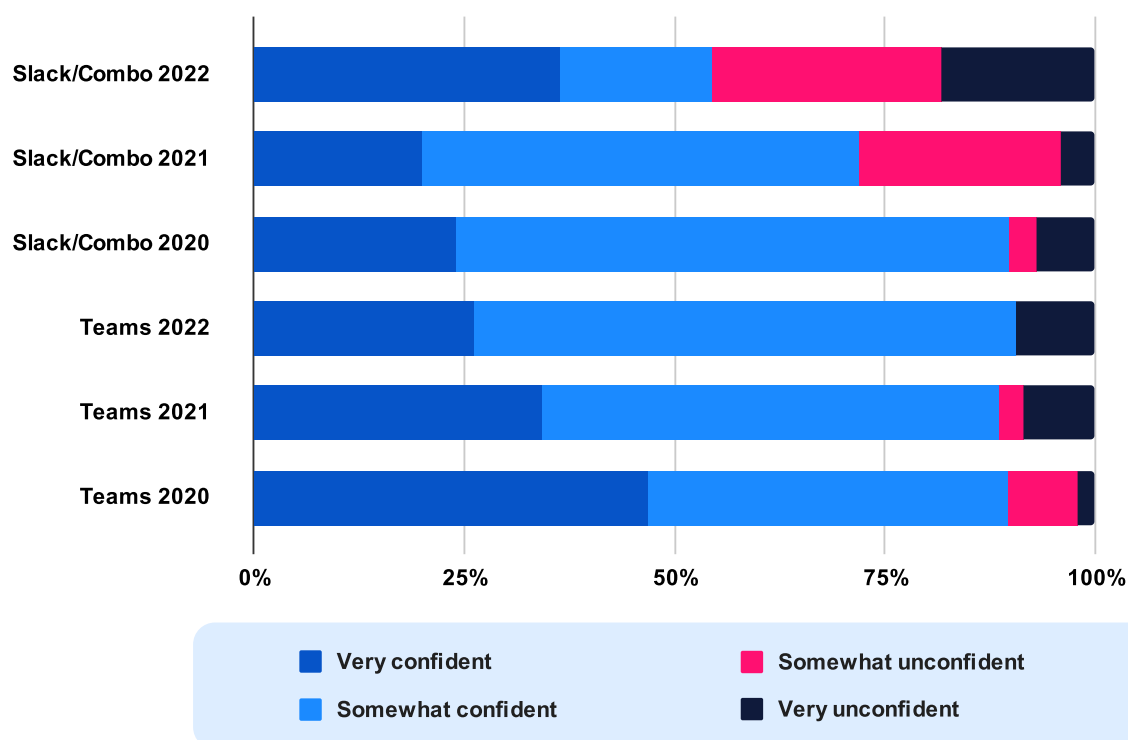


Slack/Combo users who say they're "very confident" surpassed Microsoft Teams for the first time in three years. However, take note of the jump in Slack/Combo users reporting a higher lack of confidence.

Overall confidence levels remain higher for Microsoft Teams at 90% vs. 55% for Slack. That may be due to more sophisticated toolsets as Teams users claim a consistent reliance on in-app discovery capabilities.

Approach Confidence (by platform)	Slack/Combo	Teams	2022	2021	2020
Very confident	36.36%	26.19%	28.30%	28.33%	38%
Somewhat confident	18.18%	64.29%	54.72%	53.33%	51%
Somewhat unconfident	27.27%		5.66%	11.67%	6%
Very unconfident	18.18%	9.52%	11.32%	6.67%	4%

Preservation Confidence (By Platform)

