



## Institute of Professional Legal Studies

### Why you should know about Electronic Disclosure.....

It has been increasingly difficult for the law to keep up with technological change, and nowhere is this more evident than in the area of electronic disclosure. The overriding objective compels lawyers to see that cases are tried as expeditiously and inexpensively as possible.

With a manifold increase in electronic documents, the fact that 90% of business documents are electronic and a natural fear of computers amongst a large section of legal practitioners and clients, the costs of litigation look like getting out of control again.

This course has been written with the assistance of His Honour Simon Brown Q.C., the pioneering e-disclosure judge in *Earles v Barclay's Bank*. The programme has been designed to allay the fears of practitioners and to encourage the profession to use cost-effective and efficient disclosure procedures. It also aims to ensure that the courts in their case management role are assisted in the administration of justice.

It is a lively mixture of short presentations, group exercises, feedback and discussion sessions with interactive demonstrations of file management and search tools from PWC.

Those who attend the course will not only learn all they need to know about cost-effective electronic disclosure, they will also be much better able to advise their clients in what is required of them and what pitfalls should be avoided. By learning of the mistakes in training, you are less likely to make them in practice.

In short, this course will help you to stay ahead of the game and save your clients time and money.

**Venue:** PWC Waterfront Plaza

**Date:** 29 April 2014

**Time:** 5.00-8.00

**CPD:** 3 hours

**Cost:** £225 (20% discount will be applied if two or more from the same firm are attending)

***This course is highly interactive and provides a unique opportunity to work first-hand with relevant material and software.***

## TOPICS COVERED

- The purpose of disclosure
- What is a document?
- E-disclosure explained
- Developments in other jurisdictions
- What to look for
- Asking clients the right questions
- Proportionality
- Reasonable searches
- The new practice direction
- Co-operation with the other side
- The e-disclosure questionnaire
- Outsourcing the search
- Costs management
- Assisting the court
- The future of e-disclosure

## LEARNING OUTCOMES

The aim of this course is to train lawyers effectively, to:

- Appreciate the increasing importance of e-disclosure;
- Understand the importance of asking the client the right questions;
- Manage the client's expectations and explain the client's duties, particularly with respect to preservation;
- Understand the concept of a reasonable search;
- Assist the client is undertaking the most cost-effective search;
- Become familiar with certain technological terms;
- Understand the concept of proportionality;
- Appreciate the role of the court in managing costs and disclosure;
- Be prepared for the court's questions and concerns;
- Co-operate with the other side as far as possible in managing the process;
- Assist the court in making the right orders.

## PROFESSOR PETER LYONS



Professor Peter Lyons has been a specialist advocacy and dispute resolution trainer since 1995. He is a barrister and solicitor who was admitted to the Bar in Tasmania in 1987.

In 1995, he was appointed Course Leader of Nottingham Law School's Master's Degree in Advanced Litigation. In 2000, he was appointed an Associate Professor at the College of Law (now the University of Law) and was made Professor of Professional Development and Head of Programmes in 2002.

Peter Lyons designs and teaches courses in Advocacy, Litigation and Dispute Resolution for many of the top 50 City of London firms and for a large number of provincial firms. He has written and delivered major programmes for the Bar Council of England & Wales, the UK Financial Services Authority and the Hong Kong and Singapore Law Societies.

He designed the Public Access course for the UK Bar Council and the very successful Higher Rights program and Diploma in Advocacy for the College of Law. He has also designed and delivered their Advocacy and Communications course.

He has been a regular member of the teaching faculty of the National Institute for Trial Advocacy in America for a number of years. He has taught on the National program in Colorado; the Mid Western program in Indianapolis and the New England program in Boston.

Professor Lyons is a member of the Law Faculty of the University of Strathclyde which was voted the UK University of the Year in 2012. With Dame Elish Angiolini QC he created Europe's first LLM in Advocacy, which is in its third cohort.

He has taught trial or arbitration advocacy for major City firms and global advocacy for Linklaters and Clifford Chance. He has also taught in France, Spain, the Netherlands, the Czech Republic, Austria, Switzerland, Belfast, Dublin, Italy, Germany, Hong Kong, Singapore, Australia and the USA.

He has taught Electronic Disclosure and Costs Management many times in the United Kingdom.

## **eDiscovery specialist Michael Willis**



Michael is a Manager in PwC's Forensic Technology Solutions team. Michael joined PwC as an experienced IT Professional in October 2007.

Since joining the firm, Michael has specialised in the forensic capture, preservation, processing and reporting of electronic data within Forensic Technology Solutions (FTS).

Michael has supported multinational law firms with their electronic discovery and advised on litigation review strategies, keyword selection and dispute resolution.

He was a key member of the team assembled to provide investigator services as part of the Lehman administration. Michael's role was to lead the processing of multiple data formats into a review environment to assist with regulatory compliance, fraud investigation, contract disputes, unauthorised transactions and overvaluation of assets. Michael managed a team of 10 throughout this engagement ensuring forensic best practices were adhered to at all times and documentation completed in a clear and concise manner.

Michael has lead the forensic element of multiple investigations to analyse and extract financial accounts files from a user's computer accused of fraudulent activities in order to make a personal gain. The financial systems are typically extracted and loaded into a database allowing the investigations team to query it based on key criteria provided by the client.

Michael has performed numerous forensic assignments to capture, preserve and process data from a variety of electronic sources including PCs, servers, email and accounting systems. Mike recently completed a project to capture, preserve and process electronic data totalling 3TB from 50 custodians.



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### Booking Form Electronic Disclosure

**Name:** \_\_\_\_\_

**Firm:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

**Tel. No:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**I enclose remittance of £** \_\_\_\_\_

The Institute of Professional Legal Studies was established in 1977 at Queen's University Belfast. It provides an internationally recognised and unique one-year postgraduate course for trainee barristers and trainee solicitors who study together.

Committed to excellence since its inception, the Institute continually monitors and adjusts its performance, its courses and services to ensure its trainees receive the utmost quality. Over the years the Institute has modified the course to allow for greater and more structured integration of direct field experience. Today, the Institute's course is a central component of the overall training programme for lawyers.

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