Course Syllabus for LIS 7618 e-Discovery

Site: Welcome to LSU Online!
Course: 2021 Second Summer LIS 7618 for Emilie Leumas
Book: Course Syllabus for LIS 7618 e-Discovery

Printed by: Emilie Leumas
Date: Thursday, June 24, 2021, 11:53 AM
This is the official syllabus for this course. Read it carefully! Click on any of the chapters to jump to the section you want to read. You can print this book by clicking on the link under the Table of Contents.
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Welcome to the Course!

e-Discovery

An overview of processes, principles and issues about e-discovery; introduction to ways, technologies, tools and platforms used in identifying and handling electronic evidence for civil and criminal cases.

About Your Instructor
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Dr. Leumas is a certified archivist and certified records management. She has actively practiced in these fields for more than 20 years at nonprofit organizations. Dr. Leumas holds leadership positions in several national and international organizations including holding a seat on the Executive Board of the International Council on Archives. She has authored three books and numerous articles on archival research methods, archives management, records management, disaster recovery, Louisiana French and Louisiana Catholic Church history. Dr. Leumas earned her master’s degree in Education from the University of New Orleans and her doctorate in French Studies from LSU.

About This Course
This course is designed to introduce e-Discovery (also known as electronic discovery) from a Records and Information point of view. It will cover e-discovery issues, processes and procedures, managing electronic information, retention programs and legal compliance, legal holds, tools, technologies and platforms in identifying, collecting, preserving and producing electronically stored information.

Watch the following short course introduction to get an idea of what we will cover. If you have any questions, please email your instructor.
Requests for support should be directed to the appropriate resources depending on the nature of the support requested. Please review the options below when requesting support while taking your course.

1. **Content or general course questions.** If you have questions about course content or about the course in general, use the following resources in "Announcements, Ask Your Instructor, and Q & A Forum" section of the course:
   - the office hours listed under "Ask Your Instructor"
   - the Q & A Forum at the bottom of the section
   Read the instructions in each activity before contributing.

2. **Personal progress questions.** If you have questions regarding your course progress, grades, or other issues of a personal nature, you should send an email to your course instructor.

3. **Technical questions or issues.** If you have any technical problems or questions, email the ITS Help Desk at servicedesk@lsu.edu or call them at (225) 578-3375. Be sure to include your name, course number, and section in your contact.
Course Outcomes and Module Learning Objectives

This course covers the following specific measurable outcomes and learning objectives. All assessments are aligned to these outcomes and objectives.

Course Outcomes
When you complete this course, you will be able to:

Module Topics and Learning Objectives
1. Identify key concepts, processes and core principles in e-discovery.
3. Explain the fundamental principles of electronic records retention and legal compliance.
4. Summarize the impact of laws and legal cases on production of electronically stored information (ESI).
5. Explain tools, technologies and platforms used to identify, collect and preserve electronic evidence.
6. Evaluate different scenarios related to document requests and production requirements.
7. Discuss the steps for implementing legal holds of ESI and other documentation.

The following is a breakdown of module topics and their associated learning objectives.

Module 1: Introduction to Electronic Records Management and E-Discovery
1. Identify the status and trends in electronic records management. (CO1, CO2, CO4)
2. Define key terms and basic concepts of e-discovery. (CO1)
3. Describe how the placement of Records and Information Management (RIM) programs affects the achievement of RIM goals and objectives. (CO1, CO2)
4. Identify the serious challenges in managing electronic information. (CO2, CO4)
5. Identify the required skill sets necessary for a high level of professional practice in electronic Records and Information Management (e-RIM). (CO1, CO2, CO4)

Module 2: Retention, Compliance and the Law
1. Define key terms and basic concepts in records retention and legal compliance. (CO1, CO3)
2. Describe the phases of the information life cycle and its importance to Records and Information Management. (CO1)
3. Identify key trends in data storage. (CO2, CO4)
4. Discuss implementation and auditing of retention schedules to meet legal compliance. (CO3)
5. Identify regulatory initiatives in recordkeeping. (CO3, CO4)
6. Discuss the impact of government regulations and litigation on business records. (CO2, CO3, CO4)