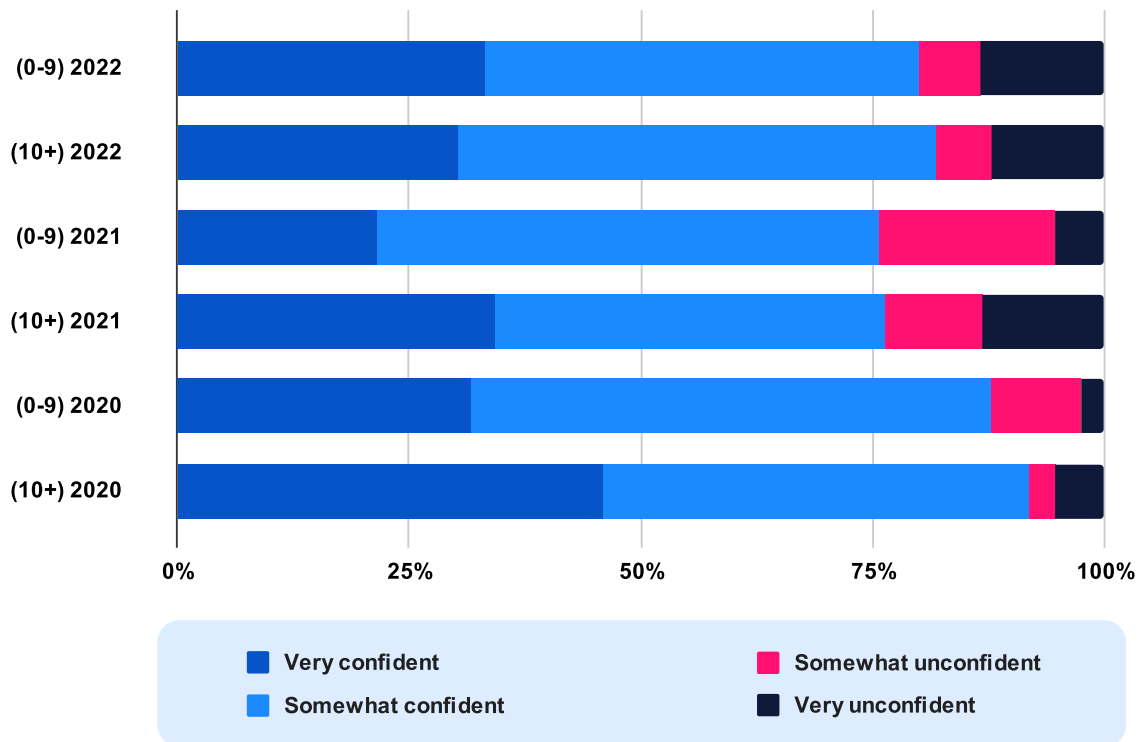


When looking at litigation profiles, those with higher matter volumes consistently report somewhat greater confidence in their preservation tactics. However, the confidence survey respondents said in 2020, (92% for 10+ matters/month, dipped to 76% in 2021, and has only slightly rebounded in 2022 to 82%). Those in the 0-9 matters/month profile also show a similar trend (88% in 2020, 76% in 2021, and 80% in 2022).

Preservation Confidence (by profile)	Monthly Matters 0-9	Monthly Matters 10+	2022	2021	2020
Very confident	33.33%	30.30%	31.75%	28.00%	38%
Somewhat confident	46.67%	51.52%	49.21%	48.00%	51%
Somewhat unconfident	6.67%	6.06%	6.35%	14.67%	6%
Very confident	13.33%	12.12%	12.70%	9.33%	4%



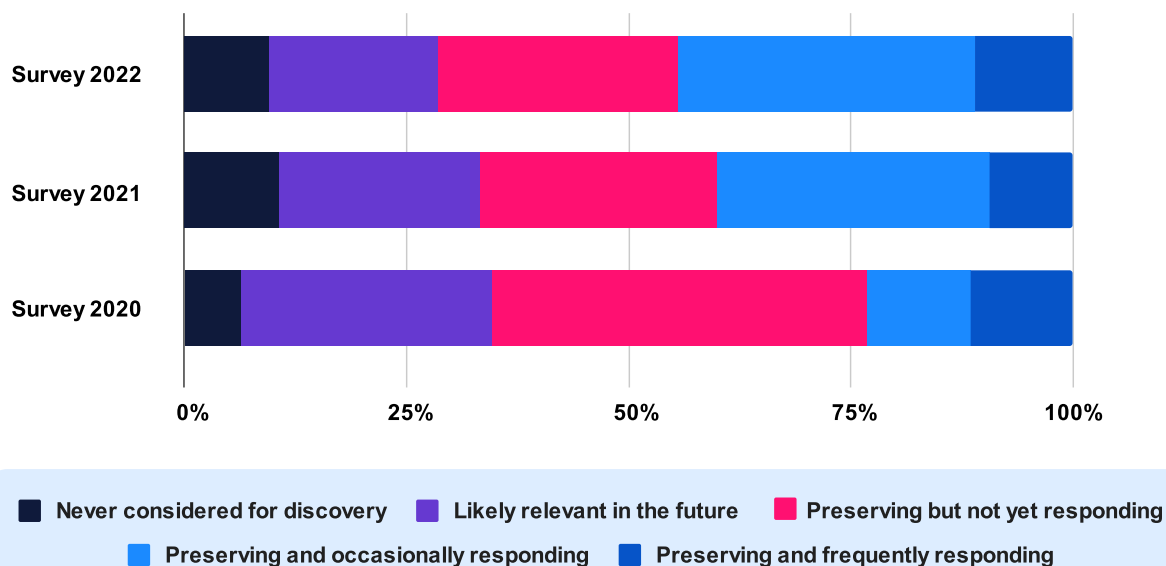
Preservation Confidence (By Profile)



Considering collaboration content generally within the scope of discovery

While companies are aware of the need to preserve content where possible and respond where appropriate, the survey showed surprisingly non-committal attitudes regarding likely relevance and being in scope for discovery. Those who responded that collaboration data is "Never considered for discovery" ranged from 6% in 2020 to 11% in 2021 and 10% in 2022. More surprising was the decline in people who said it's "Likely relevant in the future," descending from 28% in 2020 to 19% in 2022.

