

AI and Litigation Strategies

Compressed Course Syllabus

Levin College of Law
University of Florida
Fall Semester 2022
August 15th – 19th

Course Description:

Data analytics including artificial intelligence has emerged as a critical tool used throughout the litigation process to achieve outstanding client service and litigation results.

This course will explore the contemporary use of data analytics and artificial intelligence within the litigation process focusing on conducting early and pre-litigation investigations, preparing to take and defend Rule 30 depositions, identifying privilege and work product documents, preparing for the Rule 26(f) case conferences and Rule 26(a) disclosures, and responding to Rule 34 requests for production.

The learning objectives of the course are to provide you with an understanding of, and experience with, the most advanced data technologies used in contemporary litigation.

The course will include an analysis and discussion of contemporary case law and seminal secondary sources regarding the use of data analytics artificial intelligence in the litigation process. Additionally, throughout the course each student will

work hands-on with Reveal®, one of the nation's most advanced data analytical platforms. Students will perform data analytic litigation activities utilizing a database of actual documents from the Enron litigation.

The course will be taught by William Hamilton, Senior Legal Skills Professor with 30 years of litigation experience, and George Socha, Senior Vice President of Brand Awareness for Reveal Brainspace and the co-founder of Electronic Discovery Reference Model (“EDRM”). Your instructors along with Sean Varnado, Catherine Kruszka, and others at Reveal have worked hard to design and create the Reveal exercises, videos, and materials for this new course. Mr. Varnado will visit our class periodically by Zoom.

Class time: Monday, Tuesday, Wednesday, and Thursday:
10:00 AM – 11:50 PM, and 1:00 PM – 1:50 PM

Friday: 1:00 PM – 1:50 PM

Class Location: Holland Hall 345

I'm not a Computer Geek. Is This Course Over My Head?

This course does not require any advanced or specialized computer knowledge. The course will cover some very basic computer and computer network operations. As with any course, there will be some new vocabulary. This course is about how advanced litigators use data analytics and artificial intelligence to obtain the best possible results for their clients.

Will I Need to Become an Expert in Technology?

The short answer is “No.” This is a litigation course. However, you will need to commit to learning a modest new “technical vocabulary” and some basic technology concepts and computer operations so you can “walk the walk” while “talking the talk.” The course assumes no prior technical or computer knowledge.

Will I Need to Master Complicated E-Discovery Software?

We will be working with [Reveal](#), one of the nation’s premier data analytic platforms. The course will teach you everything you need to know.

You will find the Reveal platform exciting and interesting. You will gain skills and a perspective that will enhance your career. Each student will receive an ID and Passcode for access to Reveal. The company has established a database just for this course.

How Much Reading and Work Will This Course Require?

The American Bar Association requires two hours of outside work for each hour of class. This course involves several activities in addition to reading cases and articles. We will endeavor to make sure that the total time demanded by this course does not materially exceed the ABA requirements.

Who Are Your Professors?

Bill Hamilton



I joined the UF Law faculty as a time full Legal Skills Professor in 2017 after 30 years practicing complex civil litigation with Holland & Knight in Miami (1983 – 2000) and Tampa (2000 – 2010) and with Quarles & Brady in Tampa (2010 – 2016). Data analytics changed my career when I realized digital data was a rich source of information that would win cases for my clients. Before leaving the practice of law, I was a UF Law adjunct professor for 10 years and established the UF E-Discovery Project and the UF Law E-Discovery Conference.

While I consider myself a “native” Floridian having spent my entire adult life in Florida, I am originally from Philadelphia. (Yes, you will hear my Philadelphia accent).



I earned my undergraduate degree from Lehigh University in Bethlehem, Pennsylvania, and an MA in philosophy from Washington University in St. Louis, Mo. where I focused on 20th century French existentialism. Prior to law school, I worked as

was a high school mathematics teacher in Daytona Beach and a community relations specialist for the US Justice Department monitoring Florida school desegregation. I graduated from UF Law in 1983.

Fun fact about me: I created the Holland & Knight website and coined the domain name <hklaw.com>. Check it out at <http://web.archive.org/web/19970218182843/http://www.hklaw.com/>.

Here are a few links where you can learn more about me.

