



Certified E-Discovery Specialist Examination Candidate Handbook

June 2011

aceds.org

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Association of Certified
E-Discovery Specialists

CEDS Examination Candidate Handbook

June 2011

ACEDS and the Certified E-Discovery Specialist (CEDS) Certification

ACEDS is the first membership organization devoted to the professional interests of the entire e-discovery community. Its mission is to enhance competence through a certification that is extended to candidates who successfully complete a rigorous psychometrically-sound examination. Successful candidates will earn the Certified E-Discovery Specialist, or CEDS designation. The CEDS designation will allow those who earn it the benefit of standing out from their peers, validating their expertise and, ACEDS believes, advancing their careers. ACEDS also provides high quality online and live training, connects ACEDS members with experts through various forums to facilitate the exchange of ideas and solutions to problems, and produces practical, timely information.

The CEDS Candidate Handbook

This handbook informs you of what is needed to register for the CEDS Examination. It explains eligibility factors, the examination process, an outline of the focus of the examination and an application to take the examination.

How to Begin

There are several easy steps you can take to begin the CEDS examination and certification process.

1. Complete the application form and gather the necessary documents,
2. Send in your application with supporting documents and payment,
3. When we receive your application, documents and payment we will send you a link to the secure online PDF file of "The CEDS Certification Examination Preparation Manual,"
4. Once your application is approved we will send you a unique identification number that allows you to register for the CEDS examination on the Kryterion website.
5. For your convenience, you may take the proctored, secure examination at any one of more than 500 ACEDS-Kryterion testing center locations worldwide.

Eligibility to Sit for the CEDS Examination

To be eligible to sit for the CEDS Examination, you must:

1. Document at least 40 qualifying credits in e-discovery and closely related fields based on education, training, professional certifications and professional experience in the field,
2. Provide two professional references, and
3. Submit a completed application with supporting documentation and the examination fee.

When you earn your CEDS credential, we ask that you use and display it in your professional biographical statements, business cards and public appearances.

No Discrimination Among Candidates

ACEDS places no importance and does not discriminate based on age, gender, race, color, religion, national origin, disability or marital status.

What the Examination Fee Provides You

The examination fee not only admits you to the ACEDS-Kryterion examination location near you, but also provides you access to The CEDS Certification Examination Preparation Manual in electronic format.

The examination fee for ACEDS members is \$795. ACEDS members who work for a government agency pay \$595. The examination fee for all persons who are not members of ACEDS is \$995. You may pay by check (payable to ACEDS), credit card, or money order.

How to Apply

Send us the completed application that is found in this handbook, and mail, e-mail or fax it, along with your examination fee and other documents, to:

ACEDS
Attention: Certification Department
Rivergate Plaza
444 Brickell Avenue, Suite 250
Miami, FL 33131 USA

Fax: 786-316-0006
Phone: 305-377-2050
Certification@ACEDS.org

Compliance with Americans with Disabilities Act

ACEDS complies with the Americans with Disabilities Act (ADA) and will ensure that individuals with disabilities have the full opportunity to take the examination irrespective of a disability, as required and defined by the ADA.

Special testing arrangements may be approved for these persons if an appropriate request for accommodation is submitted to ACEDS with the examination application.

A special accommodations form, which is included in this handbook, must be signed by a professional and submitted with the examination application. If you are already approved for special accommodations, please contact ACEDS at Certification@ACEDS.org or call us at 305-377-2050 to schedule your examination.

Policy on Rescheduling or Canceling an Examination Date

Refunds are not extended to persons who request to withdraw from an examination after they have registered for it. Persons who wish to change their examination date or time or cancel or postpone their appointment must do so no less than 72 hours before the scheduled examination date. If you cancel or reschedule an examination less than 72 hours before the examination, ACEDS will charge an administrative fee of \$150 for members, \$100 for members who work for a government agency and \$250 for non-members. We will be happy to answer questions about retaking the examination at Certification@ACEDS.org or by telephone at 305-377-2050.

Procedures on the Day of the Examination

Please arrive 15 minutes before your appointed time to allow time for pre-examination procedures. Tardiness may prevent your admission to the examination.

You will be required to show a current, authentic government-issued identification with photograph and signature. The name on the identification must match the name on the examination registration. Appropriate identification documents include driver's license, passport, military identification, and identification cards issued by federal state or local government.

