

State by State E-Discovery Rule Status

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State	STATUS	Remarks
Alabama		No activity
Alaska	Pending Decision by SC	
Arizona	Completed	S.C. adopted amendments effective January 1, 2008 following FRCP.
Arkansas		No Activity on ESI; analog to Rule 502 proposed
California		Proposed Amendment withdrawn; no known activity at this time
Colorado		No known activity
Connecticut		Committee being formed
Delaware		No known activity
Distr. of Col		C.A. has stayed effect of Federal Amendments
Florida		Rules Subcommittee studying Proposed Draft
Georgia		No known activity
Hawaii		
Idaho	Completed	Texas Rule adopted with cost-shifting discretionary
Illinois		Recommendations expected in November and Public Hearings thereafter
Indiana	Completed	S. C. adopted Fed. Rules; effective date January 1, 2008
Iowa	Pending Decision by SC	Proposal to adopt Federal Amendments led to public comments, now completed.
Kansas		Kansas Judicial Council Committee is reviewing for possible action
Kentucky		No known activity
Louisiana	Completed	Legislature adopted limited revisions to incorporate e-discovery
Maine		No known activity
Maryland	Pending Public Comments	Court of Appeals has published proposals for comment by November 13. A public hearing is scheduled for Dec. 3
Mass.		No known activity
Michigan		A draft has been circulated for comment.

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State	STATUS	Remarks
Minnesota	Completed	Adopted Fed. Amendments w/o mandatory meet and confer
Mississippi	Pre-Existing	Adopted Texas rule in 2003 (with discretionary cost-shifting)
Missouri		Chief Justice quoted as stating will take up issue in 2008
Montana	Completed	Adopted Fed. Amendments w/o mandatory meet and confer
Nebraska	Pending Decision by SC	Proposed amendments to Rules 33 and 34 only
Nevada		No known activity
New Hampshire.	Completed	Limited amendment requiring mandatory discussion at meet and confer
New Jersey	Completed	Adopted Fed. Amendments w/o mandatory meet and confer
New Mexico		Rules Committee said to be considering proposal w/o R. 37(f)
New York		A draft has been circulated for comment.
No. Carolina		No known activity (although Business courts have addressed it)
No. Dakota		Considering amending Rule 26 to conform to Federal Amendments
Ohio	Pending Comments and Final Decision	Draft proposals – with changes from Fed rules (e.g. R.37(f) -have been promulgated for public comment)
Oklahoma		No known activity
Oregon		No known activity
Pennsylvania		No known activity
Rhode Island.		No known activity
So. Carolina		No known activity
So. Dakota		No known activity
Tennessee		Committee is considering a draft prepared with some unusual provisions.
Texas	Pre-Existing	R. 196.4 adopted in 1999
Utah	Completed	Federal Amendments adopted as of November 1, 2007, incl. meet and confer
Vermont		A Subcommittee of the Civil Rules Committee is monitoring
Virginia	Comments Being Accepted by Supreme Court	The Supreme Court has received comments pursuant to its public request and is considering next steps
Washington		Rules Committee review ongoing but no activity expected for a year
West Va.		No known activity

October 21, 2007

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Wisconsin		No known activity
Wyoming		No known activity