

THE OSGOODE CERTIFICATE IN E-DISCOVERY, INFORMATION GOVERNANCE AND PRIVACY

September 16 – 20, 2019 • 5 Consecutive Days
In Person or Webcast

Where Law, Information, and Technology meet.

Designed for **legal professionals** and **executives** without a technical background, this is a multi-disciplinary, intensive deep dive to help you master the e-Discovery process, including information governance, privacy, cybersecurity and records management.

Learn the essential elements of the application of technology to practice, including:

- Limits and responsibilities in data exchange
- How to establish an effective records management program
- Professional responsibilities in electronic advocacy and evidence management
- Information governance in a Data Revolution: Cloud Storage, Blockchain, Hackers, AI
- Privacy, confidentiality, cybersecurity, and AI issues in the flow of legal information
- The latest technology and AI used in forensics and analytical tools

Program Director

Susan Wortzman
MT>3

Location

Osgoode Professional
Development
1 Dundas St. W., 26th Floor
Toronto, ON

Register today at:

[osgoodepd.ca/
e-discovery](http://osgoodepd.ca/e-discovery)

The Osgoode Certificate in E-Discovery, Information Governance and Privacy

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Five Comprehensive Days of Learning:

- Classroom and online setting to enhance participation
- Interactive instructional sessions, including leaders from the Information Governance field
- Live demonstrations of the latest tools and techniques
- Learn-by-doing case studies to reinforce key concepts
- Expert guidance and discussion

The legal world is built on information, and rapid advances in technology have made the sheer volume of this information immense. If your work involves electronic discovery, or legal data and information management, this unique, interactive program will help you obtain the key skills and knowledge you need to be well-versed in the latest tools, procedures, and protocols.

Designed by a multidisciplinary faculty of the leading names from law, industry, government and the bench, led by Program Director Susan Wortzman, this OsgoodePD program focuses on the key competencies in e-Discovery; records management and information governance; privacy and cybersecurity challenges in the context of e-Discovery and forensics, including the use of AI and the future of e-Discovery.

Practical and Experiential Learning

This program will focus on practical, real world situations and provide ample opportunity for hands-on learning, questions and class discussion. A key element is the use of interactive sessions where you will use case study simulations to apply your learning.

In addition to instructional sessions, you will also benefit from a learn-by-doing workshop and demonstrations to explore the most common processing, assessment and analytical platforms and tools used in e-Discovery. You will be able to get personal feedback from the experts and gain practical insights and practice management tips from acknowledged leaders.

Whether **in-person or online**, the program provides an excellent opportunity for you to network and engage with other professionals (including program faculty) facing the same challenges.

**Space is limited to ensure an engaging an interactive experience.
Reserve your place now!**



Learn essential tips, knowledge and strategies, including:

- Fundamentals of e-Discovery, including legal and technology issues
- Emerging challenges in the preservation of evidence
- Collecting, storing, and processing e-documents
- Strategies for conducting an effective case assessment
- Best practices in the discovery process
- Effectively managing expectations of clients and the Courts
- Understanding project management in litigation and due diligence, from start to finish
- Common privilege issues
- Hands-on demonstrations of forensics and analytics tools
- Understanding privacy, confidentiality, cybersecurity, and AI issues in legal information
- Managing the struggle between privacy and data retention
- Information governance strategies now and in the future
- Information governance in a Data Revolution: Cloud Storage, Blockchain, Hackers, AI
- Emerging challenges in records management (in the legal context)
- Future of e-Discovery, including electronic advocacy in courts and tribunals
- Impact of recent developments in case law and legislation

Who Should Attend

- Litigators: civil, administrative, and criminal
- Litigation support professionals
- Law clerks
- Legal project managers
- Law librarians
- Knowledge Management professionals
- Records management professionals
- Information officers
- In-house counsel
- Legal technology professionals
- Forensic accountants

Drawing on the expertise and experience of leaders in the application and management of legal information, including:

Program Director



Susan Wortzman

MT>3

Advisory Board

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Counsel, Rothmans Benson & Hedges Inc.

Don Fawcett

Senior Counsel,
Ministry of Government and
Consumer Services

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Kevin Lo

Managing Director,
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Agenda

MODULE 1

Monday, September 16, 2019
9:00 a.m. – 5:00 p.m.

Foundations of e-Discovery

This intensive day provides a comprehensive overview of key concepts and issues in electronic discovery, covering both the technological and human elements.

- The Evolution of e-Discovery
- Technology – Back to the Basics
- Preservation of Evidence
- Legal Holds – The new world of technology and social media
- The new world of Collection – Office 365, social media, BYOD's, the Cloud
- Processing and Early Case Analysis – Best practices and strategies for culling, analysis, and processing.
- Understanding and overview of the Discovery Process
- Discovery Plan Best Practices
 - Handling Discovery in Class Actions
 - Managing expectations of the Courts
 - When the other side fails to cooperate
 - The pros and cons of discovery plans
- Managing the Costs of e-Discovery – Proportionality and cost containment

MODULE 2

Tuesday, September 17, 2019
9:00 a.m. – 5:00 p.m.

Process, Privilege and Production in e-Discovery

Module 2 will focus on the effective management of electronic discovery projects.

