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E-Discovery: An Introduction to Digital Evidence (with DVD)

Amelia Phillips, Ronald Godfrey, Christopher Steuart, Christine Brown
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Essential for anyone who works with technology in the field, E-DISCOVERY is a "hands-on, how-to" training guide that provides readers with comprehensive coverage of the technology used in e-discovery in civil and criminal cases. From discovery identification to collection, processing, review, production, and trial presentation, this practical text

covers everything the reader needs to know about e-discovery, including the Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure, and Federal Rules of Evidence. Throughout the text, the reader will have the opportunity to work with e-discovery tools such as Discovery Attender, computer forensics tools such as AccessData's Forensics ToolKit, as well as popular processing and review platforms such as iConect, Concordance, and iPro. An interactive courtroom tutorial and use of Trial Director are included to complete the litigation cycle. Multiple tools are discussed for each phase, giving the reader a good selection of potential resources for each task. Finally, real-life examples are woven throughout the text, revealing little talked-about potential pitfalls, as well as best practice and cost management suggestions.

1. INTRODUCTION TO E-DISCOVERY AND DIGITAL EVIDENCE. What is E-Discovery? What is Digital Evidence? Tools, Time and Cost of Acquiring Evidence. Federal Rules in US Courts. Rules and Policies Governing Digital Evidence. What to Expect in the Chapters Ahead. 2. THE HISTORY OF E-DISCOVERY. When did E-Discovery Begin? Metadata in E-Discovery. E-Discovery Perspectives. How to Read a Case. The Electronic Discovery Reference Model. Introduction to the Case Studies. 3. THE TOOLS USED. The Right Tool for the Right Job. Planning the E-Discovery Scope. Using Digital Forensics Tools for E-Discovery. Software E-Discovery Tools. E-Discovery and Trial. 4. EXPERTS: THE RIGHT PERSON FOR THE RIGHT JOB. Defining the Experts. Discovery Management in the Past. E-Discovery Management Today. Digital Forensics Consultants. E-Discovery Consultants. Outsourcing. Neutrals, Special Masters and Forensic Mediators. 5. DIGITAL EVIDENCE CASE FLOW. Preservation. Processing. . Production. Presentation. 6. CASE STUDY - FROM BEGINNING TO TRIAL. Complaint Filed. Receipt of E-Discovery. E-Discovery Organization. Fact Finding. Pre-trial Motions. Trial 7. INFORMATION MANAGEMENT: HOW TO BE READY. Today's Litigious World. Acts and Laws to be Aware Of. Being Ready for a Civil Case. What Happens if You are in a Criminal Case. Small to Medium Firms. Large Firms. Third Party Control. 8. RESOURCES FOR YOUR CASE AND SITUATION. Examining Civil Case Law. Examining Criminal Case Law. Examining International Case Law. Examining Multijurisdictional Issues and Cases. Advanced Training and Certifications for Your Experts. 9. THE FUTURE OF E-DISCOVERY. Where Do We Go From Here? Social Networking. Laws in the States of the United States. International Laws and the Global Impact. APPENDIX A: RESOURCES. APPENDIX B: FORMS AND CHECKLISTS.

About the Author Amelia Phillips is a graduate of the Massachusetts Institute of Technology and has worked for more than 30 years in government, private industry, and academics. She has designed distance education classes and e-commerce, computer forensics, and network security programs at several community colleges. Amelia is Chair of the Pure and Applied Science Division at Highline Community College, a Fulbright Scholar, and a recent PhD in computer security.