THE FEDERAL RULES OF ELECTRONIC OR E-DISCOVERY
Compiled by Catherine A. Davidson, Librarian
April 2007

In 1999 the Advisory Committee on Civil Rules began studying the issue of Electronic or E-Discovery in the Federal Courts. In 2005 the Judicial Conference reviewed and approved Civil Rules regarding electronic discovery. In December 2006 the E-Discovery Rules approved by the Judicial Conference and the U.S. Supreme Court went into effect.

Below are titles, articles and web sites that may be of help to you in keeping abreast of this area of the Federal Rules.

TREATISES
Call numbers are given for titles held by the US Courts Library, Anchorage

(available on-line at http://www.llr.lls.edu/volumes)

*The Discovery Revolution: E-Discovery Amendments to the Federal Rules of Civil Procedure* by George L. Paul and Bruce H. Nearon, ABA, 2006

*Drowning in Zubulake: the Rules, Pitfalls, and Benefits of Electronic Discovery* by Geoffrey A. Vance and Courtney Ingraffia Burton, National Legal Center for the Public Interest, 2006
(available on-line at http://www.nlcpi.org)

KF 8902 .S34 2006
(issued as a pamphlet to Moore’s Federal Practice)
Electronic Discovery: Law and Practice by Adam I. Cohen and David J. Lender, Aspen Publishers, 2004

Electronic Discovery: the Challenges and Opportunities of Electronic Evidence by Alan Blakley and Kenneth J. Withers, Federal Bar Association, 2001


Electronic Evidence and Discovery: What Every Lawyer Should Know by Michele C.S. Lange and Kristin M. Nimsger, ABA Section of Science & Technology Law, 2004

The Electronic Evidence and Discovery Handbook: Forms, Checklists, and Guidelines by Sharon D. Nelson, Bruce A. Olson, and John W. Simek, ABA Law Practice Management Section 2006

Electronic Evidence: Law and Practice by Paul R. Rice, ABA Section of Litigation, 2005


Practical Guide to the Discovery of Electronic Evidence by Joan Feldman, Glasser Pubs, 2001


ARTICLES

Lawyers Struggle with New Rules by Bobbi Murray, Daily Journal Newswire article April 19, 2007
www.dailyjournal.com

Expert’s Outline Do’s, Don’ts of Handling Electronic Data by Bobbi Murray, Daily Journal Newswire article April 19, 2007
www.dailyjournal.com

On the Front Line of e-Discovery by Mary Dollarhide, Daily Journal Newswire article
www.dailyjournal.com

E-Discovery gets Real by Jason Krause, February 2007, ABA Journal, page 44
[link](http://www.utexas.edu/law)

[link](http://www.fclr.org)

The Dubious Origins and Dangers of Clawback and Quick Peek Agreements: An Argument against their Codification in the Federal Rules of Civil Procedure by Laura Catherine Daniel, 47 Wm. & Mary L. Rev. 696, 2005-2006  
[link](http://www.wm.edu/law)

Electronic Discovery: Not Your Father’s Discovery by Howard L. Speight and Lisa C. Kelley, 37 St. Mary’s L. J. 119, 2005-2006  
[link](http://www.stmarytx.edu/law)

[link](http://www.law.northwestern.edu/journals)

[link](http://www.houstonlawreview.org)

E-Discovery Help May Be on the Way...Sort Of: Civil Rules Advisory Committee Proposal by John M. Barkett, 72 Def. Counsel J. 37, 2005  
[link](http://journals.enotes.com)

[link](http://law.villonova.edu)

[link](http://nclrev.unc.edu)

[link](http://www.mttlr.org)
The Phillip D. Reed Lecture Series - *Only Yesterday: Reflections on Rulemaking Responses to E-Discovery* by Richard Marcus, 73 Fordham L. Rev. 1, 2004-2005
http://law.fordham.edu

http://www.wcl.american.edu

http://www.samford.edu/schools/law

*Confronting the Future: Coping with Discovery of Electronic Material* by Richard L. Marcus, 64 Law and Contemp. Probs. 253, 2001
http://www.law.duke.edu/journals/lcp

*The Discovery of Electronic Data in Litigation: What Practitioners and their Clients Need to Know* by Devin Murphy, 27 Wm. Mitchell L. Rev. 1825, 2000-2001
http://www.wmitchell.edu/lawreview

http://www.wmitchell.edu/lawreview

**WEBSITE & BLOGS**

Lawyer Lounge: Empowering Lawyers with Technology
http://www.lawyerlounge.com

ABA Law Practice Management Section/ABA Section of Science and Technology Law
http://www.abanet.org

Law.com: First in Legal News and Information
http://www.law.com

Discovery Resources: On-Line resource for professionals seeking current information about electronic discovery
http://www.discoveryresources.org

Electronic Discovery Law
http://www.ediscoverylaw.com
Electronic Discovery and Evidence
http://arkfeld.blogs.com

KrollOntrack
http://www.krollontrack.co.uk

Federal Judicial Center
http://www.fjc.gov

Electronic Discovery Services
http://www.lexisnexis.com/applieddiscovery

Association of Corporate Counsel
http://www.acca.com

Paper Chase: Daily Legal News
http://jurist.law.pitt.edu/paperchase

U.S. Courts: Federal Judiciary Site
http://www.uscourts.gov/rules

Cornell University Legal Information Institute
http://www.law.cornell.edu/rules

Blog dedicated to Federal Civil Practice and Procedure
http://www.federalcivilpracticebulletin.blogspot.com

Blawg: Source for Law and Legal related weblogs
http://www.blawg.com