Collaboration Content In Scope (By Year)

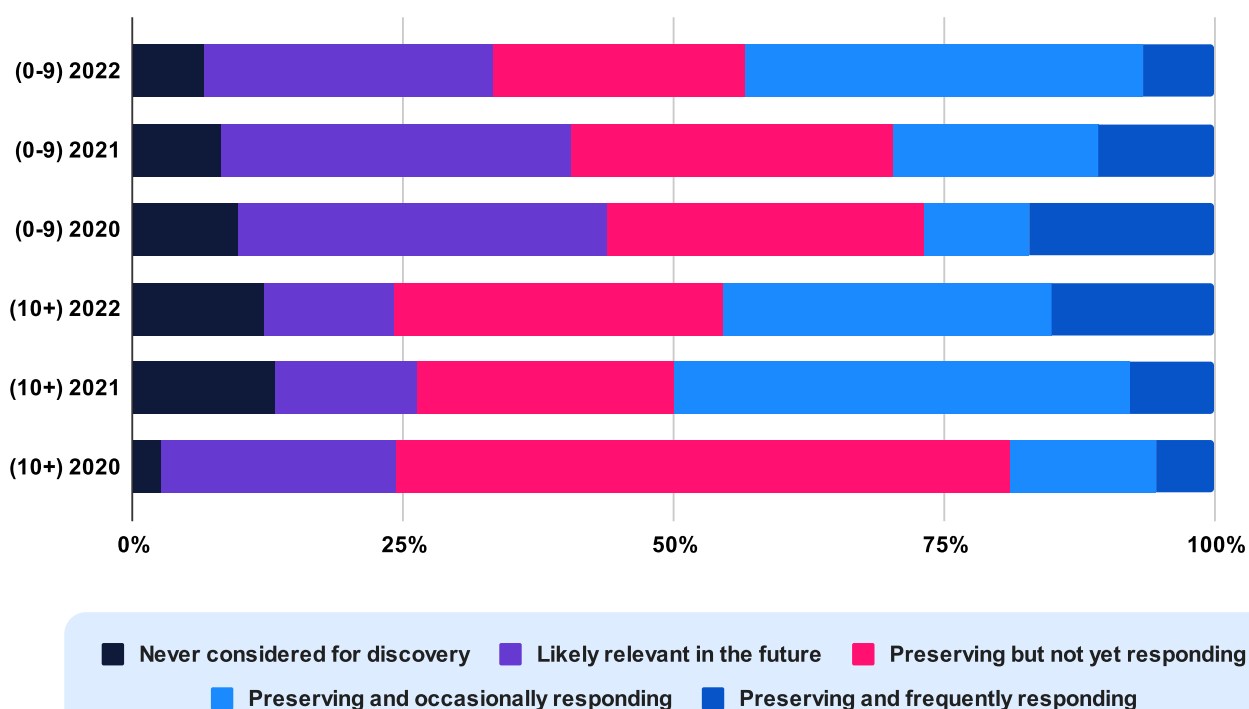


This ambivalence is surprising given the existing case law that has ruled essentially that the discovery of collaboration data is in scope. For review, take a look at [Benebone v. Pet Qwerks](#), which spoke directly to the relevance and proportionality of Slack data in 2021, and in the [Red Wolf Energy Trading, LLC v. BIA Capital Mgmt., LLC. Trading](#) case in 2022, it highlighted literally how a smoking gun could be in collaboration data, proving the merit of the case. Of course, just as it is not only email where you find relevant communications, it's not relegated to Slack or Teams either. In 2022, in *Mobile Equity Corp. v. Walmart Inc.*, the data of three collaboration platforms, GitHub, Slack, and Jira, were at issue and illustrated the importance of supporting nontraditional data sources. Organizations will want to take collaboration data seriously as courts and regulators like the [SEC](#) are expecting this information to be preserved, and technology has developed to standardize the ediscovery process for collaboration data and fit it into existing workflows.

We've seen a consistent rise in those who are "Preserving and occasionally responding" (12% in 2020, 31% in 2021, and 33% in 2022). Those who responded "Preserving and frequently responding" rose from 9% in 2021 to 11% in 2022. As more companies respond to requests, we anticipate more will be looking toward methods to preserve and collect when and if it is necessary to produce content. Those with higher litigation volumes consider collaboration in scope at higher levels, as they've increased responding to discovery requests either frequently or occasionally, from nearly 19% in 2020 to 45% in 2022.