Restrictions on Items in the Examination Room

There are several items that are not permitted in the examination room. These include a variety of electronic devices and other items, including iPhone, Blackberry's, cellular telephones, digital watches, PDAs, calculators, and purses, bags and coats. If you are wearing a jacket or coat, you must wear it at all times. Lockers are provided to safe-keep purses, coats and other personal belongings.

The Proctored Examination Process

A certification candidate may take up to four hours to complete the 145 four-part multiple-choice question examination. Candidates must receive permission from the test proctor to leave the examination room. The candidate should read the directions on the examination carefully and listen to the proctor for additional instructions. The candidate should not ask any questions concerning the content of the examination. It does not help the candidate to leave a question unanswered. It is better to guess than to leave a question blank.

The proctor has the right to dismiss a candidate from the examination if the person's admission is not authorized or if the candidate:

1. is disturbing others, is abusive, or uncooperative,
2. gives or receives help on the examination, or is suspected of doing so,
3. attempts to remove examination materials or notes from the examination room,
4. is found in possession of a communication or recording device.

Security Measures Surrounding the Examination

ACEDS implements strict security measures to assure the integrity of the CEDS examination, including the placement of a proctor to assure compliance with all proper procedures and rules. ACEDS also assures that there are video cameras or audio recording devices in and around the

examination site of the testing center to prevent improper examination assistance to candidates. Proctors are required to file a Center Problem Report if they see irregularities during the examination with details of each incident.

Unforeseen Cancellation of an Examination

If an emergency, such as a weather calamity, forces cancellation by ACEDS of an examination at a test center, all scheduled candidates will be contacted and receive notification concerning the rescheduling of the examination and instructions for reapplying. In such circumstances, ACEDS will do everything possible to minimize the inconvenience of scheduled CEDS certification candidates.

Disclosure of Examination Score

At the conclusion of the CEDS examination, the candidate will receive the score electronically and instantaneously at the testing center. No examination results will be provided by telephone, fax or e-mail. If a company, government agency or other entity has paid for the examination of an individual, the entity may submit a written request to ACEDS to furnish it with the examination score of the candidate. ACEDS shall furnish the score to the candidate's employer unless the individual candidate, in writing, has requested that it not do so and the entity has not paid for the examination.

Re-examination Upon Receiving a Failing Grade

If a candidate does not receive a passing grade on the examination, she or he may reschedule the examination not earlier than two days after receiving the score, but must wait at least two months before retaking the examination. Persons who apply to retake an examination after one year has elapsed from the time of the original application must resubmit a full application, with the required documentation and the examination fee. A candidate may take the examination as often as he or she may wish.

To schedule a re-taking of the examination a person should email Certification@ACEDS.org or call 305-377-2050, pay the examination re-take fee and select a new examination date by contacting a ACEDS-Kryterion testing center with a new examination identification number. The examination re-take fee is \$150 for members, \$100 for members who work for a government agency and \$250 for non-members.

Request for Hand Scoring Upon Receiving a Failing Grade

If a candidate requests an examination scored by hand, she or he must submit a Score Review Request Form along with a \$50 hand-scoring fee, which must be received by ACEDS within 30 days after the date of the official score that appears on the score report. Results of the hand scoring of the examination are typically completed within 30 days of receipt of a request. If the pass/fail status is reversed as a result of the hand scoring, the \$50 fee is refunded to the candidate. Requests for hand scoring of an examination will not be honored after 30 days from the official score date.

Please send the Score Review Request form and payment information by email to Certification@ACEDS.org, fax to 786-316-0006, or mail to ACEDS, Rivergate Plaza, 444 Brickell Avenue, Suite 250, Miami, Florida 33131.

Appeals for Exclusion from Examination or Revocation of Certification

If a candidate is denied admission to an examination or his or her certification is revoked, ACEDS offers appeals to such persons. The affected person must initiate the appeal by written request to ACEDS within 30 days of the appealable event. The failure to achieve a passing grade on an examination is not a ground for appeal.

Candidate Identity Management System (CIMS)

The psychometric firm employed by ACEDS, Kryterion, has taken steps to protect the personal and examination data that it receives and collects from CEDS certification candidates. It does not retain this information longer than is required to perform its examination services or as required by law. Only authorized employees of Kryterion have access to this data for the performance of their examination duties. Kryterion employs technical measures to protect the confidentiality of the examination content.

