

STUDENT WARNING: This course syllabus is from a previous semester archive and serves only as a preparatory reference. Please use this syllabus as a reference only until the professor opens the classroom and you have access to the updated course syllabus. Please do NOT purchase any books or start any work based on this syllabus; this syllabus may NOT be the one that your individual instructor uses for a course that has not yet started. If you need to verify course textbooks, please refer to the online course description through your student portal. This syllabus is proprietary material of APUS.

LSTD454

Course Summary

Course: LSTD454 **Title:** Legal Technology: eDiscovery

Length of Course: 8

Prerequisites: None **Credit Hours:**3

Description

Course Description:

Electronic discovery (eDiscovery) is critical to the development of a case. Exactly how that electronic information is managed before and during litigation is essential. In this course, students will learn about the key ethical and legal concepts of eDiscovery, its project management, and the requirements necessary to identify, collect, preserve, manage, review, and produce electronically stored information (ESI) in the discovery process. Researching developing issues and trends in court rules and case law as well as applying that knowledge to scenarios will prepare students for real-world situations. Analysis will include spotting critical e-discovery issues and how to best resolve them. Technology Assisted Review (TAR), Electronic Discovery Reference Model (EDRM), and predictive coding will be examined. To better navigate the wealth of legal technology-related issues and concepts, students will analyze federal and state case law, court rules, eDiscovery terminology, and ethical rules. Critical issues, such as the use of mobile devices, social media, metadata, computer forensics, and cloud computing in the context of discovery, trial practice, security, and confidentiality, will also be examined. Special emphasis will also highlight eDiscovery-related ethical, privacy, and IT security concerns.

Course Scope:

This course is divided into eight weeks and is organized to provide students with the skills and knowledge necessary to understand and use eDiscovery within the practice of law. Throughout the course, students will learn about the ethical and legal eDiscovery-related concepts and the basic skills needed for implementation. By the end of the course, students will be able to identify, understand, and respond to common eDiscovery-related issues that they may encounter in legal settings.

The educational materials in this course are provided to help focus your learning. You must supply the effort to maximize learning potential. If you want to use the knowledge that you gain in this course in real world situations, be sure to consult your legal counsel and advisors rather than relying solely on these educational materials. That is because this course presents information about law generally; in addition, relevant laws are constantly in flux, which could affect your unique circumstances.

(Note to students: The course materials, assignments, learning outcomes, and expectations in this upper-level undergraduate course assume that the student has completed all lower-level general education and career planning course work necessary to develop research, writing, and critical thinking skills. Students who have not fulfilled all general education requirements through courses or awarded transfer credit should strongly consider completing these requirements prior to registering for this course).

Objectives

After successfully completing this course, students will be able to:

CO1: Apply key eDiscovery terminology.

CO2: Compare and contrast discovery and eDiscovery.

CO3: Analyze the relationship between eDiscovery and records management.

CO4: Evaluate the interplay between the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the law, ethics, and eDiscovery.

CO5: Evaluate possible ethical considerations of using eDiscovery.

CO6: Conduct legal research techniques used commonly in legal work.

CO7: Apply basic legal reasoning skills.

CO8: Evaluate the role that eDiscovery may play in access to justice issues.

CO9: Identify eDiscovery-related legal technology.

CO10: Summarize how eDiscovery technology is used in the legal field.

CO11: Identify strategies for retaining legal data.

CO12: Judge the suitability of eDiscovery software to serve the needs for which it was developed.

CO13: Evaluate as to why multiple perspectives are needed to make eDiscovery-related legal technology decisions.

CO14: Create an audio-visual presentation concerning eDiscovery.

Outline

Week 1: eDiscovery and Records Management

Learning Objectives:

LO1.1: Use the basic eDiscovery terminology to which they are introduced in the lessons.

LO2.1: Distinguish traditional discovery from eDiscovery.

LO3.1: Appraise the integration of eDiscovery and records management concepts.

Reading(s)

Please see the eReserve.

Assignment(s)

1. Introduction Discussion
2. Quiz 1
3. Week 1 Substantive Discussion

Week 2: eDiscovery and Ethics

Learning Objectives:

LO1.1: Use basic eDiscovery terminology to which students are introduced in the lessons.

