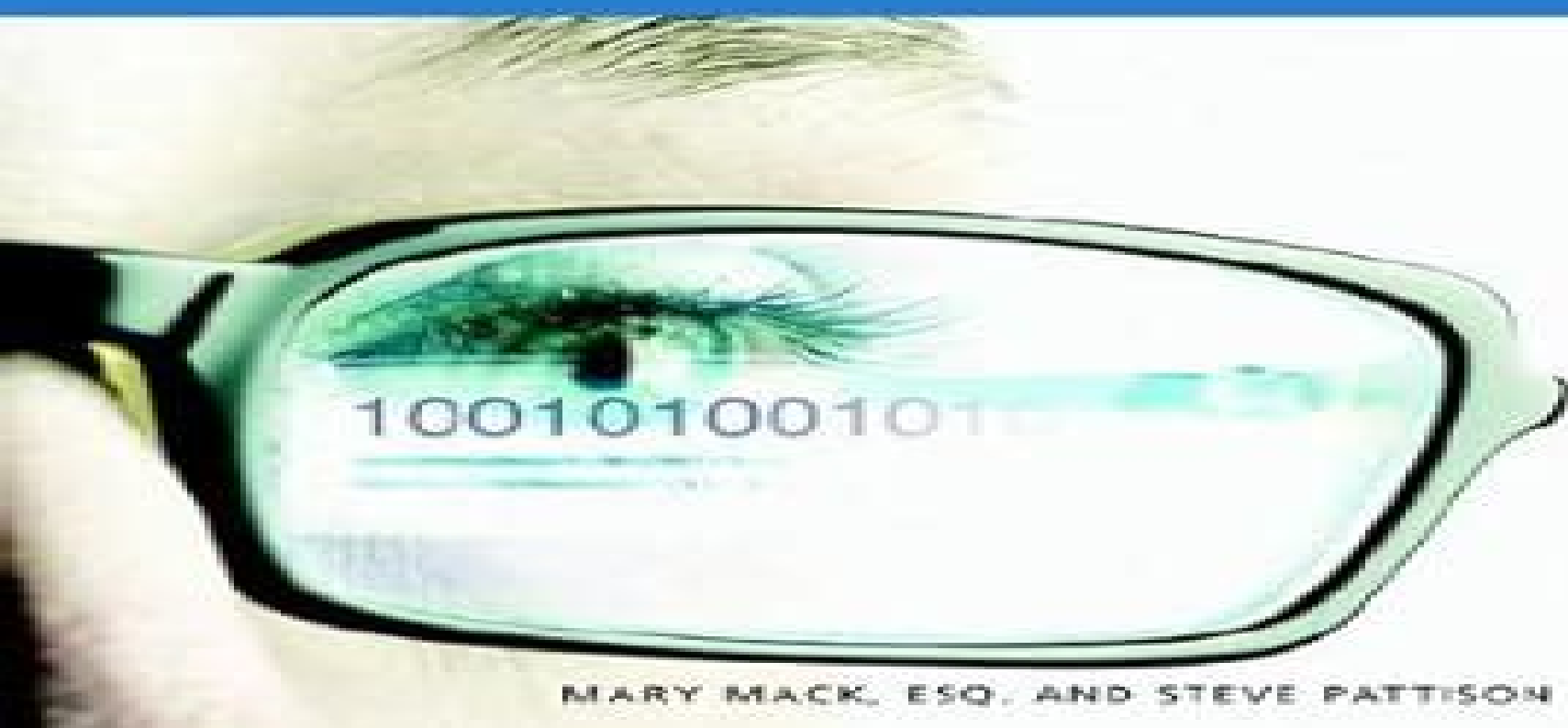


# Electronic Evidence Management

FROM CREATION THROUGH LITIGATION



MARY MACK, ESQ., AND STEVE PATTISON

# Electronic Evidence Management From Creation To Litigation

**Elena G. Popkova**



## **Electronic Evidence Management From Creation To Litigation:**

*Electronic Evidence Management* Danielle Lee, Mary Mack, Steve Pattison, 2005-08-01      E-discovery: Creating and Managing an Enterprisewide Program Karen A. Schuler, 2011-04-18 One of the hottest topics in computer forensics today electronic discovery e discovery is the process by which parties involved in litigation respond to requests to produce electronically stored information ESI According to the 2007 Socha Gelbmann Electronic Discovery Survey it is now a 2 billion industry a 60% increase from 2004 projected to double by 2009 The core reason for the explosion of e discovery is sheer volume evidence is digital and 75% of modern day lawsuits entail e discovery A recent survey reports that U S companies face an average of 305 pending lawsuits internationally For large U S companies 1 billion or more in revenue that number has soared to 556 on average with an average of 50 new disputes emerging each year for nearly half of them To properly manage the role of digital information in an investigative or legal setting an enterprise whether it is a Fortune 500 company a small accounting firm or a vast government agency must develop an effective electronic discovery program Since the amendments to the Federal Rules of Civil Procedure which took effect in December 2006 it is even more vital that the lifecycle of electronically stored information be understood and properly managed to avoid risks and costly mistakes This books holds the keys to success for systems administrators information security and other IT department personnel who are charged with aiding the e discovery process Comprehensive resource for corporate technologists records managers consultants and legal team members to the e discovery process with information unavailable anywhere else Offers a detailed understanding of key industry trends especially the Federal Rules of Civil Procedure that are driving the adoption of e discovery programs Includes vital project management metrics to help monitor workflow gauge costs and speed the process

Preserving Electronic Evidence for Trial Ernesto F. Rojas, Ann D. Zeigler, 2016-02-18 The ability to preserve electronic evidence is critical to presenting a solid case for civil litigation as well as in criminal and regulatory investigations Preserving Electronic Evidence for Trial provides everyone connected with digital forensics investigation and litigation with a clear and practical hands on guide to the best practices in preserving electronic