DocuSign for Legal Departments







DocuSign Legal Departments Brief

Speed agreement preparation, signing, and management with DocuSign

As a company grows, its legal department can become strained by increasingly higher volumes of agreements, such as Master Service Agreements and NDAs. Executives from sales to the CEO demand fast agreement turnarounds to initiate business and begin vital revenue flow. In addition, legal departments are often responsible for ensuring that internal operations, such as compliance, procurement, and HR processes, are controlled and executed consistently. Managing these deliverables as efficiently as possible with minimal staff expansion can be challenging for the legal function.

The DocuSign Agreement Cloud enables companies of all sizes to simplify workflows, accelerate agreement turnaround time, lower risk, and improve governance all while reducing costs.

Maintain lawfulness and court admissibility

Electronic signatures are lawful in most global jurisdictions with few exceptions. Once a document is electronically signed, DocuSign secures it and the signatures with a tamper-evident seal. An executed agreement includes a court-admissible Certificate of Completion, including party names, email addresses, public IP addresses, and a time-stamped chain-ofcustody audit trail that records all important document activity—exceeding what is possible with paper-based agreements.

Accelerate turnaround time and reduce costs

The paper document process is rife with manual steps, slow turnaround times, and human errors. Agreements that should take hours or days to complete often take weeks or months. Moreover, manual processes can cost as much as five to ten times more than automated approaches.

With the DocuSign Agreement Cloud, you can accelerate the preparation, execution, and management of agreements across your organization, allowing you to increase productivity and simplify the entire process, including:

- Automating and securely managing routing activities
- Monitoring signing status
- · Collaborating with customers and commenting on draft agreements in real time

DocuSign also reduces the cost of administrative tasks like printing, faxing, scanning, overnight mailing, and storage. In addition, pre-integrated partner options allow seamless operation with many legal document management systems and business systems, including Salesforce, Oracle, and SAP.

Now we have an audit trail of exactly who signed the agreements, where, in what jurisdiction, and at what time.

General Counsel, Mysys Banking Systems "

Minimize risk and improve governance

Existing agreement processes expose you and your customers to unnecessary risks. Faxing and file storage systems provide limited control over privacy. And printed and emailed documents are often insecure. Not only does this make complying with retention policies difficult, there's also little governance over these manual, non-standard processes.

DocuSign understands the importance of protecting the critical business and personal information entrusted to the DocuSign Agreement Cloud. Our private and secure platform offers enhanced protection over paper-based approaches while providing easier access to authorized parties.

DocuSign's privacy policies and practices meet or exceed international regulations, including those of the European Union's <u>General Data Protection Regulation</u> (GDPR). We back that up with an active privacy compliance and certification program. In addition, DocuSign received approval of our application for Binding Corporate Rules (BCR), widely considered the gold standard for data protection, as both a data processor and a data controller.

Our commitment to security excellence encompasses physical security, platform security, and security processes. We adhere to the most stringent internationally recognized security standards and validate that continuously through our robust compliance certification program. DocuSign offers fine-grained administrative controls and reporting capabilities, making governance more achievable than manual, non-standard processes.



DocuSign for Legal Departments—a deeper look

Electronic signatures are lawful and court admissible. Using the DocuSign Agreement Cloud, your legal department can save time, increase productivity, reduce risk, and improve governance.

Lawful and court admissible

Global reach

Electronic signatures are lawful in most civil and common law jurisdictions for most agreement types. Many countries have regulations governing electronic transactions and identification and other trust services, such as:

- The Electronic Signatures in Global and National Commerce Act (ESIGN) and the Uniform Electronic Transactions Act (UETA) in the United States
- Electronic IDentification, Authentication, and trust Services (eIDAS) in the European Union

For an overview of key legislation and legal factors in the United States, please read <u>Electronic Signatures and</u>. <u>Transactions in the United States</u>; and for information about e-signature laws, local legal systems, and electronic signature technology preferences for countries around the world, read <u>DocuSign eSignature Legality Guide</u> and <u>DocuSign Standards-Based Signatures for the European Union</u>.