LO4.1: Debate the relationships of eDiscovery with evidentiary and procedural rules, law, and ethics.

LO5.1: Reflect on eDiscovery-related ethics issues found within a provided legal opinion.

LO6.1: Use a computerized device to access the university's electronic library to find appropriate resources.

LO7.1: Evaluate the facts and legal analysis of a provided court opinion.

Reading(s)

Please see the eReserve.

Assignment(s)

1. Quiz 2
2. Week 2 Substantive Discussion

Week 3: eDiscovery and Its Contents

Learning Objectives:

LO1.1: Use basic eDiscovery terminology to which students are introduced in the lessons.

LO3.1: Appraise the integration of eDiscovery and records management concepts.

LO6.1: Use a computerized device to access the university's electronic library to find appropriate resources.

LO7.1 and LO8.1: Evaluate the relationship between eDiscovery-related issues and judicial accessibility.

Reading(s)

Please see the eReserve.

Assignment(s)

1. Quiz 3
2. Week 3 Substantive Discussion
3. Week 3 Assignment

Week 4: EDRM and eDiscovery Software

Learning Objectives:

LO1.1: Use the basic eDiscovery terminology to which students are introduced in the lessons.

LO5.1: Examine eDiscovery-related ethics and legal issues found in the process of selecting eDiscovery software.

LO6.1 and LO7.1: Use a computerized device to access the university's electronic library to find appropriate resources.

LO9.1, LO10.1, LO11.1, and LO12.1: Describe the eDiscovery technology to which students are introduced.

LO13.1: Illustrate the value of receiving multiple points of view before making eDiscovery technology-related decisions.

Reading(s)

Please see the eReserve.

Assignment(s)

1. Quiz 4
2. Week 4 Substantive Discussion

3. Week 4 Assignment

Week 5: Preservation, Spoliation, Privacy and Confidentiality

Learning Objectives:

LO1.1: Use basic eDiscovery terminology to which students are introduced in the lessons.

LO4.1: Examine the relationships of eDiscovery with evidentiary and procedural rules, law, and ethics.

LO6.1: Use a computerized device to access the university's electronic library to find appropriate resources.

LO7.1: Evaluate the facts and legal analysis of a provided court opinion.

Reading(s)

Please see the eReserve.

Assignment(s)

1. Quiz 5
2. Week 5 Substantive Discussion

Week 6: The Back Half and Kinds of ESI

Learning Objectives:

LO1.1: Use basic eDiscovery terminology to which students are introduced in the lessons.

LO4.1: Examine the relationships of eDiscovery with evidentiary and procedural rules, law, and ethics.

LO6.1 and LO7.1: Use a computerized device to access the university's electronic library to find appropriate resources.

Reading(s)

Please see the eReserve.

Assignment(s)

3. Quiz 6

4. Week 6 Substantive Discussion

Week 7: Admissibility

Learning Objectives:

LO1.1: Use basic eDiscovery terminology to which students are introduced in the lessons.

LO4.1: Examine the relationships of eDiscovery with evidentiary and procedural rules, law, and ethics.

LO6.1 and LO7.1: Use a computerized device to access the university's electronic library to find appropriate resources.

Reading(s)

Please see the eReserve.

Assignment(s)

1. Quiz 7
2. Week 7 Substantive Discussion

Week 8: Current Events in eDiscovery

Learning Objectives:

LO1.1: Use basic eDiscovery terminology to which students are introduced in the lessons.

LO4.1: Examine the relationships of eDiscovery with evidentiary and procedural rules, law, and ethics.

LO5.1: Reflect on eDiscovery-related ethics and legal issues found in the process of selecting eDiscovery software.

LO6.1 and LO7.1: Use a computerized device to access the university's electronic library to find appropriate resources.

LO8.1: Evaluate the facts and legal analysis of a provided court opinion.

LO9.1, LO10.1, LO11.1, and LO12.1: Describe the eDiscovery technology to which students are introduced.

LO13.1: Illustrate the value of receiving multiple points of view before making eDiscovery technology-related decisions.

LO14.1: Design an audio-visual presentation that evaluates eDiscovery within the context of what was learned in this course.

Reading(s)

Please see the eReserve.

