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The Resource Page: Focus on Electronic Discovery

Federal Judicial Center Resources
http://www.fjc.gov/public/home.nsf/pages/196

The Federal Judicial Center has a web page devoted to resources concerning the discovery of electronic information (e.g., computer files, e-mail, hidden computer information, etc.). Federal Judicial Center staff member Ken Withers, who spoke at the AJA's Anchorage conference, keeps an updated and annotated summary of case law regarding electronic discovery on this page. In addition, you can review Power Point presentations used to educate other judges about this subject, proposed federal rules changes, relevant articles, forms orders, and relevant state and local court rules.

The Sedona Conference
http://www.thesedonaconference.com

The Sedona Conference, a nonprofit research and education institute, has organized a working group of attorneys, judges, academics, and others to develop detailed guidelines regarding electronic discovery. Their work has probably been the most extensive in this area and an 82-page monograph providing their principles applicable to electronic discovery and detailed help in applying them is available online. A detailed presentation on their work was made at the AJA's Anchorage conference; attendees received a free copy of the 194-page annotated version of these principles, which sells commercially for $129. A limited number of additional copies of that book are available to AJA members. They can be ordered while supplies last from the Association Management Division at the National Center for State Courts, (757) 259-1841.

Conference of Chief Justices
Guidelines for State Trial Courts Regarding Discovery of Electronically-Stored Information
http://www.ncsconline.org/What'sNew/E-Discovery%20Guidelines.pdf

In September 2005, the Conference of Chief Justices released a working draft of a set of guidelines for handling electronic discovery issues in state courts. Most of the guidelines are based on case law or are similar to guidelines developed elsewhere, including those of the Sedona Conference or the American Bar Association. This CCJ endorsement, even in draft form, may help to garner further use and support for the guidelines in practice and in the courts.