Collaboration content in scope (by litigation profile)	Monthly Matters 0-9	Monthly Matters 10+	2022	2021	2020
Never considered for discovery	6.67%	12.12%	9.52%	10.67%	6%
Likely relevant in the future	26.67%	12.12%	19.05%	22.67%	28%
Preserving but not yet responding	23.33%	30.30%	26.98%	26.67%	42%
Preserving & occasionally responding	36.67%	30.30%	33.33%	30.67%	12%
Preserving & frequently responding	6.67%	15.15%	11.11%	9.33%	12%

Collaboration Content In Scope (By Litigation Profile)

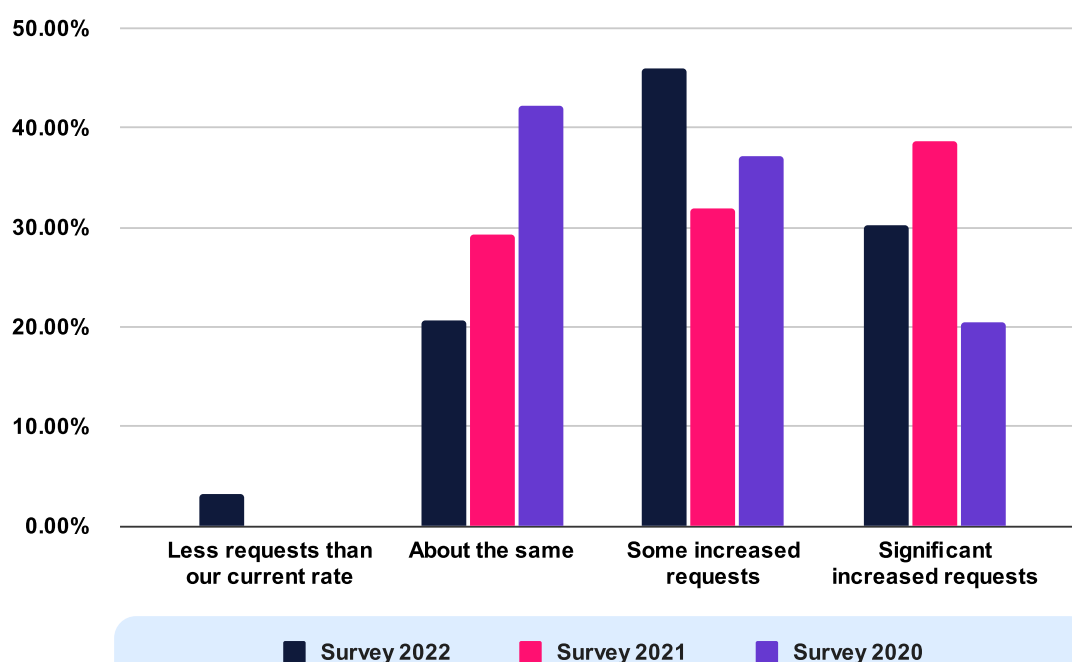


How do you think your response to the previous question will change in the next 12 months?

As collaboration platforms have integrated into organizations as the new way businesses communicate, decisions about how to govern, preserve, and produce this data will become increasingly critical. Legal teams know that collaboration data's relevance to discovery will indeed increase. The survey supports this expectation, with 76% of respondents anticipating collaboration content becoming increasingly common when responding to discovery obligations (*compared with 71% a year ago and 58% in 2020*).

Collaboration in scope over the next 12 months	Monthly Matters 0-9	Monthly Matters 10+	2022	2021	2020
Less requests than our current rate		6.06%	3.17%	0%	
About the same	23.33%	18.18%	20.63%	29.33%	42%
Some increase	56.67%	36.36%	46.03%	32.00%	37%
Significant increase	20.00%	39.39%	30.16%	38.67%	21%