Authenticated signer identity

Use of strong authentication lowers the risk of document repudiation. With DocuSign, you can confirm the identity of signers by capturing and confirming important information based on increasing levels of validation, such as email address, access code, SMS, phone, geo-location, and other attributes.

DocuSign identification options

Multiple methods of identification are available, providing flexibility based on the type of document to be signed:

- Email address: Signers enter their own email address, which is compared to the email address used in the invitation (DocuSign's standard form of authentication).
- Access code: The sender supplies a one-time passcode that signers must enter to access documents.
- SMS message: Signers must enter a one-time passcode sent via SMS text message to access the document.
- Phone call: Signers call a phone number and enter their name and access code to review and sign documents.
- **Knowledge-based:** Signers are asked questions about information, such as past addresses or vehicles owned, before being granted access to documents.
- Federated identity: Accept and record authentication via other systems integrated with DocuSign using industrystandard protocols; for example, single sign-on detecting email domains at login and redirecting to an identity provider for authentication.
- ID verification: Signers are verified using their government-issued photo IDs or European eID schemes.
- **ID checks:** Signers are verified through mechanisms that comply with the EU's eIDAS requirements for both advanced and qualified electronic signatures.
- Custom: Integrate DocuSign with a preferred identification method, such as an existing customer portal.

Signature validity

With few exceptions, an electronic symbol or process attached to the signed document and adopted by the signer is sufficient as a valid **electronic signature**.

For increased protection or to comply with regulations in some global jurisdictions, a **digital signature** can be used to electronically sign a document. Like a handwritten signature, a digital signature is unique to each signer. When a signer uses a digital signature to sign a document, the signature is created using a private key known only to the signer through a mechanism called Public Key Infrastructure (PKI).

With DocuSign, you can do business around the globe, including in the European Union, and be confident your solution meets strict e-signature standards. DocuSign adheres to the PKI requirements for safe digital signing and supports all three EU eIDAS e-signature levels (standard, advanced, and qualified), so you can choose the appropriate option given the document's sensitivity and the signer's location.

In the European Union, eIDAS established three levels of e-signature

Adopted by all EU member states, the Electronic Identification and Trust Services Regulation (elDAS) makes crossborder transactions easier. Even the most regulated industries can enjoy the benefits of cloud-based e-signatures under elDAS. It both regulates how e-signatures are managed and defines exactly what they are. And unlike the previous directive, it requires that member states admit them in court as evidence.

- **Standard:** Any electronic mark or process used to signify that a party intends to sign a record using a digital medium; generally accepted in EU courts as equivalent to a wet signature
- Advanced: Requires a higher level of security, identity verification, and authentication to establish a link to the signatory; and includes a certificate-based digital ID (X.509 PKI) issued by a trusted certificate authority
- **Qualified:** A local government-certified implementation of an advanced e-signature, typically using a "secure signature creation device" that enhances the legal status and is generally presumed authentic by EU courts

Document integrity

DocuSign automatically tracks and maintains a time-stamped history of every viewing, printing, sending, signing, or declining activity, so you know who signed the document, when, and how. Once an agreement is fully executed, DocuSign secures the document and signatures with a tamper-evident seal.

An executed agreement includes a court-admissible Certificate of Completion, which imparts far more detail about the signing process than is possible using a paper-based process:

- Audit trail: Available to all participants in the signing process, this electronic record includes information required by e-signature law, such as how to request a paper copy of the document, and can be used to validate the document.
- **Transaction data:** The electronic "envelope" for each e-signed document contains information about the sender, recipient, and workflow—but not document content. It is stored on DocuSign's servers and used to maintain evidentiary support should DocuSign be asked to act as an unbiased third party in validating the document.

A modern approach to increasing productivity

Agreement process automation

The DocuSign Agreement Cloud helps unify and modernize your system of agreement by connecting our leading eSignature technology with every other aspect of the agreement process. The platform enables legal departments to focus on providing their legal expertise, while the platform delivers simplified control and management of the entire agreement lifecycle through an automated, orchestrated, end-to-end workflow.



