

BakerHostetler

E-Discovery Advocacy and Management Team

December 2015 Changes to the Federal Rules of Civil Procedure



The anticipated changes to the Federal Rules of Civil Procedure are expected to have a significant impact on the discovery process, advocacy opportunities for savvy litigators, and discovery budgets. BakerHostetler's E-Discovery Advocacy and Management Team provides clients with information and practical advice about the changes, the new disputes likely to arise under the new rules, and how to prepare for discovery in 2016 and beyond.

Our attorneys offer tailored in-house or webcast clinics to fully brief your team on the intricacies and practical application of these anticipated changes. Topics can include all or some of the following:

Purpose of the Rule Amendments

- Improving case management
- Refining the concept of proportionality
- Encouraging party cooperation
- Providing uniform national preservation and spoliation rules

Timing

- Fed. R. Civ. P. 4(m) – Service of Summons and Complaint
- Fed. R. Civ. P. 16(b) – Time to issue Scheduling Order
- Fed. R. Civ. P. 26(d) – Delivery of Rule 34 Requests for Production

Relevance

- The new definition and the role of proportionality

Preservation of Evidence

- More disclosure up front

Meet and Confer/Transparency

- New topics of discussion with the adversary
- Early requests for production of documents
- Specificity in responses to document requests; specificity on what documents are being withheld

Curative Measures and Spoliation

- New standards
- New areas for dispute

Contact

Karin S. Jenson

New York

kjenson@bakerlaw.com

T 212.589.4266

discoveryadvocate.com

bakerlaw.com

BakerHostetler is one of the nation's leading law firms with more than 900 attorneys coast to coast, delivering the highest-quality legal counsel on the most complex and critical issues facing clients today. The firm has offices in Atlanta, Chicago, Cincinnati, Cleveland, Columbus, Costa Mesa, Denver, Houston, Los Angeles, New York, Orlando, Philadelphia, Seattle, and Washington, D.C.

Baker & Hostetler LLP publications inform our clients and friends of the firm about recent legal developments. This publication is for informational purposes only and does not constitute an opinion of Baker & Hostetler LLP. Do not rely on this publication without seeking legal counsel.

© 2015 BakerHostetler®