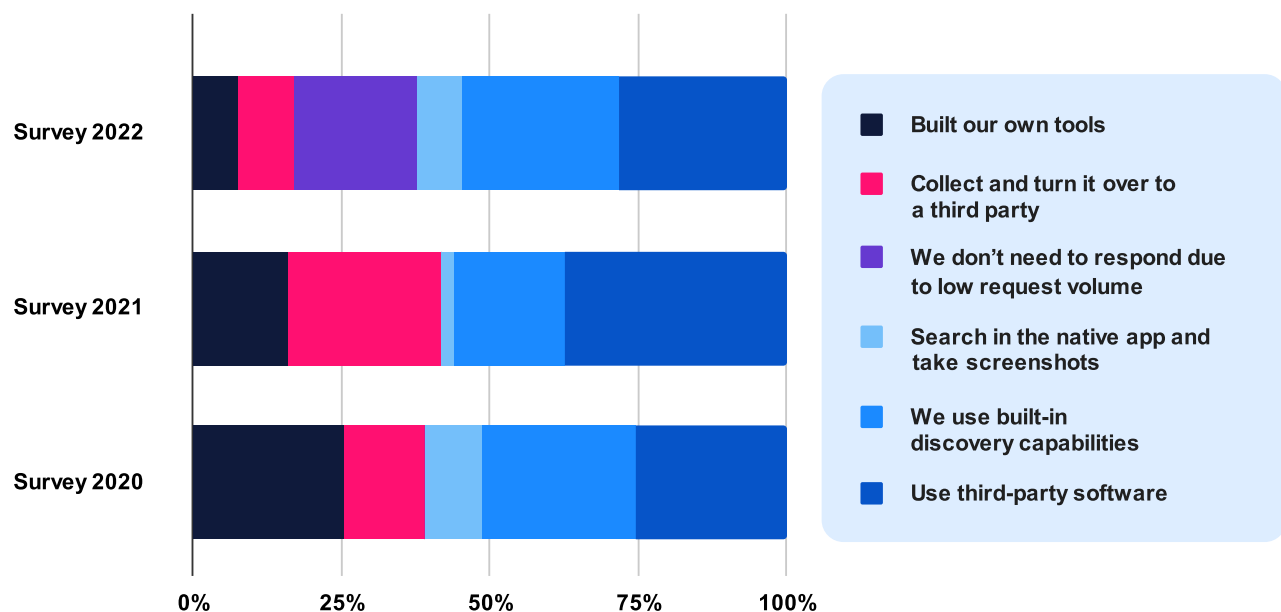
Collaboration Content in Scope Over the Next 12 Months



How are you principally responding to requests for production or internal investigations when it comes to collaboration data?

When comparing approaches to how organizations handle the production of collaboration data, there appears to be an increasing reliance on using built-in discovery capabilities (26% in 2022 compared to 19% in 2021 and 25% in 2020). Microsoft Teams organizations also reported increasing reliance using built-in discovery capabilities (from 22% in 2021 to 29% in 2022, although this is down from 35% in 2020). Use of third-party software fell from last year's 37% to 29% this year but is still higher than 25% in 2020. Home-grown tools have significantly dropped from 25% in 2020 to 16% in 2021 to 8% in 2022.

Responding to Requests for Production (By Year)

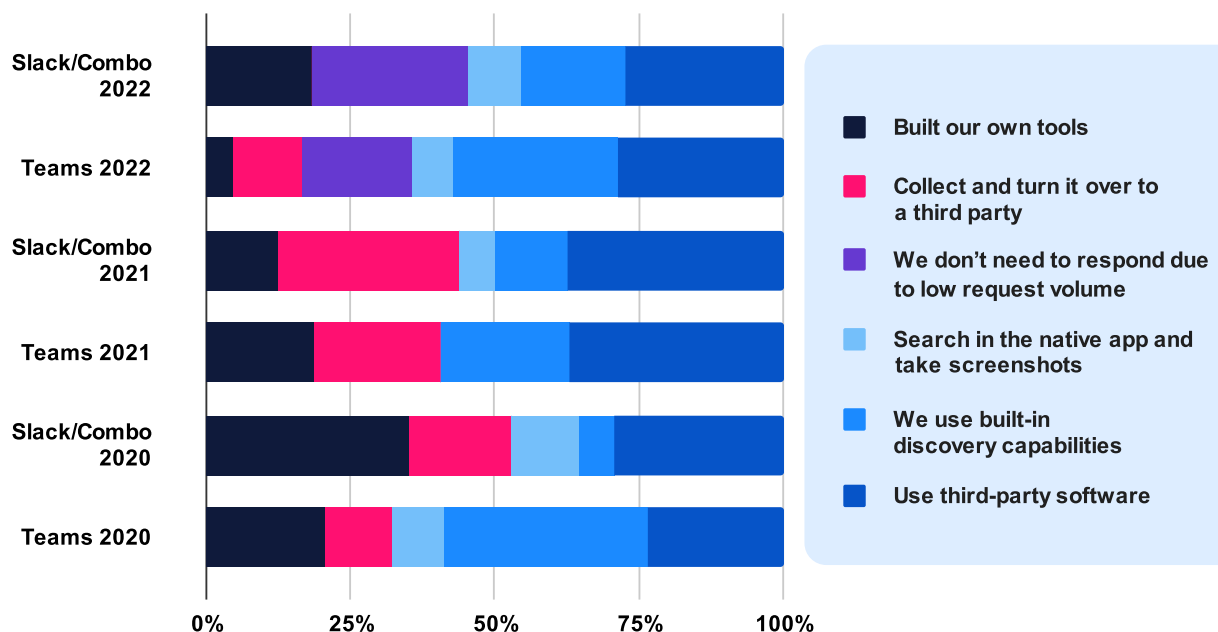


The declining trend of using third-party software or home-grown tools is present in the data for those organizations using a mix of collaboration tools or Slack. Building in-house solutions or employing third-party software accounted for 45% in 2022, representing a decrease from 51% of the responses last year and 65% in 2020.

