

BOOK RELEASE

FOR IMMEDIATE RELEASE

Law Partner Publishing
August 12, 2003

Media Contact: Ruth Arkfeld
Ph: 602.993.1937
Email: Ruth@arkfeld.com

A New Era: *Electronic Discovery and Evidence*

PHOENIX, AZ – As we enter the 21st century more and more attorneys are concerned with the discovery, production and admissibility of electronic evidence. The ubiquitous use of computers for creating electronic information has dramatically changed discovery and admission of case evidence. Attorneys are concerned with the impact that electronic information will have on their cases, especially since a significant amount of this information is not reduced to print. Globally, over 97 percent of information is created electronically and it is now estimated that more than 30 percent of corporate communications never appear in print. We are now required to discover not only printed materials, but also electronic information that has not been reduced to hardcopy.

With the release of *Electronic Discovery and Evidence* published by Law Partner Publishing, attorneys, paralegals and other legal professionals now have an authoritative and comprehensive resource available to them. Authored by the well-known writer and speaker, Michael R. Arkfeld, Esq., this book provides legal and technical analysis on the discovery, production and admission of electronic evidence. The book provides clear explanations of technology and legal concepts, authoritative discussion of court rules to electronic information, case summaries on electronic discovery and evidentiary issues, as well as forms, checklists and practical pointers.

Electronic Discovery and Evidence has been organized into eight chapters to guide you through the process of discovering and admitting electronic evidence. Chapter 1, *Electronic Information in Litigation*, sets the stage for understanding the pervasive change from paper to electronic evidence. It discusses the unique characteristics of electronic data and why you have to discover and also produce electronic evidence. In Chapter 2, *Creation and Storage of Electronic Information*, basic information is provided as to how electronic information is created, stored and retrieved. Chapter 3, *Structure and Types of Electronic Information*, discusses the underlying computer setup, business software applications and how electronic material is organized. It explores special issues unique to electronic information and provides a detailed analysis of the different software types, and citations to legal authorities when applicable. Chapter 4, *Computer Forensics, Experts and Service Bureaus*, explores the role of forensic specialists to assist you in the collection and processing of electronic information. Chapter 5, *Collecting, Processing and Searching Electronic Information*, focuses on the actual collection and processing of electronic information. In Chapter 6, *Discovery and Production Process*, the discovery and production steps for electronic information are discussed. The focus here is on the overall plan, scope of request, preservation request, production

format and other practical issues involved in discovering and producing electronic data. Chapter 7, *Court Procedural Rules and Case Law*, focuses on the relevant Federal Rules of Procedure and case law in the production and disclosure of electronic information. It covers a broad area including Rule 16 pretrial conference, Rule 26 initial disclosures, expert's reports, relevancy, overbroad claims, cost allocation issues, work product, attorney-client waiver issues and protective orders as well as other rules. Chapter 8, *Admissibility of Electronic Evidence*, examines the evidentiary considerations for the admission of electronic evidence. It discusses the general concepts of preliminary questions, judicial notice, relevancy, expert witness testimony, hearsay, authentication and the Best Evidence rule.

Recent case summaries, practice forms and other information are included with the book and updated regularly on the Law Partner Publishing web site (password protected) located at www.arkfeld.com.

The book is available at the Law Partner Publishing web site or through Amazon.com. It can also be obtained by writing to Law Partner Publishing at 741 West Moon Valley Drive, Phoenix, AZ 85023. The book is 1 volume, loose-leaf, (with annual supplementation), 454 pages and sells for \$149.95 plus \$6.00 for shipping and handling.

About the Author: Michael R. Arkfeld is a practicing attorney specializing in civil litigation. His practice includes cases involving personal injury, medical malpractice, employment discrimination, immigration and a host of other civil claims. He has appeared before both federal and state appellate courts and has tried over 30 cases before a jury. Since 1985, Michael has incorporated personal computers extensively in his legal practice. He lectures frequently throughout North America and internationally on the impact of technology to the practice of law, and on discovery and admission of electronic evidence. Michael is also the author of *The Digital Practice of Law (5th Ed.): A Practical Reference for Applying Technology Concepts to the Practice of Law*.

NOTE TO EDITORS: A limited number of review copies are available if you are planning on preparing a review article based on this book.

* * *