Module 3: Identifying ESI and Managing the Message
1. Identify the legal issues and challenges of managing email. (CO2, CO3, CO4)
2. Discuss the stages and standards of the identification phase of e-discovery. (CO1, CO5, CO6)
3. Identify the stages of the Electronic Discovery Reference Model (EDRM). (CO1, CO5)
4. Define how data might be searched to respond to discovery requests or subpoenas. (CO1, CO5, CO6)
5. Discuss ways of improving recordkeeping system performance. (CO5, CO6)
6. Define metadata and its role in identifying ESI. (CO1, CO2, CO4, CO5)
7. Define ESI and how it differs from conventional paper-based information. (CO1, CO2, CO3, CO4)

Module 4: Tools, Technologies and Platforms for Collecting and Preserving ESI
1. Identify major software solutions for managing electron information. (CO1, CO5)
2. Explain the national and international standards for electronic software applications. (CO1, CO2, CO5)
3. Discuss the components of enterprise content management (ECM) and its relationship to RIM. (CO1, CO5)
4. Define the challenges of long-term preservation of digital data. (CO1, CO2, CO5)
5. Define the stages and standards of the collection phase of e-discovery. (CO1, CO4, CO5)
6. Define the states and standards of the preservation phase of e-discovery. (CO1, CO4, CO5)

Module 5: Managing the Legal Hold Process
1. Define what is a legal hold. (CO1, CO7)
2. Define key terms and basic concepts in the legal hold process. (CO1, CO7)
3. Identify common events that may require an organization to suspend retention schedules and take steps to preserve information. (CO1, CO2, CO3, CO4, CO7)
4. Identify the steps needed to build an effective legal hold. (CO1, CO2, CO4, CO6, CO7)
5. Define the latest tools, technologies and platforms used in legal holds and preservation. (CO1, CO2, CO4, CO5, CO7)
6. Summarize the considerations for monitoring and removing the legal hold. (CO4, CO6, CO7)

Module 6: Production of Electronic Information
1. Define stages and standards of production phase of e-discovery. (CO1, CO5)
2. Discuss the importance of metadata in production of ESI. (CO1, CO5, CO6, CO7)
3. Prepare production history log. (CO6, CO7)
4. Prepare documents/files for production. (CO5, CO6, CO7)
5. Identify production requirements for ESI in discovery. (CO2, CO6, CO7)

Module 7: You've Been Served
1. Describe the ways records managers prepare for deposition. (CO2, CO4, CO6)
2. Analyze an e-discovery case scenario. (CO1, CO2, CO3, CO4, CO5, CO6, CO7).
3. Identify topics about which records professionals may be called upon to testify during a deposition. (CO2, CO6, CO7)
4. Prepare answers to interrogatories regarding the records management program. (CO2, CO6, CO7)
Materials and Resources

Required Materials

The following textbooks are required for this course:


You will need to order this text online through Arma International or Amazon. (I have also seen it on eBay and other used book vendors for less than $10.00)

Supplemental Materials

The following materials are supplemental to the course material. Each module contains specific material from this list. These items can be accessed through the LSU Libraries website, you can type each article’s title with quotation marks in the search box, and run the search. I have provided links to other resources to make your search easier. Texts marked with an asterisk * are recommended for use throughout the course. You may wish to download them for reference.


Arma International, (2019). Discovery Dispute Comes to a Head in Theranos Case


ARMA RIM Core Competencies, 2nd edition


Esquire Deposition Solutions, LLC, (2019) Three-part series

- The Five Types of Depositions That Flow from Obtaining ESI and E-Discovery - Part I
- Deposing the Custodians of Electronically Stored Information (ESI) - Part II

Gottehrer, Gail & Ronald J. Hedges (2020) Sanctions for the Loss of Ephemeral Messaging


What You Need to Know About Identifying, Collecting, and Preserving ESI (2018) blog post
Technical Information

Moodle runs on Windows, Linux, iOS, Android, or any device with a web browser. For information on browsers, please visit the LSU ITS Web Browser Recommendation page.

