
UNIVERSITY POLICY

E-Discovery Request Policy

Accommodations for individuals with disabilities in accessing these policies are available upon request by emailing accessiblepolicy@wcupa.edu

Purpose and Scope

The main objectives of this policy are to: Define responsibilities and policies when an e-Discovery or Litigation Hold request is submitted by PASSHE Legal Counsel.

This ISP applies to all departments, equipment and services, under the CITO's jurisdiction. Departments not under the CITO's jurisdiction are strongly encouraged to follow this policy.

Policy Statement

All E-Discovery and Right-To-Know requests will be processed through the Vice-President of Information Service's office. The CITO will coordinate the appropriate staff to handle the request based the procedures listed in ODP-INF002 (e-Discovery Procedures). All responses will be disseminated by the CITO. The CITO will also determine if the scope of the request is too vast for the campus IT department to handle and will contract with a 3rd party service provider as needed.

All Litigation Hold requests will be processed by the Information Security Officer. The ISO will coordinate the appropriate resources to handle the request based on the procedures listed in ODP-INF002 (Litigation Hold Procedures). Confirmation of litigation holds will be disseminated by the ISO.

Policy Framework

The policy framework should outline high-level mandatory processes and practices that are required to implement and comply with the policy.

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Compliance

Chief Information Technology Officer (CITO) – Coordinate staff and verify the request for e-Discovery is in compliance.

Information Security Officer (ISO) – Logs activity of e-discovery request processing. Coordinate staff and resources for Litigation Holds.

Policy Exceptions

Exemptions of this policy are approved by the AVP of Information Services (CITO).

Definitions (if needed)

E-Discovery - refers to discovery in civil litigation or government investigations which deals with the exchange of information in electronic format (often referred to as electronically stored information or ESI). These data are subject to local rules and agreed-upon processes and are often reviewed for privilege and relevance before being turned over to opposing counsel. (Wikipedia)

Litigation Hold – aka Legal Hold - is a process which an organization uses to preserve all forms of relevant information when litigation is reasonably anticipated. The Legal Hold is initiated by a notice or communication from legal counsel to an organization that suspends the normal disposition or processing of records, such as backup tape recycling, archived media and other storage and management of documents and information. A legal hold will be issued as a result of current or anticipated litigation, audit, government investigation or other such matter to avoid evidence spoliation. (Wikipedia)

CITO – Chief Information Technology Officer/Vice-President of Information Services – Highest ranking Information Services member. Reports to the university President.

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Right-To-Know – Pennsylvania Act 3 of 2008, provides access to public information maintained by the Commonwealth of PA and its agencies. PASSHE is in scope with the Right-To-Know Act.

References (if needed)

- ODP-INF002 – Procedures for processing of e-discovery and litigation hold requests
- Computer System Checklist – Users can fill out this form to inventory their IT assets on and off campus.
- Commonwealth of PA Open Records Office - <http://openrecords.state.pa.us/>
- WCU Right-To-Know - <http://www.wcupa.edu/INFORMATION/AFA/VPADMFIN/RTK.asp>

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IS&T Domain: Information

Reviewed by: Information Security

Policy Owner: Frank Piscitello, Information Security

Approved by: Adel Barimani,
VP of Information Services & Technology
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