Prepare

Prepare agreements with a high degree of automation:

- Create agreements from pre-approved templates
- Auto-populate agreements with data from any source, including Salesforce, or let users manually enter data through custom form options
- Collaborate and comment on a draft agreement with multiple parties, retaining the deliberations as part of the legally admissible record
- Automate reviews and approvals by initiating a custom workflow
- Monitor and track revisions with track changes, version control, and activity alerts
- Integrate with existing legal document management systems

Sign

Sign agreements quickly and securely:

- Route agreements to multiple parties with different roles (reviewers, approvers, signers), allowing them to sign in parallel or have them sign in a prescribed order
- Identify each signer following a method appropriate to the region and agreement type
- Monitor the status of each participant in the process
- Certify the signing process and completed agreement, including who did what, authentication method, and other contextual information

Act

Act on agreement terms after signing:

- Trigger internal processes after agreement execution, such as provisioning a new customer account
- Automatically transfer payment amounts to a billing system, if required, or collect payments as part of the signing process

Manage

Manage agreements with flexible options:

- Securely retain agreements in a centralized place or maintain centralized access across different repositories
- Retrieve agreements based on search criteria
- Report on agreement completion, turnaround time, and other trends
- Reuse new agreements as templates

Operational efficiency and lower costs

A manual agreement process can cost five to ten times as much as an automated equivalent. If paper and printing are involved, there are further unnecessary costs. The DocuSign Agreement Cloud helps lessen administrative tasks like printing, scanning, distribution, retrieval, storage, and purging, as well as reduce the costs associated with these tasks. On average, DocuSign customers realize \$33 in printing, scanning, distribution, and storage cost savings, while simultaneously increasing productivity.

Authorized users also enjoy uninterrupted online access to archived documents wherever and whenever necessary, reducing the time and effort required to retrieve important agreements. When a document is no longer needed, the DocuSign Agreement Cloud can automatically purge it based on well-defined policies—but the time savings don't stop there.

Fast agreement execution has always been a DocuSign hallmark, with 84% of all documents fully executed in one day. Additional enhancements to the "Prepare" stage of the agreement process—most notably allowing multiple parties to collaborate and comment on a draft in real time—further expedite agreement creation.

With DocuSign our contract turnaround time has gone from 5 days to 1 day, and our paper usage is down 90%! DocuSign has saved us a lot of stress and increased the productivity of our workflow.

Law Clerk, Digital River

Reduced risk through rigorous privacy, security, and governance *Privacy practices and processes*

DocuSign has implemented rigorous polices, processes, and training to meet strict data privacy requirements around the world.

- **Confidentiality:** DocuSign manages customer data only on the customer's behalf and in accordance with their instructions. We access personal data only to the extent necessary to perform services, and we require all third-party sub-processors to adhere to the same privacy practices as DocuSign.
- **Privacy rights:** We recognize the importance of privacy rights and adhere to global privacy regulations, including the European Union's <u>GDPR</u>, which covers areas of consent, transparency, data subject rights, data export, data deletion and retention, and breach notification.
- **Privacy management:** We continuously review rapidly evolving global privacy requirements to strengthen DocuSign's data protection program. We also perform regular internal audits of our privacy practices and periodically train all personnel on data privacy.

Key privacy certifications

DocuSign is compliant with applicable privacy laws, regulations, and industry standards around the world that govern digital transactions and electronic signatures. Our privacy certifications include:

- **Binding Corporate Rules:** We received approval for our BCR applications as both a data controller and a data processor. Explicitly referenced in the GDPR as a mechanism for transferring personal data outside the European Union, BCR are widely considered the gold standard for transferring personal data, as they represent more than a self-certification through a privacy framework or contractual arrangement.
- **Specialized industry and geographic regulations:** For more detailed information about DocuSign's privacy compliance and certifications, please visit the <u>DocuSign Trust Center</u>.

