CUYAMACA COLLEGE
COURSE OUTLINE OF RECORD

PARALEGAL STUDIES 176 – ELECTRONIC DISCOVERY: ADVANCED PRACTICE

2 hours lecture, 2 units

Catalog Description
This course explores advanced practices involving the application of e-discovery in litigation and general practice. This course provides training on advanced eDiscovery processes and software programs. Students are introduced to a variety of commonly used eDiscovery applications and how to use these tools in practice. Students will also study ethics issues implicit in e-discovery.

Prerequisite
"C" grade or higher or "Pass" in PARA 175 or equivalent

Entrance Skills
Without the following skills, competencies and/or knowledge, students entering this course will be highly unlikely to succeed:
1) Demonstrate an understanding of, and properly use, legal terminology in E-discovery.
2) Recognize potential ethical problems in E-discovery.
3) Demonstrate writing skills necessary to communicate in a professional setting.

Course Content
1) Training on advanced eDiscovery processes
2) Training on a variety of software programs commonly used by the legal industry to facilitate:
   a. Preservation of Electronically Stored Information (ESI)
      1. In depth examination of the obligations to preserve ESI in anticipation of litigation and the events that trigger such duties.
   b. Collection and Processing of ESI during litigation
   c. Analysis, Production and Presentation of ESI
3) Common ethical issues regarding E-discovery
   a. Identify and evaluate ethical implications inherent in E-discovery.
4) Creating discovery plans using a variety of commonly used e-discovery platforms
5) Managing ESI through the lifecycle of a litigation matter using a variety of commonly used e-discovery platforms.
6) Learn to minimize risk of spoliation sanctions, privilege waiver, malpractice, and runaway discovery costs using a variety of commonly used e-discovery platforms
7) Informational speakers / interviews with industry professionals: Opportunities for students to make contact with E-Discovery industry representatives to hear firsthand about E-Discovery occupations; explore career opportunities in E-Discovery; the skills and education required for entry and success; the long-term growth potential; and, the career path taken by the representative in arriving at his/her current position.
8) Simulated workplace experience: Work-based learning activities that simulate work environments.

Course Objectives
Students will be able to:
1) Utilize a variety of software programs commonly used by the legal industry to facilitate:
    a. Preservation of ESI;
    b. Collection and Processing of ESI during litigation; and / or
    c. Analysis, Production and Presentation of ESI.
2) Manage the ESI and litigation support for the lifecycle of a legal case using a variety of commonly used e-discovery platforms.
3) Create a discovery plan using a variety of commonly used e-discovery platforms.
4) In depth examination of the obligations to preserve ESI in anticipation of litigation and the events that trigger such duties.
5) Identify and evaluate ethical implications inherent in E-discovery.

Method of Evaluation
A grading system will be established by the instructor and implemented uniformly. Grades will be based on demonstrated proficiency in the subject matter determined by multiple measurements for evaluation, one of which must be essay exams, skills demonstration or, where appropriate, the symbol system.
1) Peer Discussions
2) Examinations
3) Work-based learning activities that simulate work environments.

Special Materials Required of Student
Computer or device with consistent internet access or regular time scheduled in a computer lab on campus.

Minimum Instructional Facilities
1) Computer Lab access for students on a regular basis.
2) Online Learning Management System, e.g., Canvas

Method of Instruction
1) Virtual lectures and demonstrations
2) Hands-on exercises
3) Reading online lecture materials or watching online lectures, and participating in online discussions or chats

Out-of-Class Assignments
1) Reading assignments
2) Written assignments
3) Peer Discussions
4) Work-based learning activities that simulate work environments

Texts and References
1) Required (representative example): National Society for Legal Technology (NSLT) e-Discovery Certificate program (2022); https://legaltechsociety.org/Student
2) Supplemental: None

Student Learning Outcomes
Upon successful completion of this course, students will be able to:
1) Utilize a variety of software programs commonly used by the legal industry to facilitate preservation of ESI; collection and processing of ESI during litigation; and analysis, production, and presentation of ESI.

2) Identify and evaluate ethical implications inherent in E-discovery.
3) Succeed in work-based learning activities that simulate work environments in e-Discovery like processing and analyzing ESI leading to the creation of a summary report for their supervising attorney. (Work-Based Learning Outcome).