evidence Corporate management personnel legal IT and outside counsel need reliable processes for the litigation hold identifying locating and preserving electronic evidence Preserving Electronic Evidence for Trial provides the road map showing you how to organize the digital evidence team before the crisis not in the middle of litigation This practice handbook by an internationally known digital forensics expert and an experienced litigator focuses on what corporate and litigation counsel as well as IT managers and forensic consultants need to know to communicate effectively about electronic evidence You will find tips on how all your team members can get up to speed on each other s areas of specialization before a crisis arises The result is a plan to effectively identify and pre train the critical electronic evidence team members You will be ready to lead the team to success when a triggering event indicates that litigation is likely by knowing what to ask in coordinating effectively with litigation counsel and forensic consultants

throughout the litigation progress Your team can also be ready for action in various business strategies such as merger evaluation and non litigation conflict resolution Destroy your electronic evidence destroy your own case learn how to avoid falling off this cliff Learn how to organize the digital evidence team before the crisis not in the middle of litigation Learn effective communication among forensics consultants litigators and corporate counsel and management for pre litigation process planning Learn the critical forensics steps your corporate client must take in preserving electronic evidence when they suspect litigation is coming and why cheerful neglect is not an option

### **Digital Forensics for Legal Professionals**

Larry Daniel,Lars Daniel,2011-09-02 Section 1 What is Digital Forensics Chapter 1 Digital Evidence is Everywhere Chapter 2 Overview of Digital Forensics Chapter 3 Digital Forensics The Sub Disciplines Chapter 4 The Foundations of Digital Forensics Best Practices Chapter 5 Overview of Digital Forensics Tools Chapter 6 Digital Forensics at Work in the Legal System Section 2 Experts Chapter 7 Why Do I Need an Expert Chapter 8 The Difference between Computer Experts and Digital Forensic Experts Chapter 9 Selecting a Digital Forensics Expert Chapter 10 What to Expect from an Expert Chapter 11 Approaches by Different Types of Examiners Chapter 12 Spotting a Problem Expert Chapter 13 Qualifying an Expert in Court Sections 3 Motions and Discovery Chapter 14 Overview of Digital Evidence Discovery Chapter 15 Discovery of Digital Evidence in Criminal Cases Chapter 16 Discovery of Digital Evidence in Civil Cases Chapter 17 Discovery of Computers and Storage Media Chapter 18 Discovery of Video Evidence Ch