Google Chrome and Firefox are the recommended browsers for Moodle 3 at LSU. We also recommend that you have Adobe Flash installed and enabled, and that Javascript is enabled.

Hardware Recommendations
The following are helpful for completing your coursework and remote testing:

- A headset with microphone
- A webcam

Printing Your Course Material
Use one of the following methods to print module content:

- See printing options using Firefox
- Use the print commands in Moodle to print full books.
- Embedded PDFs contain printing functionality.
- Select Ctrl + P from your computer’s keyboard.
- If you have added a print icon shortcut on your browser’s toolbar, click the icon to print content.
Grading Scale and Course Work

Your grade in this course will be determined by the specific activities and assessments described in this syllabus. In the following subchapters you will find details about each type of activity and assessment, as well as the grade breakdown and grading scale. Specific expectations for each graded item are included within these subchapters. Make sure you read all of the instructions! Please note that all due dates and times are in Central Standard Time (CST).

Each module requires a minimum of approximately twelve to thirteen hours of in-class work (viewing and completing activities in Moodle) and approximately six to seven hours of out-of-class work (readings, research, study time). This means you will complete approximately nineteen hours of total work per week.

Special note:

Federal Financial Aid regulations require the confirmation of course participation in order for students to receive financial aid. In this course, this is achieved by documenting student completion of an academic activity by the last day to add courses for credit or change sections, which is usually the fifth day of class. This activity is designated “AEA” in Module 1. Failure to complete this activity within this time period may result in a delay in the disbursement of financial aid funds.

There is also a required academic activity due on the last day of class to ensure student engagement throughout the full term.
Grade Breakdown and Grading Scale

GRADING POLICIES

For all assignments, there will be a due time set up by the instructor. If the student encounters a situation and foresees that she or he may not be able to submit the assignment on time, the student should contact the instructor as soon as possible. The instructor will assess the situation and consider alternative options for the student, including granting a reasonable extension of the deadline. Student work submitted late without an excuse acceptable to the instructor will be downgraded, and a late submission deduction of 10 percent per day will be assessed up to three (3) days. [Example: If the discussion forum post is late one day, there is a one (1) point deduction per day. If the final project is late one day, there is a ten (10) point deduction per day.] The total numerical grade of this course is 100 points. Work submitted late without an excuse acceptable to the instructor after seven days will be graded as a permanent zero for that assignment.

Total Points

- Quizzes = 10 points each
- Forums = 10 points each
- Assignments = 20 points each
- Final Project = 100 points

Component | Points
--- | ---
5 Quizzes | 50
5 Discussion Forums | 50
5 Assignments | 100
1 Final Project | 100
Total = total points earned | 300

LSU GRADING SCALE

The following grading scale applies:

- 97%–100% = A+
- 93%–96% = A
- 90%–92% = A–
- 87%–89% = B+
- 83%–86% = B
- 80%–82% = B–
- 77%–79% = C+
- 73%–76% = C
- 70%–72% = C–
- 67%–69% = D+
- 63%–66% = D
- 60%–62% = D–
- 0%–59% = F

Minimum Requirement for the Performance in this Course

LIS 7618, e-Discovery, is a course for the graduate Certificate in Records and Information Management (CRIM) at...
SLIS. If the student is enrolled in the CRIM program, she/he must complete this core course with a B or higher grade. If the student does not receive at least a B, she/he must repeat the course as soon as possible. The student may repeat the course only once. Failure to pass the course with a B or higher will result in expulsion from the program. Remember that the student must maintain a 3.0 average every semester in order to remain in good standing with the Graduate School.
Quizzes

Content
Each module contains a short quiz that will test your knowledge of the information covered in the readings/videos/module resources. Click on the quiz title in each module, read the instructions, and begin your attempt.