What Kryterion Does With the Information It Collects

In the performance of its psychometric and testing duties for ACEDS, Kryterion gathers and processes information about candidates, including identification data, profile information, such as age, gender, country of residence, banking and payment information, such as credit card account information, etc., products or services ordered and delivered, video and sound recordings and test information gathered while providing online testing or billing, including, the time spent on the test. Kryterion shall not sell, rent, trade or transfer any personal and test data to any third party without a candidate's explicit permission, unless it is required to do so by law or order of a competent authority.

How Kryterion Uses the Information

Kryterion's primary purpose in collecting this information is to provide CEDS certification candidates with a safe, smooth, efficient, and customized experience in connection with:

1. Providing testing services through the Kryterion Webassessor™ software and for customer support and problem-solving,
2. Comparing information for accuracy and to verify identity, and
3. Improving Kryterion software, products and websites.

ACEDS Membership Application

Membership Fee	1 year	2 years
Government and Academic	<input type="checkbox"/> \$195	<input type="checkbox"/> \$295
	<input type="checkbox"/> \$150	<input type="checkbox"/> \$225

Contact Information

Prefix (Mr., Mrs., Ms.)	First Name	Middle Initial	Last Name/ Surname
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Organization/Agency	Title	Department/Unit
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Mailing Address (No P.O. Boxes, please)

City	State/Province	Zip/Postal Code	Country
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Phone	Fax	Email (please include)
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Method of Payment

Bill my organization Check enclosed payable to ACEDS

Credit Card (please check one):

American Express Diners Club Discover MasterCard Visa

Cardholder's Name	Card Number
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Expiration Date	CV2 Card Code <small>(3-digit code found on the back of your VISA/ MasterCard or 4-digit code found on the front of your American Express card)</small>
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Billing Address (if different than mailing)

As a member of ACEDS, I agree that I do now and will at all times comply with the membership standards and code of ethics of the Association of Certified E-Discovery Specialists (www.ACEDS.org)

Signature	Date
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Please allow two weeks from the time you send in your application and payment to receive your ACEDS Member Card and membership information.

CEDS Examination Application

Please complete all parts of this application and send it with supporting documents and the examination fee to ACEDS at 444 Brickell Avenue, Suite 250, Miami, FL 33131 USA, or by fax 786-316-0006.

Personal Information

Name		ACEDS Member Number
Organization Name	Title	
Street Address		
City	State/Province	ZIP/Postal Code
Country	Social Security/Passport Number	Date of Birth
E-mail Address		
Daytime Phone Number	Evening Phone Number	Fax Number

We will send your CEDS certificate to the address listed above. Please let us know when this information changes. If you would like your CEDS certificate mailed to a different address, please list it here.

Title		
Street Address		
City	State/Province	ZIP/Postal Code
Country	E-mail Address	

Accreditation

ACEDS may apply to bar associations for accreditation of the CEDS credential and the opportunity for attorneys to be certified in e-discovery by those organizations if and when ACEDS is accredited. To ensure proper tracking and credit, please provide your registration number in the following spaces:

Jurisdiction: _____ Number: _____ ABA number: _____

Examination Fee

- ACEDS Members: \$795
- Government and Academic: \$595
- Non-ACEDS members: \$995

Payment Method

- Bill my company (the fee must be **received** by ACEDS before an exam voucher code is issued)
- I previously paid ACEDS on (date) _____
- Check payable to ACEDS enclosed

Credit Card (please check one):

- American Express MasterCard Visa Diners Club Discover

Cardholder's Name

Card Number

Expiration Date

CVV2 Card Code

(3-digit code found on the back of your credit card or 4-digit code found on the front of your American Express card)

Signature

Date

Eligibility Factors and Credits for CEDS Certification Examination

Candidates for the CEDS Examination must have a minimum of forty (40) qualifying credits based on education, training, professional certification(s), and professional experience in e-discovery and related fields.

The following table explains the credit system ACEDS utilizes to determine eligibility to sit for the certification examination.

1. Professional Experience (Maximum 20 credits allowed)

- A. Calculate the percentage of time you spent on e-discovery and related activities in the three (3) consecutive years prior to submission of the CEDS application.

_____ % x 20 Credits

Total Credits for Experience _____

2. Education (Maximum 15 credits allowed) Supporting documentation must accompany your application. **Choose only one degree** as these are not cumulative.