### **Digital Forensics and Investigations**

Jason Sachowski,2018-05-16 Digital forensics has been a discipline of Information Security for decades now Its principles methodologies and techniques have remained consistent despite the evolution of technology and ultimately it and can be applied to any form of digital data However within a corporate environment digital forensic professionals are particularly challenged They must maintain the legal admissibility and forensic viability of digital evidence in support of a broad range of different business functions that include incident response electronic discovery ediscovery and ensuring the controls and accountability of such information across networks Digital Forensics and Investigations People Process and Technologies to Defend the Enterprise provides the methodologies and strategies necessary for these key business functions to seamlessly integrate digital forensic capabilities to guarantee the admissibility and integrity of digital evidence In many books the focus on digital evidence is primarily in the technical software and investigative elements of which there are numerous publications What tends to get overlooked are the people and process elements within the organization Taking a step back the book outlines the importance of integrating and accounting for the people process and technology components of digital forensics In essence to establish a holistic paradigm and best practice procedure and policy approach to defending the enterprise This book serves as a roadmap for professionals to successfully integrate an organization s people process and technology with other key business functions in an enterprise s digital forensic capabilities

A Study on the Creation, Impact and Legal Issues of Crypto Special Drawing Rights Leo Zeng,2024-03-23 This book analyzes the concept theory rules and impact of the

reform of the international monetary system and Crypto SDRs and provides a feasibility analysis of the combination of blockchain technology and SDRs It explores and summarizes the possibility of solving problems such as the inherent defects of the current international monetary system and creatively suggests that the birth of Crypto SDR will have a positive impact on countries and industries and fields around the world especially in anti money laundering cross border asset recovery international payments banking insurance financial auditing Fintech regulation etc The Electronic Evidence and Discovery Handbook Sharon D. Nelson, Bruce A. Olson, John W. Simek, 2006 The use of electronic evidence has increased dramatically over the past few years but many lawyers still struggle with the complexities of electronic discovery This valuable book provides lawyers with the templates they need to frame their discovery requests and provides helpful advice on what they can subpoena Electronic Evidence and Discovery Michele C. S. Lange, Kristin M. Nimsger, 2009 Pack this one in your beach bag and get ready for nonstop fun Susan Mallery New York Times bestselling author on Barefoot in the Sand As a professional gardener Tessa Galloway can grow anything except the one thing she wants the most a baby Finally ready to take a chance on single motherhood by less than traditional means her world is suddenly turned upside down when a sexy mysterious new chef is hired for the resort in Barefoot Bay Placed in the witness protection program after identifying his wife s killer John Brown is on the cusp of getting back the only thing that matters his toddler twins taken into protective custody after the high profile crime that killed their mother But when John learns the system requires him to prove he s married and stable before he can secure his children he escalates the growing attraction for Tessa to a full on seduction leading right to the altar But when love unexpected blooms between them will his secret be the thing that uproots their happy ending

Implementing Digital Forensic Readiness Jason Sachowski, 2019-05-29 Implementing Digital Forensic Readiness From Reactive to Proactive Process Second Edition presents the optimal way for digital forensic and IT security professionals to implement a proactive approach to digital forensics The book details how digital forensic processes can align strategically with business operations and an already existing information and data security program Detailing proper collection preservation storage and presentation of digital evidence the procedures outlined illustrate how digital evidence can be an essential tool in mitigating risk and reducing the impact of both internal and external digital incidents disputes and crimes By utilizing a digital forensic readiness approach and stances a company s preparedness and ability to take action quickly and respond as needed In addition this approach enhances the ability to gather evidence as well as the relevance reliability and credibility of any such evidence New chapters to this edition include Chapter 4 on Code of Ethics and Standards Chapter 5 on Digital Forensics as a Business and Chapter 10 on Establishing Legal Admissibility This book offers best practices to professionals on enhancing their digital forensic program or how to start and develop one the right way for effective forensic readiness in any corporate or enterprise setting A Model Civil Procedure Code for England and Wales John Sorabji, 2024-10-14 Civil procedure law is integral to our understanding of access routes to justice dispute resolution and

