The purpose of this presentation is to provide attorneys with a basic understanding of computer forensics, so that they can capably discuss the data preservation and collection process with their clients, their client’s IT managers and/or Forensic Investigators.

FRCP Rule 37 (e) – The duty to preserve evidence begins when a party knows of or has a reasonable anticipation of future litigation. Failure to preserve evidence can result in severe sanctions:

FRCP Rule 37 (e)(2) – The Court May:
A) Presume the information loss was unfavorable
B) Issue mandatory or permissive adverse inference instruction
C) Enter dismissal or default

During this presentation, we will demonstrate the steps taken to forensically image a computer’s hard drive and discuss the options of using forensic tools to perform less expensive, but equally as effective targeted collections.

We will then demonstrate Forensic Analysis Systems that are used to quickly cull through volumes of files on forensically imaged drives and the eDiscovery Systems that law firms then use for discovery.