- | | |
|---|------------|
| A. High school or GED equivalent | 5 credits |
| B. Associate degree or equivalent | 7 credits |
| C. Bachelor's degree or equivalent | 10 credits |
| D. Post-graduate or Juris Doctor degree | 15 credits |

Total Credits for Education _____

3. Training (Maximum 25 credits allowed) Supporting documentation must accompany your application.

- A. One (1) credit is equivalent to 60 minutes of continuous training at one event.
- B. Covers e-discovery and related in-house, external, live or online training within the past three (3) consecutive years prior to submission of the CEDS application.
- C. Five (5) credits are allowed for each professional certification that is related or relevant to e-discovery, subject to a maximum of two (2) certifications allowed. (Examples of recognized certifications are: Membership by a lawyer in a state bar association, Certified Public Accountant (CPA), Certified Records Manager (CRM), Certified Internal Auditor (CIA), Certified Legal Assistant (CLA), Certified Paralegal (CP), Project Management Professional (PMP) and Certified Information Systems Security Professional (CISSP)).

Total Credits for Training _____

Total Cumulative Credits _____

Professional Experience Section

To be completed for each year of professional experience in the e-discovery field. (Use space provided and attach additional pages, if necessary.)

Name of Employer	Dates of Employment: from (Mo./Yr.) to (Mo./Yr.)
Address	Country
Position/Title/Rank	Total Months in this Assignment or Position
Name & Title of Immediate Supervisor	Business Telephone
No. Personnel at All Locations under Your Supervision	
Major Product or Service of This Employer	
Summary of Work Assignment or Position	

Name of Employer	Dates of Employment: from (Mo./Yr.) to (Mo./Yr.)
Address	Country
Position/Title/Rank	Total Months in this Assignment or Position
Name & Title of Immediate Supervisor	Business Telephone
No. Personnel at All Locations under Your Supervision	
Major Product or Service of This Employer	
Summary of Work Assignment or Position	

Name of Employer	Dates of Employment: from (Mo./Yr.) to (Mo./Yr.)
Address	Country
Position/Title/Rank	Total Months in this Assignment or Position
Name & Title of Immediate Supervisor	Business Telephone
No. Personnel at All Locations under Your Supervision	
Major Product or Service of This Employer	
Summary of Work Assignment or Position	

CEDS Examination Checklist

(Candidates wishing to sit for the CEDS Examination must have a minimum of 40 qualifying credits)

Did you remember;

- To consult the eligibility table?
- To include supporting documentation, such as copies of degrees, diplomas, licenses and certifications?
- To order official college transcripts, if necessary?
- To include two (2) personal references?
- To complete the professional experience section?
- To include payment with application?
- To include your signature and date on the application?

Acknowledgement Signature

I certify that I have read all portions of the CEDS Candidate Handbook and application. I certify that the information submitted in this application is complete and correct to the best of my knowledge and belief. I understand if the information I have submitted is found to be incomplete or false, my application may be rejected, my examination results may be delayed or voided, not released, or invalidated by ACEDS, or if certified, the "Certified E-Discovery Specialist®" designation may be revoked.

I certify that I have never been convicted of a felony. I certify that I have never had a professional license or certification denied, suspended or revoked (other than for lack of minimum qualifications or failure of examination), and that I have never been censured or disciplined by any professional organization.

I understand that any false statement, misrepresentation, or concealment or material omission of the information I have provided or failed to provide on my application and attachments may be grounds for rejection of my application.

Signature: _____ Date: _____

Mail or fax completed application AND supporting documentation, degrees, licenses, diplomas and certifications to support the required 40 eligibility credits to:

ACEDS

Attention: Certification Department
Rivergate Plaza
444 Brickell Avenue, Suite 250
Miami, FL 33131 USA
Fax: 1-786-316-0006

QUESTIONS?

Call: 305-377-2050
Email: Certification@ACEDS.org

REQUEST FOR SPECIAL EXAMINATION ACCOMMODATIONS FORM – PART I

If you have a disability covered by the Americans with Disabilities Act, please complete this form and the Documentation of Disability-Related Needs so your accommodations for testing can be processed efficiently. The information you provide and any documentation regarding your disability and your need for accommodation in testing will be treated with strict confidentiality.