ultimately the rule of law However the field is rapidly changing shifting dispute resolution away from courts and judgments towards other legal pathways such as negotiation mediation arbitration and Ombudsman Similarly the increasing digitisation of society and looming potential of AI will profoundly influence future reforms Civil justice is thus at a critical turning point In response John Sorabji proposes a new model civil procedure code for England and Wales Building on the work of the ALI UNIDROIT Principles of Transnational Civil Procedure and the ELI UNIDROIT Model European Rules of Civil Procedure he articulates a simplified principle based seventeen part approach that covers all major stages from issue to enforcement with sections on costs and funding provisional measures access to evidence and privileges case statements hearings and dispute management Highlighting that civil courts are just one part of a wider civil justice ecosystem Sorabji promotes the wealth of avenues available for dispute resolution and charts how these should be co ordinated in the future He outlines new ways to efficiently incorporate breakthroughs in digitisation and preventive and consensual forms of justice and also explores likely shifts in the purpose of procedural codes as digitisation evolves while underscoring the consistent need for judicial independence and accountability Ultimately Sorabji posits that procedural codes should guide not only the process of litigation but those who design digital procedures and test their propriety in the future **Value-Added Records**

**Management** Karen L. Sampson, 2002-10-30 Buried in paper As new technologies threats of litigation and the onslaught of e business innovations change the very nature of work organizations need ways to safely and properly manage information This revised and expanded edition of Sampson s earlier classic shows how records and information management practices jointly contribute to an organization s financial well being be it public or private non or for profit Recordkeeping practices affect business objectives processes functions and ultimately everyone in the organization This book covers recordkeeping in all media including paper microfilm electronic and other storage modes Instead of focusing on records media and information technologies Sampson shows why organizations must focus on the content and value of records as they are determined by the organization s operating needs the government s requirements and relevant legislation She shows how to create an essential uniformity in records management one that integrates the many media systems you use into a single master system Also included is a cautionary section explaining why skillful records and information management is essential to safeguard an organization s legal rights This book provides fresh management perspectives and new business strategies showing how to cope with the growing dependence on electronic records *Social and Political Implications of Data Mining: Knowledge*

*Management in E-Government* Rahman, Hakikur, 2009-02-28 This book focuses on the data mining and knowledge management implications that lie within online government Provided by publisher **IBM FileNet P8 Platform and**

**Architecture** Wei-Dong Zhu, Nicholas Buchanan, Michael Oland, Thorsten Poggensee, Pablo E Romero, Chuck Snow, Margaret Worel, IBM Redbooks, 2011-04-21 IBM FileNet Platform is a next generation unified enterprise foundation for the integrated IBM FileNet P8 products It combines the enterprise content management with comprehensive business process management

and compliance capabilities IBM FileNet P8 addresses the most demanding compliance content and process management needs for your entire organization It is a key element in creating an agile adaptable enterprise content management ECM environment necessary to support a dynamic organization that must respond quickly to change In this IBM Redbooks publication we provide an overview of IBM FileNet P8 and describe the core component architecture We also introduce major expansion products that extend IBM FileNet P8 functionality in the areas of content ingestion content accessing through connectors and federation the application framework and discovery and compliance In this book we discuss the anatomy of an ECM infrastructure content event processing content life cycle and business processes This book gives IT architects IT specialists and IT Technical Sales a solid understanding of IBM FileNet P8 Platform its architecture its functions and extensibility and its unlimited capabilities

Domesticating Information Carol E. B. Choksy, 2006-10-12 Domesticating Information Managing Documents Inside the Organization examines records and documents as complex business objects and explores the many different perspectives required for their management Viewing documents as business objects requires a much different perspective from treating them as cultural artifacts where preservation is the primary concern When viewed as business objects documents must be looked at in terms of integration with business processes in defense of litigation subpoenas or in the implementation of information technology As a consequence records managers are business analysts and therefore are treated as such in this book How information technology the law archives and library information science scholarship address and affect document and records management are all considered Topics covered include how to manage documents and records in any environment hard copy vs electronic documents and how to create a foundation for managing records that addresses the needs of business and government By addressing the needs of business and government the needs of citizens business web stakeholders and archivists are also fully addressed

