

UNIVERSITY OF FLORIDA  
LEVIN COLLEGE OF LAW

ELECTRONIC DISCOVERY  
LAW 6825-23889  
3-CREDITS

COURSE SYLLABUS  
FALL 2025

*The exabytes of digital information streaming about us today are rich rivers of evidence that will help us find the truth and move us to do justice more swiftly, more economically, and more honorably than ever before. It will require every litigator to master new skills and tools and alter the approaches and attitudes we bring to the adversarial process. We must reinvent ourselves to master modern evidence or be content with a justice system that best serves the well-heeled and the corrupt. The path to justice is paved with competent evidence and trod by counsel competent in its use.*

*-Craig Ball, [www.craigball.com](http://www.craigball.com)*



**Course Name:** Electronic Discovery  
Fall Semester 2025

**Class times:** Mondays and Wednesdays: 3:00 PM – 4:25 PM, Room 355B

**Office Hours:**

My office hours are Mondays and Wednesdays from 2:00 – 3:00 PM at HH 376.

Email	Telephone	Cell and Text	Office
hamiltonw@law.ufl.edu	352.273.0995	480.993.8777	Holland 376

All email and text communications to me should contain the words “Electronic Discovery Class” in the subject line.

Please let me know if you have something to share with me – an inspiration, a new thought, a frustration, or a concern.

Zoom is one of my favorite video conferencing tools. We can have a face-to-face video conference at any time (even on tablets and smartphones).

**Why You Should Take This Course:**

Electronic discovery is a crucial component of litigation that demands specialized expertise. Digital information determines case outcomes. This course also aims to help students prepare for the Florida Bar examination, which covers electronic discovery topics.

**Course Description:**

This course introduces you to the core processes and technology of electronic discovery, providing a foundation in the federal and Florida civil procedure rules, as well as federal case law governing the different phases of electronic discovery, including preservation, collection, review, and production. This course will also introduce students to the knowledge domains covered by the Association of Certified E-Discovery Specialists (ACEDS) Executive Certificate.

**Learning Outcomes:**

After successfully completing this course, you will have obtained:

1. A working knowledge of the principal e-discovery issues encountered in litigation
2. A working knowledge of the legal framework necessary to analyze and resolve many e-discovery issues.
3. A working knowledge of methods and tools of all electronic discovery phases.
4. A working knowledge of the best methods for utilizing electronically stored information for motions, hearings, and trials.

### ***I'm not a Computer Geek. Is This Course Over My Head?***

This course does not require any advanced or specialized computer knowledge. It will cover some basic computer and network operations. As with any course, there will be new vocabulary to learn. I hold BA and MA degrees in philosophy, which may provide some comfort.

### ***Will I Need to Become an Expert in Technology?***

The short answer is “No.” However, you'll need to learn a modest amount of new “technical vocabulary” and understand some basic technology concepts and computer functions so you can confidently “walk the walk” while “talking the talk.” This won't be difficult, and this course will give you everything you need. It assumes no prior technical or computer knowledge. It's fun to learn basic computer operations that few people understand.

### ***Who Is Your Professor?***

I joined UF Law after practicing complex civil litigation in state and federal courts for 30 years with Holland & Knight (Miami and Tampa) and Quarles & Brady (Tampa). I had the privilege of teaching at UF Law as an adjunct professor for ten years before becoming a member of the UF Law faculty as a legal skills professor.

I'm originally from Philadelphia and have spent almost my entire adult life in Florida. I earned a BA in philosophy from Lehigh University in Bethlehem, Pennsylvania, and an MA in philosophy from Washington University in St. Louis, Missouri. I graduated from UF Law in 1983.

Here are a few links where you can learn more about me.

