

# Agenda

## Complying with Rules of Professional Conduct and Ethics during Litigation

G. Peek

- Duty to preserve client confidences
- Duty to keep clients fully informed
- Duty to be diligent
- Duties of truthfulness, candor and full disclosure

## Obtaining and Managing Evidence – Including Issues Related to Electronic Evidence

M. Spoto,  
J. Waterstraat

- What evidence *is* and *is not*
- Obtaining and preserving evidence
  - Documentary evidence
  - Reports and expert opinion
  - Physical evidence
  - Demonstrative evidence
  - Identifying types of electronic evidence
  - Understanding hardware, software, data storage, encryption, metadata
  - Rules governing data storage and protection
  - Rules governing discovery of electronic evidence
  - Discovering electronic evidence
  - Working with forensic technologists
- Rules for admissibility of evidence
- Managing evidence
- Competently reviewing and preserving disclosed information

## Assisting with Formal Discovery and Deposition Practice

G. Peek,  
J. Waterstraat

- Drafting discovery documents
  - Interrogatories
  - Requests for production
  - Requests for admission
- Responding to discovery requests
- Participating in motions to compel
- Managing and organizing discovered information
- Arranging for depositions and preparing for depositions and deposition follow-up

## Investigation Skills for Paralegals

J. Waterstraat

- Locating and interviewing witnesses
- Researching facts of the case
- Gathering and reviewing records

## Locating and Working with Expert Witnesses

M. Spoto

- Determining when an expert is needed
- Locating experts and reviewing experts' qualifications
- Communicating with experts

**Discovery and Evidence for Paralegals**  
Brookfield, WI - Tuesday, January 21, 2020

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## Learning Objectives

### ***You'll be able to:***

**Comply** with rules of professional conduct and ethics during litigation.

**Outline** how evidence is obtained and managed.

**Consider** issues related to electronic evidence.

**Review** and preserve disclosed information.

**Assist** with formal discovery and deposition practice.

**Learn** investigation skills such as researching facts, reviewing records and interviewing witnesses.

**Discuss** how to locate and work with expert witnesses.



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# Discovery and Evidence for Paralegals

*Brookfield, WI - Tuesday, January 21, 2020*



**Locate** experts, review qualifications and work with expert witnesses

**Comply** with rules of professional conduct and ethics during litigation

**Study** investigation skills such as researching facts, reviewing records and interviewing witnesses

**Consider** issues related to electronic evidence

**Learn** ways to assist with formal discovery and deposition practice

**Review** and preserve information obtained

## **Continuing Education Credits**

***This seminar offers paralegals 7.0 CLE hours, including 1.0 ethics hour.***

**NALA Approved  
NFPA Approval Pending**



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**George S. Peek** is a shareholder in Crivello Carlson, S.C. Mr. Peek devotes a significant portion of his practice to providing business, real estate and trust and estate services. He counsels both for-profit and not-for-profit businesses to arrive at organization, succession and reorganization solutions, including general business related advice. Since 2007, Mr. Peek has also served as an adjunct professor at Carthage College with the Paralegal Certification Program offered through its Department of Graduate and Professional Studies. His private practice experience includes matters involving contracting, corporate governance and risk management and is premised on gaining an understanding of his clients’ financial and non-financial goals. Mr. Peek represents buyers and sellers in all phases of residential and commercial real estate transactions, including the structuring and closing of sales/acquisitions, the drafting and negotiation of leases and assisting with construction/zoning/land use issues. He assists clients in a broad range of estate planning and administration services, including estate administration, will and trust instruments and guardianships/conservatorships; and, he lectures extensively in this area. Mr. Peek has litigated several complex estate planning issues. He also assists clients with issues arising in creditor/debtor, employment and family law contexts. He is presently serving his third appointed term as a panel arbitrator with the State Bar of Wisconsin’s Panel of Fee Arbitrators.

**Marcella S. Spoto** is a shareholder with Crivello Carlson, S.C. Ms. Spoto has devoted her legal career to representing parties in complex litigation. The breadth of her experience has included cases involving personal injury, product liability, medical malpractice, wrongful death, automobile/trucking negligence, nursing home abuse and neglect, premises liability, mass property damage, environmental/toxic tort, and class actions. Her diverse experience includes

numerous state and federal trials, both to courts and juries, state and multi-district class actions, and appellate practice. She has routinely taken on the role of lead counsel for trial matters. Ms. Spoto earned her J.D. degree from the University of Wisconsin. She is admitted to practice in Wisconsin, the U.S. District Courts for the Eastern and Western Districts of Wisconsin, and the Trial Bar for the U.S. District Court for the Northern District of Illinois. Ms. Spoto has been admitted Pro Hac Vice to practice in other states around the country.

**Jennifer A. Waterstraat** is a paralegal with Crivello Carlson, S.C. Her principal areas of practice are in toxic tort litigation, personal injury litigation, insurance defense litigation and products liability litigation. Ms. Waterstraat has experience in coordinating investigations relating to a wide range of liability and damage investigations, including medical investigations, employment investigations, public document collection and database management. She assists numerous attorneys in the firm with all aspects of civil litigation from the inception of suit through trial. This includes preparation of documents and materials for all litigation-related activities, including discovery requests, depositions, hearings and trials. Ms. Waterstraat has been successful in developing and analyzing evidence leading to defenses essential to favorable resolution of cases.

## Seminar Information

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Brookfield Hotel**  
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Brookfield, WI 53005  
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**Tuition**  
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**Continuing Education Credit Information**

This seminar is open to the public and offers 7.0 CLE hours, including 1.0 ethics hour, to paralegals. The National Association of Legal Assistants has approved this course, and it is under review by the National Federation of Paralegal Associations.

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## Additional Learning

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A Two-Part, Online Webinar Series

**Wednesday, December 11, 2019**

- Income Taxation of Estates: Basic Concepts and Issues
- Income Taxation of Trusts: Basic Concepts and Issues
- Fundamental Fiduciary Tax and Accounting Concepts

**Thursday, December 12, 2019**

- Income Reportable by Fiduciaries
- Deductions Available to Fiduciaries
- Tax Calculations, Credits, Payments and Special Rules
- Special Issues and Situations
- Sample Problems for Form 1041 Preparation

**Included with webinar registration:** A PDF copy of the Federal Fiduciary Income Tax Workshop Manual!

Written exclusively for HalfMoon Education Inc. by attorney and tax professional Steven G. Siegel J.D., LL.M. In this comprehensive, 370-page manual you'll learn about fiduciary income tax policy, and you'll get tips on return preparation.

**For more information, visit:**  
**[www.halfmoonseminars.org/webinars/](http://www.halfmoonseminars.org/webinars/)**

## Registration

### Discovery and Evidence for Paralegals

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| How to Register                                                                          |              | Registrant Information                                                                                                                                              |
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