*Sustainable Development Risks and Risk Management* Elena G. Popkova, 2023-10-19 This book is devoted to a systemic study of socio economic development risks arising in the Decade of Action as well as the prospects for risk management in support of sustainable development It aims to overcome fragmentary consideration of risks in the existing literature through their comprehensive coverage and the establishment of their interconnections from the perspective of sustainable development The novelty of this book is that it provides a comprehensive accounting of socio economic development risks in the Decade of Action as well as a rethinking of these risks from a sustainable development perspective The book also opens up the possibility of the most comprehensive and effective risk management in support of sustainable development The practical relevance of the book stems from the fact that it describes and discusses practical experience in detail and accompanies the theoretical material with numerous case studies including cases and frameworks with extensive coverage of international best practices The book is intended for scholars for whom the book forms a systemic scientific view of the risks of socio economic development arising in the Decade of Action as well as the prospects for risk management in support of sustainable development The book is also of interest to

practitioners for whom it offers practical advice on risk management at all levels of the economy for sustainable development Many examples from different countries make the book attractive to a wide international audience The book is of particular interest to readers from Russia      Official (ISC)2® Guide to the CISSP®-ISSMP® CBK® Joseph Steinberg,2015-05-21 The

Certified Information Systems Security Professional Information Systems Security Management Professional CISSP ISSMP certification was developed for CISSPs who are seeking to further their careers and validate their expertise in information systems security management Candidates for the ISSMP need to demonstrate a thorough understanding of the five domains of the ISSMP Common Body of Knowledge CBK along with the ability to apply this in depth knowledge to establish present and govern information security programs while demonstrating management and leadership skills Supplying an authoritative review of key concepts and requirements the Official ISC 2 Guide to the CISSP ISSMP CBK Second Edition is both up to date and relevant This book provides a comprehensive review of the five domains in the ISSMP CBK Security Leadership and Management Security Lifecycle Management Security Compliance Management Contingency Management and Law Ethics and Incident Management Numerous illustrated examples and practical exercises are included in this book to demonstrate concepts and real life scenarios Endorsed by ISC 2 and compiled and reviewed by ISSMPs and industry luminaries around the world this book provides unrivaled preparation for the exam Earning your ISSMP is a deserving achievement that should ultimately help to enhance your career path and give you a competitive advantage      **Digital Rights Management:**

**Concepts, Methodologies, Tools, and Applications** Management Association, Information Resources,2012-10-31 This reference is a comprehensive collection of recent case studies theories research on digital rights management and its place in the world today      **The Litigator's Guide to Electronic Evidence and Technology** Sheldon E. Friedman,2005

**Electronic Records in the Manuscript Repository** Elizabeth H. Dow,2009-04-13 Electronic Records in the Manuscript Repository defines the problems related to electronic records and digital documents describes the steps the curator should take to manage those electronic records and digital documents and suggests ways to learn the specific skills and perspectives needed to do the job well It provides an introduction to vocabulary basic concepts and best practices to date by collecting and contextualizing data from several real world projects and it contains almost 30 pages of references to resources that the curator can consult for information on specific topics Dow starts with a review of archival concepts including a look at archival practices and then discusses the problems created by electronic materials in that context as well as the research in progress to tackle these problems      **Advances in Information Technology** Borworn

Papasratorn,Nipon Charoenkitkarn,Kittichai Lavangnananda,Wichian Chutimaskul,Vajirasak Vanijja,2013-02-01 This book constitutes the proceedings of the 5th International Conference on Advances in Information Technology IAIT 2012 held in Bangkok Thailand in December 2012 The 18 revised papers presented in this volume were carefully reviewed and selected from 37 submissions They deal with all areas related to applied information technology such as e service information and



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