Assignment(s)

1. Week 8 Substantive Discussion
2. Week 8 Assignment

Evaluation

This course has seven (7) graded Discussions and three (3) graded Assignments, as well as seven (7) ungraded quizzes. There are no exams.

Materials

The course materials are electronically provided in the classroom's eReserve.

Course Guidelines

WRITING EXPECTATIONS

The expectation is that the writing will be in your words after analysis of the sources. Writing must be well organized and presented in a way that clearly conveys your thoughts, using full sentences, correct spelling, and proper grammar. I prefer that you use the active voice and write in plain business-style English; avoid military jargon, abbreviations, and *text-speak*. Please check your work for possible spelling or other errors prior to submission.

All written submissions should be submitted in a font and page set-up that is readable and neat; Times New Roman, 12-point size font is ideal. Margins should be at one inch all around (top, right, bottom, and left). Specific details are provided in the assignment instructions; always check there as assignment formats may vary. Uploaded documents in the assignment section should be in Word (.doc, .docx) format.

Assignments may be submitted to Turnitin.com, which will analyze automatically a paper and report instances of potential plagiarism or overuse of quotes. Students should submit their work early so that they may use the Turnitin.com Originality Report to help guide their editing process before submitting the work for a grade.

Citation and Reference Style

The central function of legal citation is to allow the reader to efficiently locate the cited source. All courses in the Legal Studies program require that Legal Studies students follow the legal citation guidelines set forth in [The Bluebook: A Uniform System of Citation](#) for all coursework requiring citations. Non-Legal Studies students may use APA style.

Late Assignments

The amount of the penalty is at the faculty member's discretion, up to the maximum percentages outlined in the Late Assignment Policy. Faculty always have the discretion to be more flexible than the Late Assignment Policy allows, but not less flexible. Faculty should be consistent across students in their application of this policy and clearly communicate with students about penalties applied. Faculty should accept late work submitted up to the end of the class and they have the discretion to accept work submitted after the course ends as long as it does not interfere with final grade submission deadlines.

Netiquette

Online universities promote the advancement of knowledge through positive and constructive debate – both inside and outside the classroom. Discussions on the Internet, however, can occasionally degenerate into needless insults and “flaming.” Such activity and the loss of good manners are not acceptable in a university setting – basic academic rules of good behavior and proper “Netiquette” must persist. Remember that you are in a place for the rewards and excitement of learning which does not include descent to personal attacks or student attempts to stifle the Discussion of others.

Disclaimer Statement

Course content may vary from the outline to meet the needs of this particular group.

Online Library

The Online Library is available to enrolled students and faculty from inside the electronic campus. This is your starting point for access to online books, subscription periodicals, and Web resources that are designed to support your classes and generally not available through search engines on the open Web. In addition, the Online Library provides access to special learning resources, which the University has contracted to assist with your studies. Questions can be directed to librarian@apus.edu.

Charles Town Library and Inter Library Loan: The University maintains a special library with a limited number of supporting volumes, collection of our professors' publication, and services to search and borrow research books and articles from other libraries.

Electronic Books: You can use the online library to uncover and download over 50,000 titles, which have been scanned and made available in electronic format.

Electronic Journals: The University provides access to over 12,000 journals, which are available in electronic form and only through limited subscription services.

[Legal Studies Program Guide](#): This should be your starting point as you explore the resources available for the Legal Studies Program.

University Policies

Tutor.com: AMU and APU Civilian & Coast Guard students are eligible for 10 free hours of tutoring provided by APUS. [Tutor.com](#) connects you with a professional tutor online 24/7 to provide help with assignments, studying, test prep, resume writing, and more. Tutor.com is tutoring the way it was meant to be. You get expert tutoring whenever you need help, and you work one-to-one with your tutor in your online classroom on your specific problem until it is done.

Student Handbook

[Drop/Withdrawal policy](#)

[Extension Requests](#)

[Academic Probation](#)

[Appeals](#)

[Disability Accommodations](#)

[Late Submission Policy](#)

The mission of American Public University System is to provide high quality higher education with emphasis on educating the nation's military and public service communities by offering respected, relevant, accessible, affordable, and student-focused online programs that prepare students for service and leadership in a diverse, global society.