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Pilot program attracts great deal of interest

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A program launched in Chicago two years ago to reduce the hassles of electronic discovery “appears to be going viral,” according to the top federal trial judge in the Northern District of Illinois.

Chief U.S. District Judge James F. Holderman said the 7th Circuit Electronic Discovery Pilot Program has attracted so much interest across the United States and in other countries that those behind the program have set up a website that is available to lawyers, judges, litigants and members of the public.

Information posted on discoverypilot.com includes the program’s Principles for the Discovery of Electronically Stored Information as well as news and case law on e-discovery, Holderman said.

Holderman will report on the progress of the program on Tuesday, the final day of the annual gathering of judges and lawyers who work in the federal courts in Illinois, Indiana and Wisconsin.

The 2011 joint meeting of the 7th Circuit Bar Association and the 7th Circuit Judicial Conference, which is in Milwaukee, began Sunday.

The 7th Circuit Electronic Discovery Pilot Program Committee was established in 2009 in light of concerns about the difficulties and mounting costs of electronic discovery in civil cases.

The committee drafted principles

addressing such matters as the purpose of electronic discovery, the need for cooperation among attorneys during discovery and the benefits of approaching the preservation and discovery of electronically stored information with a sense of proportion.

The principles also recommended using liaisons to help resolve disputes over discovery.

Eight magistrate judges and five district judges serving in the Northern District of Illinois participated in Phase 1 of the pilot program in a total of 93 cases.

Phase 1 of the program ran from October 2009 through March 2010.

Phase 2 began in May 2010 and is to run to May 2012.

The interim report on Phase 2 that Holderman will deliver Tuesday says more than three dozen judges are now taking part in the program in what is expected to be hundreds of cases.

The interim report also says the membership of the pilot program committee grew from about 50 people at the end of Phase 1 to more than 80 now.

Committee members include experts — in-house counsel, private practitioners, government lawyers, academics and litigation consultants — from the seven judicial districts within the 7th Circuit as well as from around the country, the report says.

U.S. Magistrate Judge Nan R. Nolan is

the committee’s chairwoman.

In a written statement Friday, Nolan said information about the e-discovery program was moved from the 7th Circuit Bar Association’s website to an independent website in light of “the phenomenal interest, support and enthusiasm” the program has attracted.

Holderman said committee members have taken part in about 40 educational seminars in 12 states, as well as in Canada and China, over the last 18 months.

Chicago attorney Mary M. Rowland of Hughes, Socol, Piers, Resnick & Dym Ltd. said about 5,000 people registered to watch three webinars offered as part of the pilot program.

More webinars are being planned, said Rowland, who with Assistant U.S. Attorney Kathryn A. Kelly chairs the pilot program’s education subcommittee.

Chicago attorney Timothy J. Chorvat of Jenner & Block LLP predicted that “countless people” will turn to the program’s website to learn what the pilot program committee is doing “to maximize fairness in the pretrial litigation discovery process while minimizing the cost and burden of e-discovery.”

That cost and burden “has been a 21st century plague on litigation in the United States,” Chorvat said in a written statement.

Chorvat and Chicago attorney Christopher Q. King of SNR Denton chair the program’s website subcommittee.