Timing and Takes
You can take the quiz 2 times, and you will be given between 10 to 15 minutes depending on the number of questions.
Each quiz is worth 10 points.

Grading and Review
Your quiz will be automatically graded, and you will see your score after you submit. You will be able to review your answers when you are finished.
Discussion Forums

Description
In each module, you will participate in a discussion forum where you will be required to start a discussion and then respond to at least 2 of your classmates. Click on the forum title in each module, where you will find a prompt asking you to demonstrate critical thinking about the concepts presented in the module. Each discussion forum activity (original post plus responses) is worth 10 points.

Submission Guidelines
The instructor will design and post a series of class discussion forums based on the contents taught. Class discussions are a highly interactive component of this course. You will have chances to make any comments about the instructor’s postings, and fellow classmates’ ideas and work. Your contributions should be thoughtful and concise. In many, if not most cases, a good original discussion post will address the discussion prompt/topic fully, draw on relevant literature, and incorporate personal reflections, experiences and constructive suggestions if applicable. Such a post would be at least 300 words. Also, you are encouraged to reply or make comments on other students’ posts. A good reply or comment post will approve or dispute a point, provide additional information or evidence, and/or ask further question(s). Such reply or comment posts should be approximately 150-250 words. Short posts, such as “this looks perfect”, “I agree”, or “me too”, will not count as a fully developed post/response. On each class discussion forum, every student is required to do at least two (2) reply/comment posts. You will not be able to see your classmates’ posts until you respond to your instructor’s original question prompt. Once you have posted, you will see others’ posts and will be able to respond.

To maintain a healthy and professional discussion atmosphere, everyone is expected to keep the conversations civil, constructive and respectful of all class members at all times.

Grading Rubric
The following rubric is a sample of what is expected in both original and response posts.

Rubric for Discussion Forums.
Assignments

There are several assignments for you to complete throughout the course. Each module has detailed instructions for completing the assignment. All assignments should be submitted in Word (or Word compatible, such as .rtf) or pdf format. Submissions in Pages (iMac) will not be accepted.

In module 2, you will write a technical brief. The brief will consist of a short paper from three to no more than five double-spaced pages of discussion. Each brief must be supported by at least three references. Please identify the technical brief topic at the top of your paper. Details of the topic will be provided when it is distributed. (20 points)

In module 3, you will complete an analysis of vendor provided solutions based on an internet search using the terms ECM, Records Management and Legal Holds. The analysis will consist of a short paper from three to no more than five double-spaced pages of discussion. Each report must be supported by at least three references. Please identify the analysis topic at the top of your paper. Details of the analysis will be provided when it is distributed. (20 points)

In module 4, you will prepare a report for the ESI Identification team leader based on a series of questions relevant to the role of records management at an organization. The report will consist of a short paper from three to no more than five double-spaced pages of discussion. Each report must be supported by at least three references. Please identify the report topic at the top of your paper. Details of the report will be provided when it is distributed. (20 points)

In module 5, you will analyze three Department of Justice documents. The analysis will consist of a short paper from three to no more than five double-spaced pages of discussion. Each report must be supported by at least three references. Please identify the analysis topic at the top of your paper. Details of the analysis will be provided when it is distributed. (20 points)

In module 7, you will prepare a course reflection based on what you have learned and how this knowledge will benefit you in your future endeavors. Details of the assignment will be provided when it is distributed. (20 points)

Grading Rubric

Please review the Grading Rubric for assignments

Directions

Click on the assignment title in the module, where you will find instructions for completing and submitting your assignment.
Final Project

Purpose of the Assignment

The Final Project - Case study is a typical teaching and learning method in the records management field. It provides rich, detailed descriptions about what happened. A business case could be a story about individuals and/or organizations or a successful story to highlight a best practice. Or, it can be a distinguished failure to bring attention to some particular challenges or difficulties posed to an individual or an organization. Hence, case study is an excellent tool to sharpen students’ problem-identification and problem-solving skills.

A case is made available on the course website and will be due in Module 6. Additional information regarding the final project - case will be given when it is officially distributed.

