



# CONTINUING LEGAL EDUCATION (CLE) PROGRAM

TECHNOLOGY PRACTICE

EXPERTS WITH IMPACT™

# Continuing Legal Education (CLE) Course Options

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FTI Technology is pleased to offer the following CLE courses to your legal team. Please contact your regional business development representative to schedule an event. CLE credits are pending certification in your jurisdiction.

## **DATA THEFT “DOS AND DON'TS”**

1.5 credit hours

In the age of information workers, easy access to company data provides numerous benefits, such as greater employee collaboration, productivity and mobility. Yet it can also heighten the risk of data theft. It is essential for counsel to act swiftly to protect the company's information-based assets.

This session will discuss:

- A checklist of steps to implement if theft is suspected
- Best practices for forensic investigations, including from emerging data sources like the cloud and social media
- Best practices for collaboration between legal, IT and forensics teams

## **E-DISCOVERY AND THE CLOUD – A CHECKLIST FOR SUCCESS**

1.0 credit hour

What is your organization's cloud strategy? For all of the benefits of cloud computing – from reduced infrastructure to greater accessibility – new challenges are emerging for the e-discovery process. From preservation to security, legal and IT teams need to weigh the new responsibilities and opportunities available with cloud applications.

This session will discuss:

- Key legal considerations for moving to the cloud, including the differences between public and private clouds
- Key technical considerations for moving to the cloud, including security, 24/7 access and data privacy
- Effectively negotiating service level agreements with cloud providers

## **ETHICAL OBLIGATIONS IN PROTECTING THE COMPANY'S CRITICAL DATA**

1.0 credit hour

Is all enterprise data created equal? If not, should all enterprise data have the same protections? What is the legal team's ethical obligation to protect data breaches and notify affected parties post-breach? Well-publicized data breaches, from customer credit card data to employee health records, highlight the increasing need for companies to better secure truly sensitive data.

Attendees will learn:

- Common technology adoption trends impacting data breaches
- How to develop a tiered approach to protecting data to reduce costs and risk
- Case law, ABA Model Rules, and state opinions on the ethical obligations of lawyers

## **THE LAST MILE: USING ANALYTICS FOR TRIAL AND DEPOSITION PREP**

1.0 credit hour

The real, and often overlooked, value of the e-discovery process is to understand relevant case data and effectively leverage that information to achieve the best results for the matter. Unfortunately, the scramble to produce tens or hundreds of thousands of relevant documents often leaves little time for counsel to prepare for depositions and trial. The proper use of analytics technology provides valuable post-production benefits to help legal teams effectively leverage discovered information to support their case strategy.

Attendees will learn:

- Key trends in the use of analytics for e-discovery, including industry adoption
- Deposition preparation tips and tricks, including how to prepare for unexpected deponents
- Example case studies of how e-discovery practitioners are using analytics to focus on important materials after production

## **NAVIGATING THE US-EU DATA PRIVACY LANDSCAPE DURING CROSS BORDER LITIGATION & INVESTIGATIONS**

1.0 credit hour

For global corporations, international litigation and investigations are increasingly complex and common. Challenges ranging from cultural issues to Big Data to business disruption require teams to consider many angles when faced with a multinational problem. What does the age of EU data privacy strengthening mean for US practitioners? And what can you do right now to defensibly handle cross-border matters in which data must be moved to the U.S. from Europe? What kind of tools and practical strategies can help reduce damages and fines? Attend this CLE session to learn how to navigate the uncertain waters of US/EU litigation and investigations in the age of data privacy.

Attendees will learn:

- The current state of data privacy law in the EU, including statutory and case law and official directives
- Strategies for working with data privacy during disputes and investigations – both internal and regulatory
- Best practices and technical frameworks for avoiding data transfer and working in-country

## **A PRACTITIONER'S GUIDE TO PREDICTIVE CODING**

1.0 credit hour

Predictive coding is growing in adoption yet many lawyers still find it difficult to use, understand and explain. This session is designed to help you understand the key conceptual underpinnings of predictive coding, top use cases for its use, as well as current case law.

Attendees will learn:

- Key concepts within predictive coding, such as precision and recall
- Common predictive coding workflows
- Strategies for defending the use of predictive coding

## **PREDICTIVE CODING AND THE MEET AND CONFER: WHAT EVERY ATTORNEY SHOULD KNOW**

1.0 credit hour

Statistical sampling, recall and precision, classification software, training sets – the use of predictive coding adds another dimension to the e-discovery process, as well as to the meet and confer. If you use predictive coding or are considering it for future use, attend this CLE session to hear predictive coding experts discuss the practical considerations for the meet and confer.