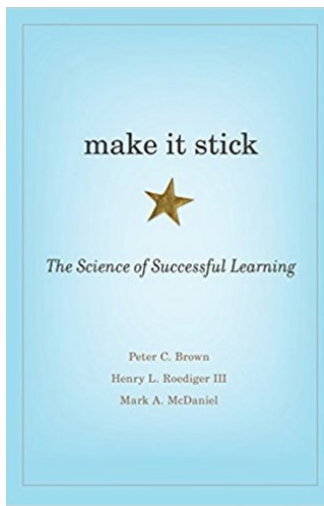
<https://www.law.ufl.edu/faculty/william-hamilton>

<https://www.law.ufl.edu/areas-of-study/institutes/icaire>  
<https://www.linkedin.com/in/williamfhamilton>

### ***Teaching Philosophy and Instructional Methods:***

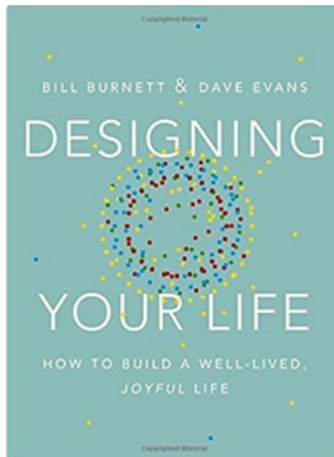
This course has a practical focus. You will learn the Federal and Florida Rules of Civil Procedure related to electronic discovery and analyze relevant cases. The course emphasizes solving real-world electronic discovery issues. In this class, you will learn to act as a litigator handling e-discovery issues in your cases.

My teaching philosophy is captured in ***Make It Stick: The Science of Successful Learning*** by Peter C. Brown.



This course is designed to introduce you to a variety of career paths involving e-discovery skills. I recommend the book

***“Designing Your Life: How to Build a Well-Lived Joyful Life,”*** by Burnett and Evans, Alfred A. Knopf (2016), for helpful strategies to find career directions that will work for you.



### ***Special E-Discovery Career Opportunities:***

Electronic discovery skills are vital for any litigator. Digital evidence plays a central role in resolving nearly all civil disputes. Mastery of e-discovery processes—such as preservation, search, review, and production—is essential for effective advocacy and compliance with professional responsibilities. In addition to case litigation, e-discovery also offers specialized career paths within law firms, legal technology vendors, and corporate legal departments. These roles include litigation support professionals, project managers, consultants, and in-house e-discovery counsel. There is a growing demand for lawyers and professionals who can manage both legal expertise and technical proficiency.

### ***Attendance:***

You are expected to attend all class sessions. Each week, you will be asked to read certain basic cases, statutes, and text material. If you cannot attend a class, you must email me in advance, and I will provide you with attendance points for that class. An excuse is not required. Do not lose attendance points.

### ***Is this Course Graded on a Curve?***

This course is graded on a curve. The Registrar provides me a curved grade range, and my class grade average **must** be within that range.

### ***Course points may be earned as follows:***

#### ***1. Final examination:*** 300 points.

There will be a 3-hour in-class final examination in essay format. The final

will require you to analyze factual scenarios, identify the correct legal rules, apply those rules, and reach a conclusion.

The Registrar will administer the exam. It will cover all Canvas materials, in-class discussions, and content provided by guest speakers.

## **2. Class Attendance and Participation:** 60 points.

Class attendance and participation are expected. Each class is worth 2 points.

Requirements for class attendance, make-up exams, assignments, and other coursework in this course adhere to university policies, which are available at:

<https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

Class Participation requires:

- (1) Asking and answering questions that illuminate the issues,
- (2) Asking and answering questions that enrich the class dialogue and advance the class understanding of the issues,
- (3) Participating in the class dialogue and discussions,
- (4) Participation in team debates and mock exercises,
- (5) Engaging in class activities, exercises, and projects.
- (6) Demonstrating class preparation.

Classes will contain numerous individual and group exercises and problems. The classes will be recorded, and access will be provided to all enrolled students. You may not take, circulate, or post photos or videos of classroom discussions, whether they are in-person, hybrid, or completely online. Students failing to follow this rule will be referred to the College of Law Honor Code Council and the university's Office of Student Conduct and Conflict Resolution.

I understand that you may have valid and urgent personal or professional reasons for missing a class. If you need to miss a class due to personal or professional matters, please inform me in advance as a courtesy. I will award attendance points to students who notify me before an absence. When you fail to give me prior notice, attendance points will still be awarded if there are compelling circumstances that justify the lack of advance notification.

It is important that you feel comfortable participating in class discussions and communicating with me about any issues related to the class. Please let me know how you would like to be addressed in class if your name and pronouns are not reflected by your UF-rostered name.