There was also a significant shift away from using solution providers for these organizations from 31% last year to none. This shift may be due to the relatively high 28% who indicated they don't need to respond due to low request volume. Another factor contributing to the change away from solution providers may be the adoption of Slack's relatively new capacity for preserving data in place, which grew from 13% in 2021 to 18% this year. Fortunately, screenshots represent a reasonably low share overall but are an approach that persists today and is more frequent with organizations using Slack or a combination of tools.

Responding to requests for production (by platform)	Slack/Combo	Teams	2022	2021	2020
Built our own tools	18.18%	4.76%	7.55%	16.28%	25%
Collect and turn it over to a third party	0%	11.90%	9.43%	25.58%	14%
We don't need to respond due to low request volume	27.27%	19.05%	20.75%	0%	0%
Search in the native app and take screenshots	9.09%	7.14%	7.55%	2.33%	10%
Use built-in discovery capabilities	18.18%	28.57%	26.42%	18.60%	25%
Use third-party software	27.27%	28.57%	28.30%	37.21%	25%

Responding to Requests for Production (By Platform)



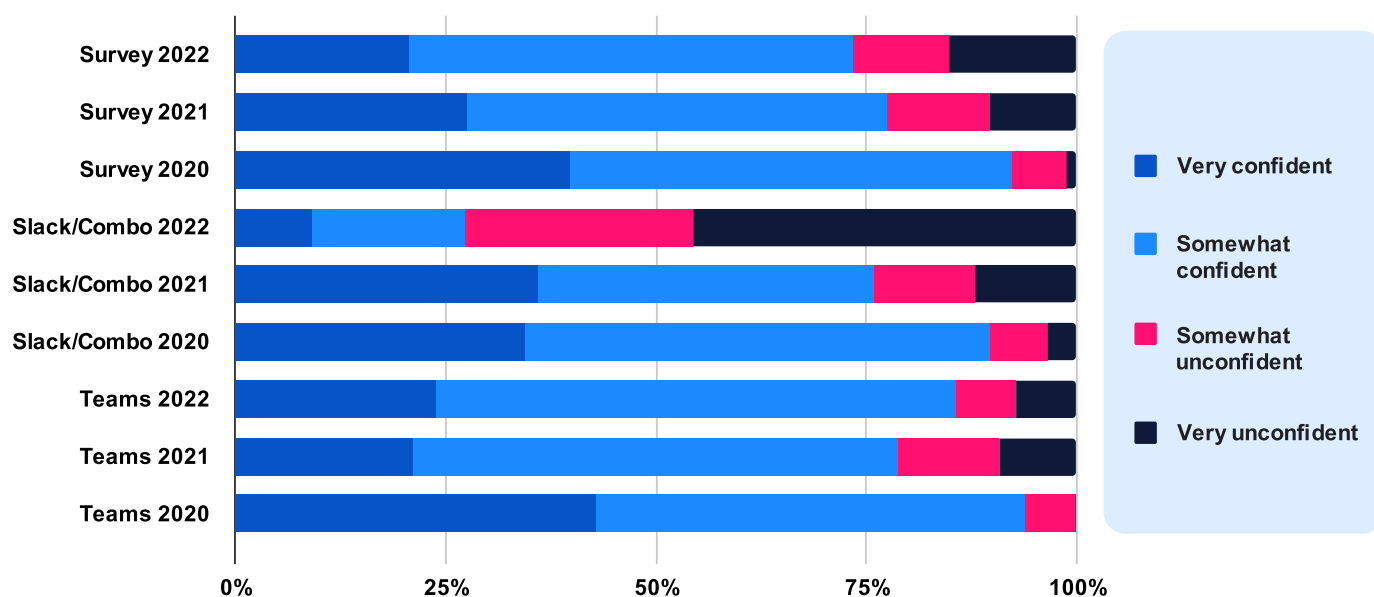
Confidence in existing processes to efficiently collect and produce collaboration content in response to discovery obligations.

For the second year running, confidence levels in existing processes decreased. From the high in 2020 of 92% to 74% today, respondents have become considerably less sure of their ability to respond efficiently to discovery requests when collaboration data is required.

While Microsoft Teams organizations reported a decline in confidence from 2020 (94%), their reported levels of 86% are higher than 2021's 79%. This reporting could reflect needing more requests to test their relative prowess at getting the data necessary in a timely fashion. Meanwhile, organizational confidence for enterprises with Slack or a combination of platforms has plummeted to 27% from the reported 90% in 2020.