The final project is worth **100 points** and makes up 33% of the whole final grade of the course.

To assess the Final Project - Case Study, the following evaluation criteria will be used:

Completeness:
- The extent to which the required components are addressed accurately and fully

Quality of writing:
- The extent to which the student uses simple and precise language to write this assignment
- The extent to which the student organizes the assignment in a logical and coherent manner
- The extent to which the student employs correct spelling, punctuation, and grammar

Quality of analysis:
- The extent to which the response is thoughtful, thorough, and well justified
- The extent to which the response demonstrates good skills in critical thinking

Grading Rubric

Please review the [Grading Rubric for the Final Project](#).

<table>
<thead>
<tr>
<th>Assignment Criteria</th>
<th>Maximum Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completeness</td>
<td>25</td>
</tr>
<tr>
<td>Quality of writing</td>
<td>25</td>
</tr>
<tr>
<td>Quality of analysis</td>
<td>50</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
</tr>
</tbody>
</table>
Course Policies

The following policies apply throughout your enrollment in this course. For specific questions about these policies, please contact either your instructor or the appropriate office listed in the subchapters.
Engagement and Participation

Please check into your Moodle course frequently to keep track of your work. Participation obligations involve specific points of engagement in course activities and interaction with other course members. Your active engagement in discussion forums or other required collaborative activities constitutes your participation in this course. You are expected to contribute and collaborate according to the requirements of the specific activities and assessments described in this syllabus.

Timely communication is an e-learning best practice. Check your LSU email and the News and Announcements Forum on the course front page daily to make sure you do not miss any communications from your instructor or classmates. Contact the instructor in advance if you are going to miss an assignment or turn in work late. This will give the instructor sufficient time to allow for discussing an alternative schedule.

Student work submitted late without an excuse acceptable to the instructor will be downgraded, and a late submission deduction of two (2) points per day will be assessed up to seven (7) days. Work submitted late without an excuse acceptable to the instructor after seven days will be graded as a permanent zero for that assignment.
Academic Integrity

Academic Misconduct

Students in LSU Online courses must comply with the LSU Code of Student Conduct. *Academic misconduct* includes but is not limited to cheating, plagiarism, collusion, falsifying academic records, and/or any act designed to give unfair academic advantage to the student. Preventing academic misconduct requires learners to take ownership of their individual work for individual assignments and assessments. Learners who violate the LSU Code of Student Conduct will be referred to Student Advocacy & Accountability. For undergraduate students, a first academic violation could result in a zero grade on the assignment or failing the class and disciplinary probation until graduation. For a second academic violation, the result could be suspension from LSU. For graduate students, suspension is the appropriate outcome for the first offense.

To read more, please visit the [LSU Code of Student Conduct page](https://lsuonline.moodle.lsu.edu/mod/book/tool/print/index.php?id=168274).

Plagiarism and Citation Method

It is your responsibility to refrain from plagiarizing the academic property of another and to utilize appropriate citation method for all coursework. In this class, it is recommended that you use APA, Chicago or MLA. Ignorance of these citation methods is not an excuse for academic misconduct. Remember, there is a difference between paraphrasing and quoting and how to properly cite each respectively.

One tool available to assist you in correct citations is the “References” function in Microsoft Word. This program automatically formats the information you input according to the citation method you select for the document. This program also has the ability to generate a reference or works cited page for your document. The version of Microsoft Word with the “References” function is available in most University computer labs. A demonstration of how to use this tool is available online at the [LSU Student Advocacy & Accountability page](https://lsuonline.moodle.lsu.edu/mod/book/tool/print/index.php?id=168274).

