

Social Media and eDiscovery

North Texas Chapter of ISACA

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The Internet is the greatest social change in the history of humans. Social Media is transforming communications in unique ways, and as a result litigation in the courts. This presentation will focus on legal issues that affect evidence in lawsuits unknown in the past. Information Technology professionals now need to know and understand Social Media and Internet Law issues, or suffer the consequences. However Social Media and Internet Law are not static and continues to change with the speed of light. In the meantime we will surely see more Social Media evidence in trials, and this will continue in the future.

Legal Issue	Questions Raised	Take-Away Advice
Terms of Service	<i>Should I read Terms of Service?</i>	Review Terms of Service to understand legal rights and liabilities.
Privacy Policy	<i>How does the Privacy Policy impact Internet usage?</i>	Privacy laws in the US and the world.
1986 Stored Communications Act	<i>How can you get Social Media content?</i>	SCA limits discovery of Social Media Content.
Privacy Laws	<i>What body of laws apply to privacy?</i>	Privacy is controlled by US Federal Trade Commission, EU Data Directive, and Canadian Privacy Laws.
GPS - Location Based	<i>Does the GPS in your PDA help create new sources of evidence?</i>	Greater use of location based information impacts discovery and evidence.
ESI	<i>How is Social Media affecting ESI and eDiscovery?</i>	Social Media is expanding the size and sources of ESI.
Cell and tablets	<i>How can we manage ESI when we carry GPS computers everywhere we go?</i>	ESI will expand as everyone has cells and tablets.

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