Collection/Production confidence (by platform)	Slack/Combo	Teams	2022	2021	2020
Very confident	9.09%	23.81%	20.75%	27.59%	40%
Somewhat confident	18.18%	61.90%	52.83%	50.00%	53%
Somewhat unconfident	27.27%	7.14%	11.32%	12.07%	6%
Very unconfident	45.45%	7.14%	15.09%	10.34%	1%

Collection/Production Confidence



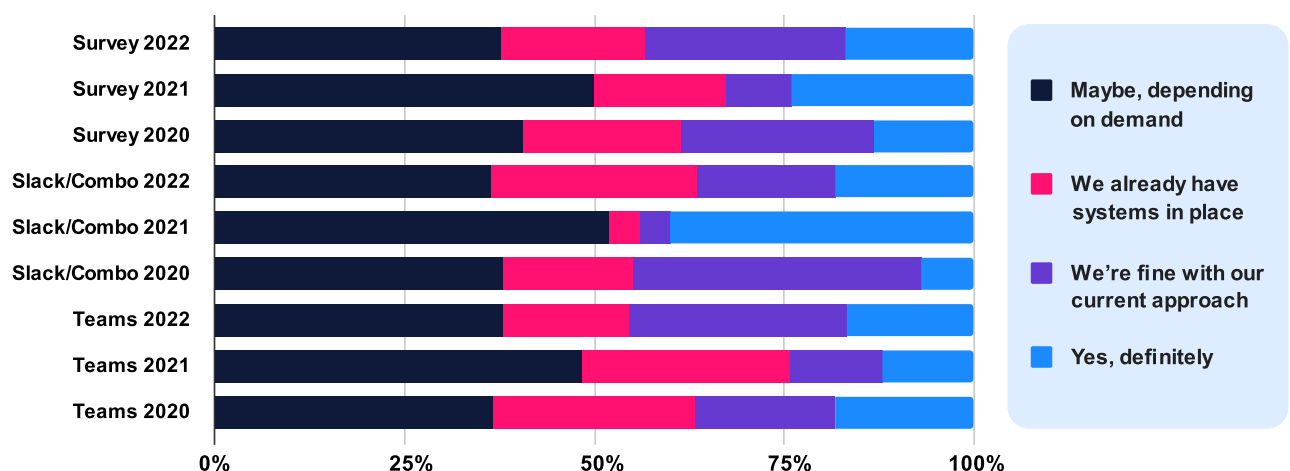
In the next twelve months, do you/your client plan to invest in a solution to defensibly preserve and/or collect collaboration data for ediscovery or to conduct internal investigations?

This year organizations expressed relative contentment with their "current systems in place" or are okay with their "current approaches," climbing from 26% last year to 45% in 2022 but not matching the levels of 2020, where 46% were happy with the status quo. Plans to invest in new approaches to data preservation and collection of collaborative data declined, with 55% indicating "maybe" or "definitely" compared with last year's high of 74%.

Results to this question by platform vary; however, we can see that 2021 was a year of uncertainty for all. The plans to invest for respondents using Microsoft Teams remained relatively constant since 2020, peaking at 61% in 2021 vs. 55% in 2020 and 2022. For Slack/combo of platform users, respondents' plans to invest were more volatile, peaking at 92% in 2021 vs. 45% in 2020 and 55% in 2022.

Planning to invest in new solutions	Slack/Combo	Teams	2022	2021	2020
Maybe, depending on demand	36.36%	38.10%	37.74%	50.00%	41%
We already have systems in place	27.27%	16.67%	18.87%	17.24%	21%
We're fine with our approach	18.18%	28.57%	26.42%	8.62%	25%
Yes, definitely	18.18%	16.67%	16.98%	24.14%	13%