<https://www.law.ufl.edu/faculty/william-hamilton>

<https://www.law.ufl.edu/areas-of-study/institutes/icair>

<https://www.linkedin.com/in/williamfhamilton>

George Socha



I practiced complex civil litigation in Minnesota, first at Popham Haik (1986 – 1996) and then with Hallelund Lewis Nilan (1996 – 2003), before leaving a law firm partnership to launch an eDiscovery consulting practice. I worked as an independent consultant, expert witness, and special master until 2016 when I joined a major international consultancy, BDO. In 2020, I took my current position with Reveal, where I continue to wear perhaps too many hats, just as I always have. Most notably, in 2005, my longtime collaborator Tom Gelbmann and I launched EDRM (edrm.net) which we ran until Tom's retirement in 2016.

I earned my undergraduate degree from the University of Wisconsin – Madison, a BA in political science with a heavy emphasis on political philosophy. After a stint as a Peace Corps volunteer in Burkina Faso, West Africa, where I ran a poultry project, I headed off to Cornell Law School, from which I graduated in 1987.

Fun fact about me: While in law school, I build a sneakernet, IBM PC based, matter management system for the Legal Aid Clinic, my hangout during my 2nd and 3rd law school years.

Professors' Contact Information:

Professor Hamilton: hamiltonw@law.ufl.edu 480-993-8777

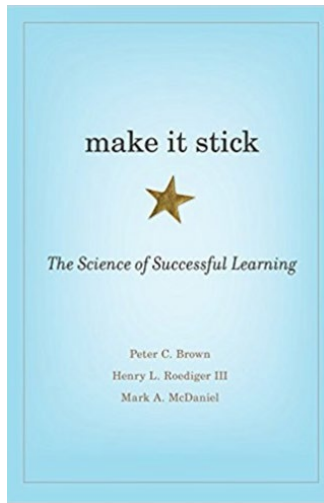
Professor Socha: gsocha@revealdata.com 651-336-3940

Professors' Office Hours: 2:00 – 3:00 PM on Tuesday and Wednesday in HH 376.

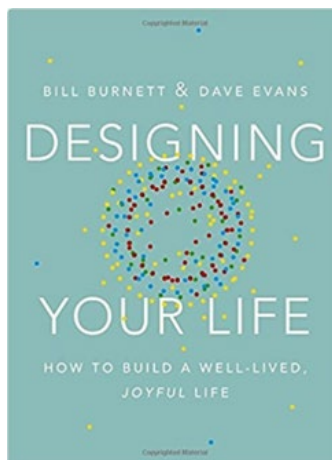
Teaching Philosophy and Instructional Methods

This course has a practical orientation. The emphasis of the course is on solving practical litigation problems with advanced data analytics.

Our teaching philosophy is in large part captured in ***Make It Stick: The Science of Successful Learning*** by Peter C. Brown.



This course will introduce you to a variety of career paths involving data analytic skills. ***“Designing Your Life: How to Build a Well-Lived Joyful Life,”*** by Burnett and Evans, Alfred A. Knopf (2016), contains helpful strategies to find career directions that will work for you.



Course Grading:

The course is graded on a curve established by the law school. The course grade will be determined based on points awarded for attendance (1/4), completion of the exercises (graded on a

pass/fail)(1/4), and the final exam (1/2). Because this is a compressed course, attendance each day is mandatory, absent extraordinary circumstances. The final examination will be a multiple-choice proctored examination scheduled and administered by the law school. This course is graded on a curve. I am provided a curved grade range by the Registrar and my class grade average must be within that range.

Preferred Name and Pronouns:

It is important to the learning environment that you feel welcome and safe in this class; and that you are comfortable participating in class discussions and communicating with me on any issues related to the class. If your preferred name is not the name listed on the official UF roll, please let me know as soon as possible by e-mail or otherwise. I would like to acknowledge your preferred name, and pronouns that reflect your identity. If your name and pronouns are not reflected by your UF-rostered name, please let me know how you would like to be addressed in class.

You can change your "Display Name" in Canvas. Canvas uses the "Display Name" as set in myUFL. The Display Name is what you want people to see in the UF Directory, such as "Ally" instead of "Allison." To update your display name, go to one.ufl.edu, click on the dropdown at the top right, and select "Directory Profile." Click "Edit" on the right of the name panel, uncheck "Use my legal name" under "Display Name," update how you wish your name to be displayed, and click "Submit" at the bottom. This change may take up to 24 hours to appear in Canvas. This does not change your legal name for official UF records.

Discourse, Inclusion, and the Classroom Ethos:

As a law student and future lawyer, it is important that you be able to engage in rigorous discourse and critical evaluation while also demonstrating civility and respect for others. This is even more important in the case of controversial issues and other topics that may elicit strong emotions.

