**Electronic Discovery**  
Massachusetts School of Law  
Professor Todd Cheesman  

Spring 2015

**Required Texts:** None. All materials will be provided online.

**Web Site:** Students must regularly check our website for changes in the syllabus, assignments, and class schedule.

**Email:** Cheesman @ mslaw.edu

**Course Description:** This course explores the developing issues and new rules and practices involving the application of e-discovery, digital evidence and computer forensics issues in litigation and general practice. Students will learn what electronic discovery is, and how the federal rules of civil procedure, the federal rules of evidence, and case law affect this aspect of litigation. This course will also discuss what an attorney and his team need to consider when handling Electronically Stored Information (ESI) prior to and during the litigation process, how to manage the cost of production and processing, and how those considerations should affect an attorney’s thought process when working with this type of information. Students will learn how preservation obligations and spoliation claims can come into play.

NOTE: The most recent version of this syllabus supersedes all previous handouts and class information.

**Class Schedule:** This class meets entirely online. Class begins Tuesday, January 20, 2014. I reserve the right to modify the syllabus, re-schedule a class, or change the order of class subject matters. Assignments will be due by noon, Saturdays. Refer to the website for assignments and due dates.


**Technology:** One of your responsibilities for this course is to troubleshoot your own technology issues. Dan Harayda is not affiliated with this class website in any way. I do not expect to hear that you went to him with any questions.

**Grading:** 25% - Assignments and Class Participation- Class readings are critical. You will have approximately 5 assignments this semester. Missing more than two assignments will result in a minimum full grade reduction. Similarly, a lack of participation in our discussion forum will result in grade loss. Participation involves meaningful contribution and advancement of the discussion. Also, unexcused lateness of any assignment will be treated as your having missed the assignment.
25% - Outline. Your outline should be at a minimum 28 pages, 10pt spacing (i.e., single-spaced in Windows 2007), 1” margins. That is only two pages of notes per weekly assignment. Your outline should include notes about the reading as well as any assigned audio-video. You are not required to outline recommended materials.

50% - Take home Exam: A final take home exam that will be administered and returned online will account for 70 percent of your grade. This exam will consist of essay questions designed to measure your analytic and writing skills and application of subject knowledge.

Important: Late assignments are frowned upon and may result in loss of grade. If you know you will be unable to meet a deadline, please contact me ASAP.

When you submit homework assignments, the proper format for your document’s name is: StudentName - ClassName - Week# (e.g., Jane Doe - WCC - Week 1.docx)

Remember to title your email with your class name and the subject of your email (e.g., WCC - Login Issue). Thank you.

This will also ensure I do not lose or misplace your assignment and that I can locate it at all times. If you do not submit your homework in this format, it may be lost and not graded.

Your ability to follow instructions is key. Failure to follow instructions will result in loss of grade. Repeated failure will result in significant loss of grade.

Please note that I will send confirmation when I receive your assignment. If you do not receive confirmation within 24 hours of sending an email please resend it.

Also, please note that I accept .doc, .docx, or .pdf format documents for weekly assignments. For your the three short papers constituting the bulk of your grade I will accept only .doc or .docx format. Please do not embed your assignment within the body of your email but as an attached document in one of these formats. These should serve as the guidelines for all assignments you submit throughout the semester.