- E-Discovery Project Management
 - Role of Project Management in e-Discovery
 - Steps in managing an e-Discovery Project – the practical checklist
- Analysis of Data
 - From keyword searching to machine learning and other analytics.
 - Handling Big Data: indexing and contextual searches with AI
- Outsourcing Review Projects
- Evolution of outsourcing
- Managing the Review
 - Developing a process to leverage technology and reduce costs with the highest quality results
 - Impact of Analytics on review methods, accuracy and costs
- Common privilege issues encountered in e-Discovery
 - Review of solicitor-client, litigation, common interest privilege, jurisdictional issues, public interest immunity
 - Technological challenges to preserving privilege and privacy
 - Use of redactions
 - Challenges to privilege claims
 - Effective responses to inadvertent disclosure of privileged information
- Production
 - Redactions
 - Protecting Privilege
 - Security/Encryption
 - Quality Control and Validation of the Production
- Ethics of e-Discovery
 - Areas of potential e-Discovery negligence and how to best avoid them
 - Technological competency requirements

MODULE 3

Wednesday, September 18, 2019
9:00 a.m. – 5:00 p.m.

Forensics and Technology in the e-Discovery Process

Module 3 is devoted to the use of technology in harnessing legal information. You will learn about the essentials of analytics and electronic document collection, preservation and processing, and also participate in live demonstrations of the latest software tools and techniques.

- Forensic Essentials
 - What is forensics and when do you need it?
 - Authenticity and integrity of data
 - System and application metadata and their value in litigation
 - Deleted files, fragments, slack space, and file systems (FAT/NTFS/APFS)
 - Locked, encrypted, hidden, and corrupt files
 - Best Practices, risks, quick assessment and gap analysis
 - Reliability of electronic evidence and system integrity
 - Using recovered forensic data in e-Discovery
- Collection
 - Why you cannot rely on internal IT alone: choosing the proper process and tools
 - Information data maps and tools
- Preservation
 - Benefits of specialized legal hold software vs. basic methods, e.g. spreadsheets and email
 - Preservation in-place: automated (technology) vs. manual (custodians)

- Processing Tools – a deep dive into how data is processed
 - What happens during processing
 - Benefits of using a processing tool (de-duplication, email threading, removal of malicious files, system files and irrelevant file types)
 - Pros and cons of various processing tools
 - Effective use of processing settings
- Demonstration and Workshop: Understanding, Using and Exploring the Tools
 - Office 365 security and compliance
 - Early case assessment tools
 - Analytics/Predictive Coding/Machine Learning tools
 - Trial Management tools
 - Discovery assistive software
 - Real-time remote transcript review
 - Collaborative spaces

MODULE 4

Thursday, September 19, 2019
9:00 a.m. – 5:00 p.m.

Information Governance and Records Management

Module 4 is also available as a stand-alone 1-day program.

Led by experts in Information Governance, the foundations of best practices in information and data governance and cutting-edge strategies will be explored.

- Beyond RIM: The evolution of Information and Data Governance
- How your IG Strategy Shapes your Policies
 - Overall IG Policy
 - Acceptable use

- BYOD
- Legal holds
- Email, instant messaging, social media
- The modern retention schedule and Autoclassification
- Cost effective e-Discovery through effective IG Strategies
- Information Governance in a Data Revolution: Cloud Storage, Blockchain, Hackers, AI
- The Business of Information Governance: How to define strategies and priorities to achieve progress and ensure success

MODULE 5

Friday, September 20, 2019
9:00 a.m. – 5:00 p.m.

Privacy, Cybersecurity, AI, and the Law in e-Discovery

It is imperative for all professionals working in e-Discovery and legal information management to have a solid grounding in privacy, cybersecurity and AI issues. During Module 5 you will build a solid foundation while also analyzing future trends.

- Understanding privacy
 - PIPEDA and other provincial privacy legislation
 - Guidelines for obtaining meaningful consent
 - How and where privacy touches the practice of law?
- General Data Protection Regulation (GDPR)
 - What does GDPR mean for Canadian businesses and governments?
 - Key Features of GDPR

- AI and the Law
 - The intersection of AI and the Law – will lawyers be replaced by Robots?
 - AI in litigation
 - Ethical considerations for the use of AI
 - Smart Cities – AI v. Privacy
 - New ways to think about privacy: where do we draw the line?
 - Deidentification, anonymization, pseudonymization
 - Balancing privacy with other considerations
- Cybersecurity
 - Best practices for preventing a breach – What are the costs associated with an attack? How can you mitigate these?
 - Cybersecurity insurance – is it enough?
- Breach Response
 - When to bring in the “SWAT” team and what they do
- What’s Next? The Future of e-Discovery and Data
 - Changes in demographics and communications
 - Use of AI in litigation – practical and ethical considerations
 - Future trends in AI and privacy

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e-discovery](http://osgoodepd.ca/e-discovery)

Registration Details

Fee per Delegate

Full Certificate: \$3,995 plus HST

Government Rate: \$3,495 plus HST

Module 4 only: \$895 plus HST

New Licensee (2016 – current): \$1,995 plus HST

Fees include attendance, program materials, lunch and break refreshments. Visit www.osgoodepd.ca/financial-assistance for details about financial assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

For Further Program-Related Information please contact:

Stephen Ahad, Program Lawyer at 416.736-5495
or email sahad@osgoode.yorku.ca

Certificate of Program Completion

You will receive a **Certificate in E-Discovery, Information Governance and Privacy** upon completion of the program. Participants **must attend all program modules and pass an evaluative component** to receive a certificate.

4 Convenient Ways to Register



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Online



Fax



Call

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OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours – LSO (ON): 34h 45m CPD
(26h 30m Substantive; 7h 30m Professionalism; 45m EDI)



OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.

Here's what past participants had to say about this Certificate program:

“Extremely useful course for beginners”

“Comprehensive, and valuable resources”

“Good and useful”

“Certificate is valuable”

“(Material) is need to know for all civil litigators”