### **3. Practice Check-Ups: (60 points).**

There will be three 20-minute multiple-choice practice quizzes. Each check-up will be worth 20 points. The multiple-choice check-ups are designed to provide you with feedback and a reality check on how well you understand the course materials presented so far, and to give me feedback on which course areas and topics may require additional coverage.

### **4. E-Discovery Software Exercises: (80 points)**

We will have eight assignments using various electronic discovery tools provided by vendors for student use. These assignments will be graded on a S/U basis. The purpose of these exercises is to introduce you to e-discovery software tools. Each exercise is worth 10 points.

## **Class Cancellations**

Occasionally, I might have to reschedule a class because of professional commitments. If that occurs, I may record video lectures for students to watch or hold the class remotely through Zoom.

## ***Are Smartphones and Laptops Permitted in the Classroom?***

You may use digital devices in class only for note-taking. I will turn off my phone when I arrive, and please do the same. Limit your laptop use to taking notes. During class, avoid visiting social media sites, texting, and emailing. Keep your web browser closed to prevent temptation. Do not abuse this privilege. I expect your full attention in class. Nothing life-changing will happen while you're offline.

## ***What Notes Should I Take in Class?***

I recommend that you avoid taking word-for-word literal notes. This isn't a court reporting class! Instead, focus on understanding what is happening in class and record the main ideas. Handwriting your notes is better for you than typing them. Check out this article: [Note-Taking: Writing vs. Typing Notes](#). Additionally, taking good notes is a valuable legal skill. You'll need to learn how to take effective witness interview notes, deposition notes, and trial notes. A computer won't always be available or suitable to use.

### ***Make-Up Examination, Quiz, and Assignment Policy:***

The law school policy on delays and accommodations can be found [here](#).

### ***Assigned Texts (specific assignment will be provided from each source);***

1. *LexisNexis Practice Guide Florida E-Discovery and Evidence*, Artigliere and Hamilton (2024 update)  
<http://www.lexisnexis.com/store/catalog/booktemplate/productdetail.jsp?pageName=relatedProducts&prodId=prod14330392>. (**free online access for UF students**).
2. *Project Management in Electronic Discovery*, M. Quartararo (2021 second edition) (**modest ~\$20.00 purchase**).

### ***Weekly Class Objectives, Schedule, and Assignments:***

The weekly lesson details, objectives, reading materials, assignments, and exercises are posted on the course Canvas page. The Canvas website is the official record and schedule for the class. Please refer to it instead of this syllabus for information about class lessons, objectives, reading materials, assignments, and exercises. In each class, we will review cases, study rules, read secondary sources, and discuss practical e-discovery problems. The course Canvas page also hosts the reading assignments and exercises.

Here is the weekly structure of the course. Please consult Canvas for additional details regarding the reading assignments and materials:

Week 1: Litigation and Electronic Discovery

Week 2: ESI Preservation Duties: Clients and Counsel

Week 3: ESI Preservation Methods, Including Copying and Collection

Week 4: Fed. Rules 16, 26(a) and (b), and 26(f).

Week 5: Rule 34 Document Requests and Objections

Week 6: Keyword Search of Electronically Stored Information

Week 7: Enhanced Keyword Search and Data Analytics Techniques

Week 8: Artificial Intelligence: Predictive Coding

Week 9: Artificial Intelligence: Generative AI and Review

Week 10: Managing Documents Review Projects

Week 11: Defending ESI Search and Productions

Week 12: Judicial Review, Sanctions, and Balancing of E-Discovery Failures

Week 13: ESI Admissibility and Professional Responsibility in Electronic Discovery

Weekly lesson plans, reading assignments, and detailed exercises are available on the course Canvas page, which serves as the primary platform for all course content.

I reserve the right to make reasonable adjustments and modifications to the weekly schedule as needed based on the class's pace and progress, including, but not limited to, adding or reducing assignments, readings, and exercises.

***Workload/class preparation and the 2:1 out of class/in class requirement (ABA Standard 310):***

1. You should expect to spend, on average, approximately two hours preparing for every hour of class. Reading assignments are posted on the “Modules” link on the Canvas site (located on the left side of the Canvas site).
2. It is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in class assignments for every 1 hour in class.
3. ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. (Course) has 3 “classroom hours” of in-class instruction each week, requiring at least 6 hours of preparation outside of class. Accordingly, you will have about 60 pages of reading each week. Because the course includes statutory and regulatory excerpts that require careful reading, as well as discussion problems that require thoughtful advance written preparation, you should spend at least one hour on every 10-15 pages of reading.