Unauthorized Assistance

All work must be completed without assistance unless explicit permission for group or partner work is given by the faculty member. This is critical so that the professor can assess your performance on each assignment. Read the syllabus and assignment directions carefully. When in doubt, e-mail your instructors or ask in a discussion forum. Seeking clarification is your responsibility as a student. Assuming group or partner work is okay without permission constitutes a violation of the LSU Code of Student Conduct.
Accessibility

A learner with a disability is entitled by law to equal access to university programs. Two federal laws protect persons with disabilities in post-secondary education: the Rehabilitation Act of 1973 (Pub. L. No. 93-112, as amended), the 1990 Americans with Disabilities Act (Pub. L. No. 101-336) and the ADA Amendments Act (Pub. L. No.110-325). LSU A&M is committed to ensuring that its websites, online courses, and all online materials are accessible to people with disabilities.

If you have accessibility needs that we can help with, visit the LSU Disability Services page and register for accommodations before you begin your course work.

If you notice that your course contains material that is not accessible, please contact your instructor directly to discuss accommodations.
Netiquette

Communication in the online classroom comes across differently than the communication we are accustomed to through academic writing and face-to-face classroom discussion. Use online etiquette guidelines like the ones listed in the document below to craft your communication.

You can also read The Core Rules of Netiquette by Virginia Shea (1994) to understand the human aspect of online communication.

Online Etiquette Guide

It is important to recognize that the online classroom is in fact a classroom, and certain behaviors are expected when you communicate with both your peers and your instructors. These guidelines for online behavior and interaction are known as netiquette.

**SECURITY**
- Remember that your password is the only thing protecting you from pranks or more serious harm.
- Do not share your password with anyone.
- Change your password if you think someone else might know it.
- Always log out when you are finished using the system.

**GENERAL GUIDELINES**
- When communicating online, you should always:
  - Treat your instructor and classmates with respect in email or any other form of communication.
  - Always use your professor's proper title: Dr. or Prof., or if in doubt use Mr. or Ms.
  - Unless specifically invited, do not refer to your instructor by first name.
  - Use clear and concise language.
  - All college level communication should have correct spelling and grammar (this includes discussion boards).
  - Avoid slang terms such as "wassup?" and texting abbreviations such as "u" instead of "you".
  - Use standard fonts such as Arial, Calibri, or Times new Roman and use a size 10 or 12 pt. font.
  - Avoid using the caps lock feature as IT CAN BE INTERPRETED AS YELLING.
  - Avoid the use of emoticons like :) or :(.
  - Be cautious when using humor or sarcasm as tone is sometimes lost in an email or discussion post and your message might be taken seriously or sound offensive.
  - Be careful with personal information (both yours and that of another).
  - Do not send confidential information via e-mail.

**EMAIL ETIQUETTE**
- When you send an email to your instructor, teaching assistant, or classmates, you should:
  - Use a descriptive subject line.
  - Be brief, but include necessary information.
  - Avoid attachments unless you are sure your recipients can open them.
  - Avoid HTML in favor of plain text.
  - Sign your message with your name and return e-mail address.
  - Think before you send the e-mail to more than one person—does everyone really need to see your message?
  - Be sure you REALLY want everyone to receive your response when choosing to "reply all".
  - Be sure the message neither intended for the information to be shared before choosing to "forward" the message.

**MESSAGE BOARD ETIQUETTE AND GUIDELINES**
- When posting on the Discussion Board in your online class, you should:
  - Make posts that are on topic and within the scope of the course material.
  - Take your posts seriously and review and edit your posts before sending.
  - Be as brief as possible while still making a thorough comment.
Diversity Statement

Diversity is fundamental to LSU's mission and the University is committed to creating and maintaining a living and learning environment that embraces individual difference. Cultural inclusion is of highest priority. LSU recognizes that achieving national prominence depends on the human spirit, participation, and dedicated work of the entire university community. Through its Commitment to Community, LSU strives to create an inclusive, respectful, intellectually challenging climate that embraces individual difference in race, ethnicity, national origin, gender, sexual orientation, gender identity/expression, age, spirituality, socioeconomic status, disability, family status, experiences, opinions, and ideas. LSU proactively cultivates and sustains a campus environment that values open dialogue, cooperation, shared responsibility, mutual respect, and cultural competence—the driving forces that enrich and enhance cutting-edge research, first-rate teaching, and engaging community outreach activities.