

eDiscovery Counsel – Litigation Services

PeopleSoft Job Code / Title:	8005 eDiscovery Counsel-Litigation Services
Facebook Title:	04690 eDiscovery Counsel – Litigation Services
Department / Subdepartment:	Litigation Services
Organizational Relationship:	Reports to Associate Director of eDiscovery Services
FLSA Status:	Exempt
UCM Level:	TBD
Last Updated:	02/11/2025

Role Overview

The eDiscovery Counsel – Litigation Services applies advanced knowledge of technical and legal eDiscovery strategies directly to case teams and firm clients throughout all stages of the discovery process. They provide electronic discovery legal consulting and education in collaboration with the broader eDiscovery Services team, including the eDiscovery Solutions Counsel, contributing to overall case strategy, and advising on ESI protocols, protective order, and other discovery mechanisms. They function as a key point of contact for legal teams throughout the discovery process, including maintaining relationships with client eDiscovery personnel and coordinating across verticals to ensure seamless eDiscovery support. The eDiscovery Counsel also assesses industry best practices, emerging technologies, contributes to thought leadership initiatives, collaborates in the development of eDiscovery-related education programming and mentorship offerings, and functions as a legal eDiscovery subject-matter expert for attorneys and staff. Finally, they prepare and maintain work product related to discovery.

Essential Duties and Key Responsibilities

“Essential duties” are those that an individual must be able to perform with or without reasonable accommodation.

- Uses research platforms (including generative AI) to provide high-level legal research on procedural and eDiscovery-related issues across various jurisdictions.
- Serves as a resource for internal and client-facing strategic legal analysis relating to general litigation procedure and eDiscovery, while staying abreast of legal trends.
- Prepares, presents, and moderates client-facing Continuing Legal Education sessions focused on firm innovation and strategy in the eDiscovery field; designs and develops client-facing materials, such as eDiscovery playbooks and bulletins.
- Develops and maintains firm-wide eDiscovery best practices in conjunction with the eDiscovery Solutions Counsel and Practice Support Services team, including the compilation and updating of templates and educational manuals.
- Attends conferences, seminars, and Continuing Legal Education courses to remain current in case law and industry developments.
- Educates attorneys and staff on effective eDiscovery strategies and publicizes significant changes in the law as developments arise.
- Consults on data privacy issues related to eDiscovery and involves other firm resources as needed to provide legal guidance for cross-border matters.
- Assists legal teams in preparation for early meetings of counsel and other meet and confer sessions, in conjunction with the eDiscovery Solutions Counsel and Practice Support Services team.
- Advises attorneys regarding the reasonability of discovery demands made by opposing parties and reviews ESI protocols.

- Assists attorneys in pursuing discovery from opposing parties; advises in the formulation of discovery and potentially assists in any motions necessary to compel compliance.
- Understands the legal issues of a case to assist with the preparation of instructional materials for the legal team.
- Identifies risk factors affecting the discovery process and consults on firm-wide procedures to minimize firm liability.
- Communicates and explains legal concepts to staff to ensure correct discovery processes are followed.
- Develops and maintains a repository of documentation that can be used by case teams as templates for legal hold notices, ESI agreements, clawback agreements, and other related discovery documents.
- Interacts with clients to obtain case-related information, discusses review strategies, documents work plans, and ensures internal and external client deadlines are met when appropriate.
- Promotes effective work practices, works as a team member, and shows respect for co-workers

Knowledge, Skills & Abilities

- Excellent leadership skills (e.g., organizing, planning, problem solving and decision-making, commitment to diversity)
- Well-developed understanding of electronic discovery law and practice
- Ability to articulate complex rules and protocol in a comprehensible, accurate, confident, and concise manner.
- Extensive knowledge of the concepts, principles, management, and processing of ESI as they relate to legal matters, including the use of various ESI management and review tools and applications.
- Extensive legal research and analytical skills, including use of Westlaw and Lexis.
- Knowledge of document management systems such as Interwoven, etc.
- Knowledge and proficiency in a wide variety of software programs, including the Microsoft Office suite and Windows Operating Systems.
- Strong analytical skills needed for all primary duties of position, including comprehending and communicating data.
- Organizational skills needed to manage time well, prioritize effectively, and handle multiple deadlines.
- Ability to work in a team environment with a customer service focus.
- Demonstrated ability to think creatively and provide strategic support to senior management.
- Strong oral presentation and teaching skills
- Strong communication skills, both written and oral.
- Ability to handle confidential and sensitive information with the appropriate discretion.
- Well-developed and professional interpersonal skills; ability to interact effectively with people at all organizational levels of the firm.
- Ability to work effectively both independently and in a team environment with a customer-service focus
- Strong analytical skills needed for all primary duties of position, including comprehending and communicating data
- Demonstrated ability to think creatively and provide strategic support to senior management
- Well-developed and professional interpersonal skills; ability to interact effectively with people at all organizational levels of the firm.

Position Specifications

Typical Experience

- Minimum of 7 years' experience in litigation or related practice required
- 3 years' experience in managing large electronic document reviews and productions preferred

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- Experience with litigation response and electronic discovery or records management issues and client-facing experience desired.
- White collar investigation and regulatory experience desired

Education

- JD or equivalent required
- Admission to the relevant state bar required

Working Conditions and Physical Demands

- Frequently move (e.g., walk) around the office
- Travel may be required
- Spend extensive time using a computer, including use of a PC keyboard and mouse or similar data input devices
- All Latham & Watkins positions are in a typical indoor office environment

The statements contained in this position description are not necessarily all-inclusive; additional duties may be assigned, and requirements may vary from time to time, and from location to location.