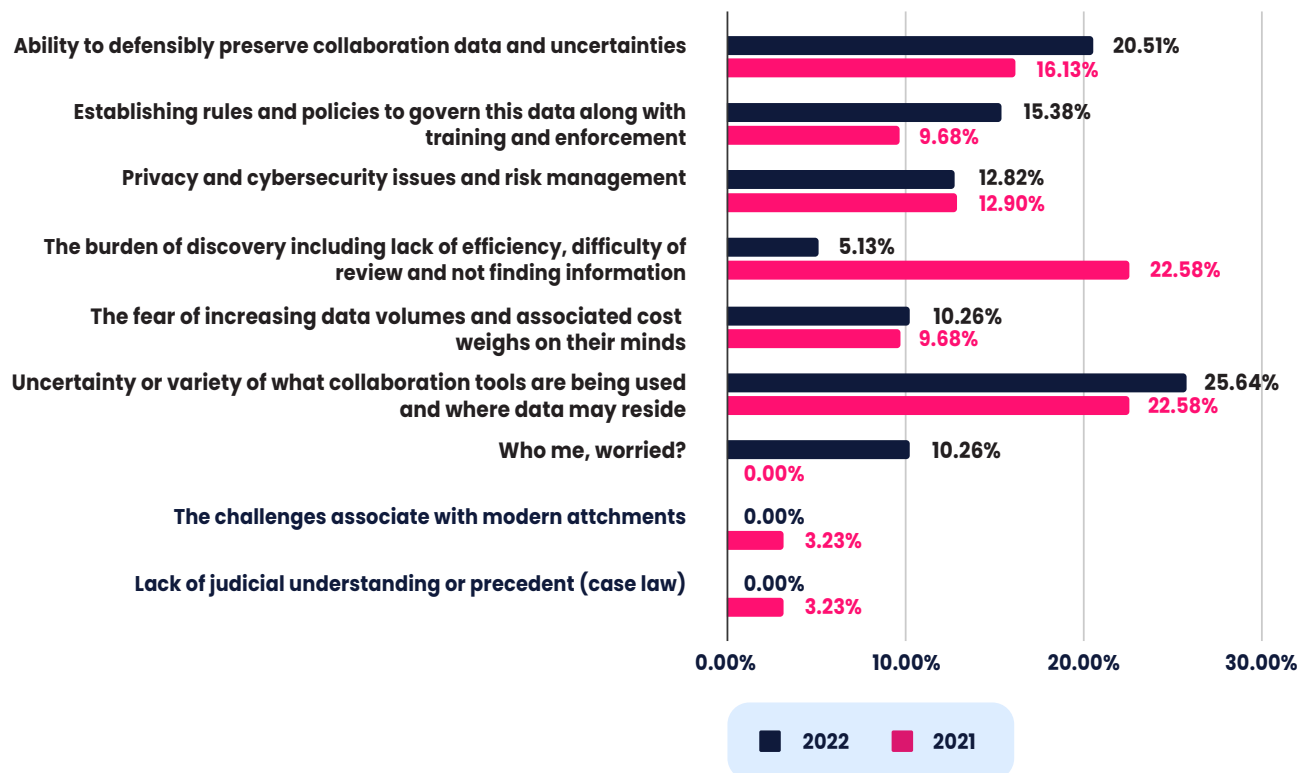
Planning to Invest in New Solutions



When you think of your organization's/client's use of collaboration platforms, what are you most worried about?

The last question allowed respondents to share in their own words what most worried them about using collaboration platforms. We received many interesting responses and categorized them to provide a snapshot of where the most significant worries fell.

Biggest worries



It is not surprising that companies are worried about the uncertainty of the variety of collaboration tools and data location. According to 2021 [statistics](#) provided by Productiv.com, the average app portfolio now has 254 SaaS applications, with 56% of enterprise apps that aren't managed. Additionally, enterprise teams now use 40-60 SaaS apps on average. Many of these tools encourage collaboration and become important data repositories for key info such as intellectual property, diagrams, drawings, financial data, HR data or inventory, or even logistics. Second to uncertainty around variety is the ability to defensibly preserve collaboration data.

Conclusion

The 2022 Benchmark survey reinforces the industry trends we have been tracking. Organizations continue to adopt tools such as Microsoft Teams and Slack at a rapid pace as email continues to shrink as the primary way in which to communicate and collaborate. As the pace of adoption accelerates, so do the needs and requirements for preserving and collecting data from these platforms and SaaS applications. We expect to see greater source requirements in 2023 as enterprises continue to adopt more collaborative tools outside of the standards, such as Teams and Slack. Communication continues to be dispersed among a wider variety of applications which will, in turn, continue to expand and push the boundaries of data retention and collection methods.

Following are some suggested best practices to help organizations ensure that their collaboration data management and discovery measures are defensible, efficient, and cost-effective.

- **Create an audit for your top collaboration tools/applications.** With the growth of collaboration tools and SaaS applications, work with an IT team to audit the top SaaS applications and note the type of data held within the application and the scope and breadth of communication. Figure out which applications may or may not have data retention policies and collection or E-Discovery/Export toolsets. Create a map on which applications may be most at risk if litigation needs call upon collection from an application.
- **Establish, audit, and maintain data retention policies.** Creating retention policies and schedules can be critical to limiting your risk while maximizing the value of your collaboration tools. Retain data at the point of creation when possible by utilizing any built-in tools leaving information in the original host system until litigation needs require you to collect.
- **Select tools that help you limit the scope of your collections.** History has already proven that the volume of data within collaboration platforms is very large. It is not unusual to see hundreds of millions of messages spread across millions of channels combined with direct/multi-party messages. Choosing collection methods or tools that efficiently help you cull down information at the time of collecting vastly improves the speed and ease of your workflow. It improves your security posture with fewer data transferred to a third-party platform while potentially lowering your cost and review time by reducing the amount of data ingested, indexed, and reviewed.



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