As a group, we are likely diverse across racial, ethnic, sexual orientation, gender identity, economic, religious, and political lines. As we enter one of the great learning spaces in the world—the law school classroom—and develop our unique personality as a class section, I encourage each of us to:

- commit to self-examination of our values and assumptions
- speak honestly, thoughtfully, and respectfully
- listen carefully and respectfully
- reserve the right to change our mind and allow for others to do the same
- allow ourselves and each other to verbalize ideas and to push the boundaries of logic and reasoning both as a means of exploring our beliefs as well as a method of sharpening our skills as lawyers

Policy related to Make-up exams or other work:

The law school policy on delay in taking exams can be found at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/forms-applications/exam-delays-accommodations-form>.

Are Smartphones and Laptops Permitted in the Classroom?

You must bring a laptop to class to participate in group assignment using the Reveal online data analytics platform. You may use digital devices in class to take notes. We will turn our phones off when in class. Please do the same. We expect your attention in class. Nothing life-changing will happen while you are offline.

What Notes Should I Take in Class?

We recommend that you not take word-for-word literal notes. This is not a court reporting class! Instead, think about what is happening in class and record the key ideas. Handwriting your notes is better for you than typing notes. Check out this article: [**Note-Taking: Writing vs. Typing Notes**](#). Beyond that, it is a good legal skill. You will need to learn to take good witness interview notes, deposition notes, and trial notes. A computer will not always be available or good to use.

Accommodations for students with disabilities

Students requesting an accommodation for disabilities must first register with the Disability Resource Center (<http://www.dso.ufl.edu/drc/>). Once registered, students will receive an accommodation letter which must be presented to the Assistant Dean for Student Affairs (Dean Mitchell). Students with disabilities should follow this procedure as early as possible in the semester.

Information on UF Law grading policies

The law school grading policy is available at:
<https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies>

University policy on academic misconduct:

Academic honesty and integrity are fundamental values of the University community. You should be sure that they understand the UF Student Honor Code at
<http://www.dso.ufl.edu/students.php>.

Recording Devices and Cell Phones:

Cellular telephones should not be used during class and ringers should be silenced.

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions,

student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

Workload/class preparation and the 2:1 out of class/in class requirement (ABA Standard 310):

Students should expect to spend, on average, approximately two hours preparing for every hour of class. Reading and other assignments are posted on the “Modules” link on the Canvas site (located on the left side of the Canvas site). It is expected that the Reading assignments will be completed prior to the class. It is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in class assignments for every 1 hour in class.

The Course Readings and Exercise topics:

The Canvas course page is the “official” course home. Please review Canvas for additional details and the readings and exercises.

Day 1:

Hour 1: Course Introduction

Hour 2: Data Analytic Framework

Hour 3: Introduction to Reveal AI Software

Day 2:

Hour 1: Communications Analysis with Reveal and Exercise

Hour 2: Sentiment Analysis with Reveal and Exercise

Hour 3: Communications Analysis with Reveal and Exercise.

Day 3:

Hour 1: AI and Preparing for the FRCP 26(f) Conference

Hour 2. AI and Preparing for Depositions and Reveal Exercise

Hour 3: AI and Conducting Privilege Reviews and Reveal Exercise.

Day 4:

Hour 1: The Early Days of Technology Assisted Review (TAR)

Hour 2: The Industry Response to TAR

Hour 3: TAR in Action and AI and TAR Document Review Exercise.

Day 5:

Hour 1: AI and Data Privacy with Reveal Exercise

Hour 2: The Future of AI in Litigation

Online Course Evaluation:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback professionally and respectfully is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals in their Canvas course menu under GatorEvals or via <https://ufl.bluer.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results>

Getting Technical help with Canvas:

For issues with technical difficulties for E-learning in Canvas, please contact the UF Help Desk at:

- Learning-support@ufl.edu
- (352) 392-HELP - select option 2
- <https://lss.at.ufl.edu/help.shtml>

Other resources are available at <http://www.distance.ufl.edu/getting-help> for:

- Counseling and Wellness resources

- Disability resources
- Resources for handling student concerns and complaints
- Library Help Desk support

Daily Class Schedule and Assignments:

The specific daily lessons, objectives, reading materials, assignments, and exercises are set forth on the courses Canvas pages.

We reserve the right to make reasonable adjustments and modifications to the weekly schedule as required by the pace and progress of the class, including, but not limited to additional assignments, readings, and exercises.