



E-Discovery Overview

The Federal Rules of Civil Procedure took effect on December 1, 2006. It mandates companies to produce electronically stored information for civil litigation. Under the new Federal Rules of Civil Procedure, businesses have 120 days to turn over electronic documents requested as evidence in civil cases. These new rules are forcing IT managers to implement new electronic record-archiving policies. In the past, it was prohibitively expensive and difficult for companies to produce these electronic documents, particularly if they were stored on backup tapes. The burden and expense of e-discovery rests on the shoulders of the company undergoing litigation and if the records cannot be produced within the appropriate timeframe due to cost and/or difficulty, the judge has the sole discretion to determine whether the electronic search is adequate.

The rules don't specify what electronic records businesses must retain or for how long. Companies, in fact, are allowed to purge unneeded electronic documents as part of their regular data retention practices, but not if they have been requested for a civil case.

DataLockDown can help meet these new regulations by helping CIOs to figure out how to be more proactive in developing policies for what electronic records they retain, for how long, and when to dispose of these documents.