***Statement related to accommodations for students with disabilities:***

Students requesting an accommodation for disabilities must first register with the Disability Resource Center (<http://www.dso.ufl.edu/drc/>). Once registered, students will

receive an accommodation letter which must be presented to the Assistant Dean for Student Affairs (Dean Mitchell). Students with disabilities should follow this procedure as early as possible in the semester.

***Information on UF Law grading policies:***

<u>Grade</u>	<u>Points</u>	<u>Grade</u>	<u>Point</u>	<u>Grade</u>	<u>Point</u>
A (Excellent)	4.0	C+	2.33	D-	0.67
A-	3.67	C (Satisfactory)	2.00	E (Failure)	0.0
B+	3.33	C-	1.67		
B (Good)	3.00	D+	1.33		
B-	2.67	D (Poor)	1.00		

The law school grading policy is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies> .

**Religious Holidays:**

UF Law respects students' observance of religious holidays.

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances

***University policy on academic misconduct:***

Academic honesty and integrity are fundamental values of the University community. You should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

***Online Course Evaluation:***

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback professionally and respectfully is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals in their Canvas course menu under GatorEvals or

via <https://ufl.bluer.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.ua.ufl.edu/public-results>

### ***Preferred Name and Pronouns:***

It is important to the learning environment that you feel welcome and safe in this class; and that you are comfortable participating in class discussions and communicating with me on any issues related to the class. If your preferred name is not the name listed on the official UF roll, please let me know as soon as possible by e-mail or otherwise. I would like to acknowledge your preferred name, and pronouns that reflect your identity. If your name and pronouns are not reflected by your UF-rostered name, please let me know how you would like to be addressed in class.

You can change your "Display Name" in Canvas. Canvas uses the "Display Name" as set in myUFL. The Display Name is what you want people to see in the UF Directory, such as "Ally" instead of "Allison." To update your display name, go to [one.ufl.edu](https://one.ufl.edu), click on the dropdown at the top right, and select "Directory Profile." Click "Edit" on the right of the name panel, uncheck "Use my legal name" under "Display Name," update how you wish your name to be displayed, and click "Submit" at the bottom. This change may take up to 24 hours to appear in Canvas. This does not change your legal name for official UF records.

### ***Class Recordings:***

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A "class lecture" is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

### ***Discourse, Inclusion, and the Classroom Ethos:***

As a law student and future lawyer, it is important that you be able to engage in rigorous discourse and critical evaluation while also demonstrating civility and respect for others. This is even more important in the case of controversial issues and other topics that may elicit strong emotions.

As a group, we are likely diverse across racial, ethnic, sexual orientation, gender identity, economic, religious, and political lines. As we enter one of the great learning spaces in the world—the law school classroom—and develop our unique personality as a class section, I encourage each of us to:

- commit to self-examination of our values and assumptions
- speak honestly, thoughtfully, and respectfully
- listen carefully and respectfully
- reserve the right to change our mind and allow for others to do the same
- allow ourselves and each other to verbalize ideas and to push the boundaries of logic and reasoning both as a means of exploring our beliefs as well as a method of sharpening our skills as lawyers

### ***Getting help:***

For issues with technical difficulties for E-learning in Canvas, please contact the UF Help Desk at:

- Learning-support@ufl.edu
- (352) 392-HELP - select option 2
- <https://lss.at.ufl.edu/help.shtml>

Other resources are available at <http://www.distance.ufl.edu/getting-help> for:

- Counseling and Wellness resources
- Disability resources
- Resources for handling student concerns and complaints
- Library Help Desk support

**UF LEVIN COLLEGE OF LAW STANDARD SYLLABUS POLICIES:**

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at [this link](#).

**Academic misconduct:**

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

***Disclaimer: This syllabus represents the current course plans and objectives. As the semester progresses, these plans may be adjusted to further enhance the class learning experience. Such changes, communicated clearly, are not unusual and should be expected.***