

Session 3: Social Media and Mobile Devices – Updated Guidance on Preservation, Processing, and Producing Obligations

Judge Peter Swann William Kellermann Eric Fierro Tim Piganelli Rob Singleton

April 30, 2019

Presenters

- Judge Peter Swann
 Vice Chief Judge
 Arizona Court of Appeals
- William Kellermann Counsel Hanson Bridgett

https://thesedonaconference.org/ipro2019

- Eric FierroAttorneyKeller Rohrback
- Tim PiganelliCEOPiganelli & Associates



Agenda

- Social Media in our Personal and Professional Lives
- Possession, Custody, and Control of Social Media
- Collection, Review, and Production in practice
- Privacy expectations in Social Media
- How are the courts and the rules dealing with Social Media
- Wrap-up & Questions



Social Media in our Personal and Professional Lives

- What is social media?
 - Traditional social media
 - Collaboration sites
- How has it impacted our lives?
 - Personal vs. Professional
- Case Studies



Possession, Custody, & Control

- Isn't PCC clearly defined?
 - Shadow IT
 - 3rd party involvement in social media sites



Collection, Review, & Production

- Standards for preservation
- Collection Tools
 - Can they keep up with updates?
- Tools for processing Social Media
- How does it look in the review/production?



Do we really expect privacy in our Social Media?

- What is privacy in Social Media?
- Different standard between personal and professional sites
- Should there be an expectation of privacy



Courts' (and other) Efforts to Deal with Social Media

- Arizona Courts Efforts
- Other Jurisdictions
- The Sedona Conference



Final Thoughts/Questions

https://thesedonaconference.org/ipro2019





Next up...

Technology: The Cutting Edge and Where We're Headed



