On January 1, 2014, the new rules approved by the SJC regarding electronically stored information (ESI) went into effect. **Rules 16, 26, 34, 37,** and **45** of the Massachusetts Rules of Civil Procedure were amended in response to the increasing amount of discoverable information that exists only in electronic formats. These changes are similar, though not identical, to the changes made to the Federal Rules of Civil Procedure 26 and 37, which were amended in 2007. Below is a highlight of the resources in our collection that will aid practitioners in understanding and managing electronic discovery.

LexisNexis Practice Guide: Massachusetts E-Discovery and Evidence
by Jonathan Sablone
5th floor States   **KFM2937.A15 L49**

The 2013 edition of this guide includes information on the new rules in Massachusetts regarding ESI, and provides strategy, forms, and checklists for each phase of discovery. Opening with an explanation of electronic discovery, the guide provides an overview for planning e-discovery, as well as locating electronic information and understanding the law governing ESI in Massachusetts. It also compares and explains the differences between Massachusetts and Federal Rules regarding ESI, as well as identifying ethical and privacy issues that may arise. The author, Jonathan Sablone, will be on the panel for the March 6th CLE, and those who attend can purchase this book for 40% off.

Tools & Technology to Deliver Big Firm Results on a Small Firm Budget
by David Burgess, Daniel K. Gelb, David Moses Jellinek, and Allyson E. Kurker
5th floor   **MCLE KF8902.E42 T66 2013**

A collection of articles offering tips and recommended practices for managing different types of ESI, from cell phones to social media, focusing mostly on criminal cases.

Electronic Discovery by Brent Kidwell
Matthew Neumeier, Brian Hansen
4th floor Reading Room   **KF8902.E42 K53 2005**

This book includes sample Requests for Production, outlines for taking depositions, and a guide to using experts for e-discovery. This Law Journal Press volume is also available as an eBook, which members can access from their home or office by clicking here and logging in with their Social Law Library username and password.

Electronic Discovery and Records Management Guide: Rules, Checklists, and Forms
4th floor Reading Room   **KF8902.E42 E4**

The 2013-2014 edition outlines best practices and case law updates; protecting ESI; understanding the locations, sources, and types of ESI, as well as developing information management programs. Topics also include destruction of ESI and paper records; preservation and legal holds; requests for admissions and production; privilege and privacy issues; spoliation; and protective orders and cost. Each section has its own corresponding checklists and forms.

The Ethics of E-Discovery
by John M. Barkett
4th floor Reading Room   **KF8902.E42 B373 2009**

Includes a quick overview of the important differences between electronic information and paper documents, a primer on the Federal E-Discovery rules; E-Discovery under the Model Rules of Professional Conduct and various state bar ethics opinions; a look at Qualcomm v. Broadcom, where six attorneys were sanctioned for the failure of their client to conduct proper electronic discovery searches; and finally, issues regarding the outsourcing of e-discovery.

Electronic Discovery for Small Cases: Managing Digital Evidence and ESI
  by Bruce A. Olson and Tom O'Connor.
  4th floor Reading Room **KF8902.E42 O47 2012**

Many of the vendors that manage electronic evidence target their products towards multi-million dollar cases that deal with very large amounts of data, which means that practitioners face problems of scale and pricing when dealing with smaller cases. This book has recommendations for services and computer programs that can help smaller firms manage e-discovery, and each chapter provides a quick overview of how to use these programs.

Electronic Discovery: Law and Practice
  by Adam I. Cohen, David J. Lender, and G. Edward Kalbaugh
  4th floor Reading Room **KF8902.E42 C64 2012**

A two volume, in-depth loose leaf set that covers procedural mechanisms, such as notifying opposing counsel of the duty to preserve electronic evidence, formats of production, interrogatories, and depositions; spoliation issues; document retention and shifting the costs of electronic discovery.