DocuSign Intelligent Insights and GDPR Compliance Pack

Easily find privacy terms across your entire repository of contracts. Using DocuSign Intelligent Insights and GDPR Compliance Pack, powered by Seal Software, you can leverage artificial intelligence and machine learning to gain quick insight into the contents of your contract library. Rather than leafing through rows of file cabinets, or even searching through multiple digital repositories, DocuSign Intelligent Insights performs concept-based discovery to flag and extract up to 20 key terms across all your agreements automatically.

Physical security

DocuSign's data centers are geo-dispersed, ISO 27001 certified, and SOC audited. They also feature around-the-clock onsite security, strict physical access control, and actively monitored video surveillance.

Platform security

DocuSign adheres to the most stringent, globally recognized security standards. The DocuSign Agreement Cloud encrypts data in transit (using TLS connections) and at rest (using AES 256-bit encryption). We have extensive cybersecurity monitoring technology and PKI tamper-evident technology in place to ensure that documents remain as they were originally signed. And our dedicated security team actively monitors platform security 24/7.

Security management processes and development practices

DocuSign works closely with leading security experts to continually monitor the threat landscape and adjust our security strategy. Our platform is cybersecurity audited periodically by third parties and our own dedicated security team. We also perform regular business continuity planning and disaster recovery testing of our systems and processes. Moreover, all employees are required to participate in ongoing security training, while development engineers are taught to follow secure coding practices and perform formal code reviews and regular code-base security audits.

Key security certification programs

Our security certifications include ISO 27001, PCI Data Security Standard, SOC 1 Type 2, and SOC 2 Type 2.









DocuSign also complies with specialized industry and geographic security regulations. For more detailed information about DocuSign's security compliance and certifications, please visit the <u>DocuSign Trust Center</u>.

For more information about DocuSign's Security Assurance Program, please read our security brief.

Governance

With DocuSign, documents move in a controlled fashion from preparation through execution, retention, and destruction.

DocuSign provides:

- Fine-grained administrative controls and visibility over users, groups, security settings, and permissions
- An audit log that tracks access to the platform and the documents within it
- A live reporting dashboard that details key activities, like document completion rate, signing status, and the volume of signed agreements over time

You can also implement retention and destruction policies within DocuSign that support compliance with laws, regulations, and industry standards. These management capabilities reduce risk and allow for better governance than manual approaches used for paper-based agreements.

To learn more about how data governance regulations and standards shape security and privacy at DocuSign, read our data governance white paper.

Becoming a digital agent

Legal departments juggle a lot of responsibilities—providing their expertise on agreements, negotiations, and operational legal documents—and they're expected to do it fast and well. DocuSign enables legal departments to become digital change agents for their organization by accelerating agreement turnaround time, increasing productivity, and reducing costs.

Common use cases

Legal agreements

- Nondisclosure agreements
- Master service agreements
- Partnership agreements
- Procurement contracts
- Purchase orders
- Sales contracts
- Statements of work

Internal operations and compliance

- Audit and inventory signoffs
- Board minutes
- Candidate and new-hire paperwork
- · Policy management and compliance
- Supplier compliance
- Vendor registration forms

Customer success

Legal departments in companies all over the world-including some of the most successful-are already realizing the business acceleration, increased productivity, risk reduction, and cost savings of using DocuSign.

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Partner integrations

The DocuSign Agreement Cloud offers a complete, end-to-end suite of products from document generation through signing and retention. Customers have a choice of leveraging this functionality as well as more than 350 prebuilt partner integrations. For a full list of DocuSign partner integrations, visit the DocuSign Partner Solution Showcase.

Learn more



Trust Center

Visit the Trust Center for the latest legal, security, and privacy information

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Resources

Check out the latest legal videos, case studies, and more on DocuSign.com

ABOUT DOCUSIGN

DocuSign helps organizations connect and automate how they prepare, sign, act on, and manage agreements. As part of the DocuSign Agreement Cloud, DocuSign offers eSignature: the world's #1 way to sign electronically on practically any device, from almost anywhere, at any time. Today, more than 475,000 customers and hundreds of millions of users in over 180 countries use DocuSign to accelerate the process of doing business and to simplify people's lives.

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