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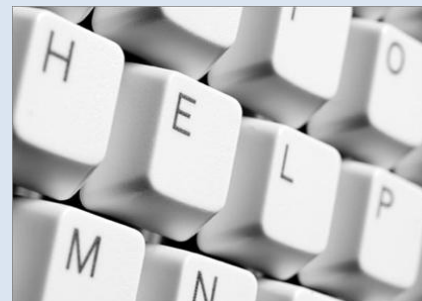
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E-discovery Talk

By: Denise Sabuda Murphy, Goldberg Segalla LLP
NFPA Editorial Coordinator

We all know that E-discovery is here to stay, whether it has touched our career lives yet or not. Below are some commonly used terms and file types to be familiar with for those participating in, or interested in participating in, the litigation support arena.



Dii File or “document image information”. The Dii file is the load file which is a proprietary Summation file and is used to batch load images, OCR, and objective coding into the database. The Dii file instructs Summation on the unitization of the documents in the database as it would otherwise appear in a file cabinet with appropriate page breaks. You can also use a Dii file to load images without OCR or objective coding.

De-duplication or deduplication. The identification and segregation of exact or nearly-exact files. De-duplication can substantially reduce the cost of working with electronic document, as multiple copies of the same file need not be reviewed.

Metadata. Structured information about an electronic file that is embedded in the file, but not normally visible when viewing a printed or on screen rendition of the document, that describes the characteristics, origins, usage and validity of other electronic files.

OCR or “Optical Character Recognition”. The process of taking scanned images (from documents) and electronically converting them into editable text. The output may be a text file or it may be embedded in a more complex file, such as a searchable PDF.

PDF or “portable document format”. Developed by Adobe Systems, Inc., PDF is the de facto standard for the exchange of electronic documents. PDF preserves the fonts, images, graphics, and layout of any source document, regardless of how the original document was created. PDFs can also be searchable, either by retaining text from the source document or by having a source image file converted by OCR. Depending on capture methodology, PDFs may retain some metadata.

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SEPTEMBER 27-30,
2012, SHERATON
ANCHORAGE

AAFPE ANNUAL
CONFERENCE
OCTOBER 10 to
OCTOBER 13
SAVANNAH, GA

E-Discovery Talk (continued)

TIFFs or “tagged image file format”. A common practice has been to take electronic files and save them as imaged based electronic files known as TIFFs or TIFs. TIFFs are electronic files and are like a picture of the electronic document, and no text or metadata is retained as part of the file. TIFFs are also compatible with a wide range of hardware and software platforms, and future development is not tied to any single company.

TXT File: A text file holds just the text information without retaining the format. Most basic file types can be opened with any text editor or word processor. TXT files are used to import data into most databases from another database, spreadsheet or electronic discovery.

ABA Adopts Changes to Model Rules of Professional Conduct

**By: Beth L. King, RP, Vestas - American Wind Technology, Inc.
Oregon Paralegal Association**

At the August 2012 ABA Annual Meeting, delegates approved changes to the MRPC in four general areas:

- Outsourcing
- Technology
 - In marketing
 - Confidentiality in use of
- Lawyer mobility.

While the changes affect the commentaries to the rules, not the model rules, they will have a profound impact on the legal profession. The revisions resulted from a three year review and comment period by the ABA Commission on Ethics 20/20.

Since these are Model Rules, it is expected it will take states, most of which have previously adopted the MRPC in all or some form, several years to consider and adopt the changes. Most of the changes are non-controversial, although the issue of technology has significant implications relating to competence in data security, cloud storage, and supervision of vendors and staff. See link for more information or to review resolutions:

http://www.americanbar.org/groups/professional_responsibility/aba_commission_on_ethics_20_20/house_of_delegates_filings.html

Interested in submitting an article for the NFPA E-Newsletter?

E-mail your inquiries or ideas to NFPA Editorial Coordinator Denise Sabuda Murphy at editorial@paralegals.org.