



ANNOUNCING PUBLICATION OF
THE SEDONA RESOURCES FOR THE JUDICIARY, THIRD EDITION

The Sedona Conference announces the publication of *The Sedona Conference Cooperation Proclamation: Resources for the Judiciary, Third Edition*. This publication, available free for individual download, provides state and federal trial judges with a comprehensive but easy-to-follow guide to eDiscovery case management, based on the precepts of [The Sedona Conference Cooperation Proclamation](#).

The first edition of the *Judicial Resources* was developed in 2008 and has been extensively updated in response to subsequent amendments to state and federal eDiscovery rules, developments in the case law, and advances in technology. This third edition appears at a particularly important time, as almost all day-to-day business and personal activities are taking place online, generating an unprecedented volume and variety of electronically stored information (ESI) that may be subject to discovery in later litigation.

This information must be managed by judges, and the third edition of the *Judicial Resources* articulates a clear judicial philosophy of case management and resolution of discovery disputes. It describes a framework by which federal and state judges can address—and resolve—discovery issues that might arise in every stage of civil litigation, from preservation before commencement of a civil action through an award of post-judgment costs. The *Judicial Resources* addresses different styles of judicial management of ESI but suggests that active case management might be the most efficient means to resolve ESI-related disputes, assuming that the court has the means to do so. It also recognizes that not all civil actions are equal in the resources of the parties, the sophistication of counsel, or the actual amount in issue, so it encourages proportionality.

The *Judicial Resources* is structured around 20 stages of civil litigation when judicial management – either proactively or in response to a request of the parties – is most appropriate or desirable. For each stage, the *Judicial Resources*:

- Identifies key issues that a judge is likely to face at each stage of litigation;
- Suggests strategies for case management or dispute resolution that encourage the parties, when possible, to reach a cooperative resolution at each stage;
- Provides exemplar court decisions or orders; and

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- Recommends further readings on the issues presented at each stage that have been either published by The Sedona Conference or are peer-reviewed.

The *Judicial Resources* is the product of a two-year effort to assemble case law and materials that bear on case management. It has also had the benefit of comment and review by judicial advisors, all of whom have made significant contributions. Those reviewers are Hon. Helen C. Adams (S.D. Iowa), Hon. J. Michelle Childs (D.S.C.), Hon. Timothy S. Driscoll (N.Y. Sup. Ct.), Hon. Xavier Rodriguez (W.D. Tex.), and Hon. Elizabeth M. Schwabedissen (Fla. 11th Jud. Cir.). Moreover, the Senior Editors of the *Judicial Resources*, Ronald J. Hedges and Kenneth J. Withers, wish to acknowledge the invaluable contributions of student interns from Georgetown University Law Center, Kevin H. Jenco and Neil J. Pladus.

We commend the *Judicial Resources* to judges—state, federal, tribal, or administrative – and their clerks and interns, as well as to any professional engaged in the practice of law before courts or other tribunals who are faced with the management of ESI in civil litigation and who may be tasked with the presentation or response to arguments involving the preservation, discovery, production, and admissibility of electronic evidence.

The *Judicial Resources* may be downloaded without charge for individual use at https://thesedonaconference.org/publication/Resources_for_the_Judiciary. The Senior Editors welcome any comments or criticisms. Please direct these resources@sedonaconference.org.

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