

Course Description

PLA2736 | Electronic Discovery, Investigations, and Evidence | 3.00 credits

This course will examine the electronic discovery (e-discovery) process primarily following the 9 stages of the Electronic Discovery Reference Model (EDRM). It will include analysis of e-discovery case law including past and current cases; the Federal Rules of Civil Procedure related to e-discovery; different types of e-discovery including litigation, government investigations, and internal audits; and ethical issues related to e-discovery. Additionally, it will have a practical aspect that will teach e-discovery skills related to e-discovery technology, including review platforms. Students must earn a grade of C or better to pass this course. Pre/Co-Requisite: PLA2227; Recommendation: Successful completion of CGS1060C

Course Competencies:

Competency 1: The student will have acquired knowledge of and the skills by:

1. Defining litigation holds and determining the difference between internal and external holds
2. Determining what ethical behavior is when instituting and maintaining litigation holds
3. Evaluating digital information and determining what preservation methods may be necessary
4. Evaluating various elements of the Federal Rules of Civil Procedure and how they relate to e-discovery
5. Formulating an e-discovery plan
6. Defining “metadata” and determining what kinds of metadata can be helpful
7. Advising on the handling of everyday information while conducting routine business in an ethical and intelligent way when planning for possible later litigation
8. Protecting confidential information from accidental disclosure via social media

Learning Outcomes:

- Communicate effectively using listening, speaking, reading, and writing skills
- Solve problems using critical and creative thinking and scientific reasoning
- Formulate strategies to locate, evaluate, and apply information
- Demonstrate knowledge of ethical thinking and its application to issues in society
- Use computer and emerging technologies effectively

Competency 2: The student will observe and analyze speech delivery techniques in advanced speech courses under the guidance of experienced instructors by:

1. Analyzing the effectiveness of various verbal and nonverbal communication strategies in different speaking contexts and audiences
2. Practicing speech delivery techniques in advanced speech courses under the guidance of experienced instructors, honing their public speaking skills through regular presentations, feedback sessions, and peer evaluations to refine their delivery and persuasive abilities
3. Evaluating speech delivery techniques in advanced speech courses under the guidance of experienced instructors, critically assessing their and others' performances, providing constructive feedback, and incorporating suggestions for continuous improvement in public speaking proficiency

Learning Outcomes:

- Communicate effectively using listening, speaking, reading, and writing skills
- Solve problems using critical and creative thinking and scientific reasoning
- Formulate strategies to locate, evaluate, and apply information
- Demonstrate knowledge of ethical thinking and its application to issues in society
- Use computer and emerging technologies effectively

Competency 3: The student will analyze the e-discovery process primarily following the 9 stages of the Electronic Discovery Reference Model (EDRM), examining e-discovery case law, the Federal Rules of Civil Procedure, and ethical issues related to e-discovery to develop a comprehensive understanding of the legal and ethical considerations in e-discovery by:

1. Applying e-discovery skills related to e-discovery technology, including review platforms, to real-world scenarios and case studies, gaining practical experience in utilizing e-discovery tools and technologies within litigation, government investigations, and internal audits
2. Evaluating different types of e-discovery, including litigation, government investigations, and internal audits, to assess the impact of e-discovery on legal proceedings, regulatory compliance, and organizational risk management, fostering a critical understanding of the practical implications and challenges associated with e-discovery processes

Learning Outcomes:

- Communicate effectively using listening, speaking, reading, and writing skills
- Solve problems using critical and creative thinking and scientific reasoning
- Formulate strategies to locate, evaluate, and apply information
- Demonstrate knowledge of ethical thinking and its application to issues in society
- Use computer and emerging technologies effectively