Attendees will learn:

- Protocols around statistical sampling, including sample size and recall and precision goals
- Best practices if recall rates are not achieved
- Disclosing information, including cut-offs for responsive, non-responsive and ambiguous documents
- Handling non-searchable, low-concept and hard copy documents

## **PUSH VS. PULL – LOOKING AT CULLING STRATEGIES**

1.0 credit hour

When coming up with strategies to identify or exclude documents from discovery, the old standard of search terms is always discussed. Search terms are great, but they're not the only option thanks to advances in technology. Join us in this CLE session to learn what other strategies are available and how to determine when to use a "push" strategy vs. a "pull" strategy in outlining your document population.

Attend this CLE course to learn:

- The advantages and disadvantages of search terms
- What other options are available when culling data
- How you can use "push" or "pull" analytics when making decisions about your data

## **REDUCING DISCOVERY COST WITH ADVANCED TECHNOLOGY & WORKFLOW**

1.0 credit hour

Not all e-discovery cases are the same, which is why many legal teams are learning to customize their approach using advanced technology and workflow. From culling and linear review software to predictive coding/TAR, legal teams have a range of technology options and supporting workflow that can reduce the costs and speed of discovery.

Attend this CLE course to learn:

- Historical linear review technologies and workflows
- Common technologies that reduce linear costs
- Adjustments to linear review workflow to reduce costs

## **SOCIAL MEDIA: POLICY, PROCESS AND TECHNOLOGY**

1.0 credit hour

Social media continues to pose challenges for legal teams. It is typically managed offsite by a third party, rather than under the physical control of the company. The myriad of social media sites, all with different retention policies, make it difficult to assess the size of the data and its content. Traditional collection tools can't search, preserve and collect cloud data due to its technical architecture. And, very little case law exists on the proper handling of social media for e-discovery. Is it possible to proactively control social media data? What are the best practices employed by discovery professionals for searching, preserving and collecting cloud data?

Discussion topics to include:

- Legal and technical considerations for social media usage and collection
- Case law and best practices for the review of social media
- Case studies of recent matters involving social media

## TAKING PREDICTIVE CODING OUT OF THE “BLACK BOX”

1.0 credit hour

What goes on inside the “black box” is a concern for many. In fact, a recent study reported that more than half of Fortune 1000 and American Lawyer 200 attorneys noted concern about effectively defending the results of predictive coding. This concern is often due to the technical nature of predictive coding technology and workflow, as well as an overall lack of transparency into the software itself. Will predictive coding ever be less opaque or easier to explain?

Attendees will learn:

- Adoption trends and key use cases for predictive coding.
- Critical components to delivering high-quality predictive coding results.
- Key performance indicators (KPIs) for measuring and ensuring coding accuracy.
- Visual verification tools for testing inconsistencies in responsive or privilege decisions.
- Defending the use of predictive coding in court.

## THE ONLY CONSISTENCY IS INCONSISTENCY (IN LEGAL REVIEW) LEARNING FROM MISTAKES IN DOCUMENT REVIEW

1.0 credit hour

When a team of attorneys begins a document review, reasonable minds may make different decisions about the documents that they’re reading. By planning for these “mistakes” and structuring a team to anticipate these different interpretations, life can be made easier down the road.

Attend this CLE session to learn:

- The most common mistakes made when trying to get multiple attorneys to agree on anything
- How to implement a quality control workflow that isn’t simply a re-review
- How to use technologies to identify mistakes that nobody knew were mistakes

## ABOUT FTI TECHNOLOGY

FTI Technology helps clients manage the risk and complexity of e-discovery, compliance and information governance.

We collaborate with clients to develop and implement defensible data governance, investigation and discovery solutions that utilize our award winning visual analytics software. Clients rely on our software, services and expertise to address matters ranging from internal investigations to large-scale litigation with global e-discovery requirements.

If you are interested in scheduling a CLE course for your organization, please contact us:

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### About FTI Consulting

FTI Consulting is an independent global business advisory firm dedicated to helping organizations manage change, mitigate risk and resolve disputes: financial, legal, operational, political & regulatory, reputational and transactional. FTI Consulting professionals, located in all major business centers throughout the world, work closely with clients to anticipate, illuminate and overcome complex business challenges and opportunities. For more information, visit [www.fticonsulting.com](http://www.fticonsulting.com) and connect with us on Twitter (@FTIConsulting), Facebook and LinkedIn.

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