

E-Discovery Guidelines Coming To A Court Near You

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New E-Discovery Guidelines related to the discovery of electronically stored information (“ESI”) have been approved by the U.S. District Court for the Northern District of California. Find the [Guidelines and related documents here](#).

According to the Court:

The Guidelines are designed to establish best practices for evidence preservation in the digital age and to ensure that local practices regarding the discovery of ESI keep pace with rapidly evolving technology and to be flexible enough to be used in a wide variety of cases.

The Chair of the committee that developed the Guidelines, Magistrate Judge Elizabeth D. Laporte, notes that “[t]he Court requires counsel to be familiar with these tools and confirm in the initial case management statement that they have reviewed the Guidelines regarding preservation and decided whether to enter into a stipulated order governing e-discovery, in light of the Model Stipulated Order.”

You can find the [Model Stipulated Order here](#).

Issuance of E-Discovery guidelines by courts is a likely trend. Expect to see more courts publishing their own guidelines, which ultimately may lead to codification of such rules.

The Case Management Order remains an effective tool to customize any standing orders to maintain efficiency, effectiveness, and cost control.

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