CANDIDATE INFORMATION

Name: _____ Organization: _____

Address: _____ City: _____

State: _____ Zip Code: _____ Country: _____

Phone: _____ Email: _____

SPECIAL ACCOMMODATIONS

Please describe your disability:

Please provide (check all that apply):

- Special seating or other physical accommodation
- Large Text/Magnified screen for examination
- Reader
- Extended examination time
- Separate testing area
- Other special accommodations (Please specify)

Comments: _____

Signature: _____ Date: _____

REQUEST FOR SPECIAL EXAMINATION ACCOMMODATIONS FORM – PART II

DOCUMENTATION OF DISABILITY-RELATED NEEDS

Please have this section completed by an appropriate professional (education professional, physician, psychologist, psychiatrist) to ensure that Kryterion is able to provide the required test accommodations.

Professional Documentation

I have known _____ since ____/____/____

in my capacity as a _____

Examination Candidate _____ Date _____

Professional Title _____

The candidate discussed with me the nature of the examination to be administered. It is my opinion that, because of this candidate's disability described below, he/she should be accommodated by providing the special arrangements listed on Part I of this form.

Description of disability: _____

Signed _____ Date _____

Printed Name _____ Title _____

Address _____

Telephone Number _____ Fax Number _____

License # (if applicable) _____

Return this form with your examination application and fee to:

ACEDS

Attention: Certification Department

Rivergate Plaza

444 Brickell Avenue, Suite 250

Miami, FL 33131 USA

Fax: 1-786-316-0006

CEDS Examination Outline

Topics the CEDS certification examination covers

1 Information Management and Litigation Readiness

- 1.1 Records and Information Management Policies and Practices
- 1.2 Disaster Recovery Storage Media
- 1.3 Elements of a Litigation Hold Protocol
- 1.4 Tracking and Releasing Litigation Holds
- 1.5 Managing the Litigation Hold

2 Project Planning

- 2.1 Building the E-Discovery Team
- 2.2 Challenges of Third-Party Hosted and Stored Electronically Stored Information

3 Litigation Hold Implementation

- 3.1 Determining the Sources of Electronically Stored Information
- 3.2 Elements of a Legal Hold Implementation Plan
- 3.3 Effecting the Litigation Hold on Electronically Stored Information Storage Locations
- 3.4 Elements of a Legal Hold Notice
- 3.5 Implementing the Legal Hold Notice

4 Collection Planning and Implementation

- 4.1 Managing Electronically Stored Information Collection from Servers and Clients
- 4.2 Understanding Electronically Stored Information Collection Resources and Methods
- 4.3 Validating Collection of Electronically Stored Information
- 4.4 Not Reasonably Accessible Electronically Stored Information
- 4.5 Determining if Electronically Stored Information Is Reasonably Accessible

5 Data Processing

- 5.1 Understanding How to Validate Your Processed Data
- 5.2 Evaluating Data Processing Tools and Resources

6 Data Culling

- 6.1 Understanding De-duplication and Its Applications
- 6.2 Understanding How Culling Eliminates Irrelevant Electronically Stored Information

7 Review Planning

- 7.1 Creating and Understanding Electronically Stored Information Review Sets
- 7.2 Using Search Methods to Create Review Sets
- 7.3 How to Validate the Review Set Protocols
- 7.4 Understanding Near-Duplication
- 7.5 Elements of a Privilege Review
- 7.6 How to Build a Privilege Log

- 7.7 Using Analytic Methods to Implement a Review Strategy
- 7.8 Designing and Managing Document Review
- 7.9 How to Use Coding in the Review Process
- 7.10 Structuring and Allocating Review Resources
- 7.11 Choosing the Review Team

8 Document Review

- 8.1 Understanding the Document Review Process
- 8.2 Managing the Document Review Team
- 8.3 Training Document Reviewers
- 8.4 Validating the Document Review
- 8.5 The Coding Frame for a Document Review Project

9 Data Production

- 9.1 Understanding Data Production Formats and Delivery
- 9.2 Metadata and Its Significance for the Production of Electronically Stored Information
- 9.3 Designing and Implementing Data Production Quality Controls
- 9.4 Managing Native Production

10 Project Management

- 10.1 Designing, Implementing, and Documenting the E-Discovery Project

11 Legal Framework and Obligation

- 11.1 Legal Holds and Data Preservation
- 11.2 Legal Consequences of Preservation Failures
- 11.3 Preservation Disclosures under the US Federal Rules of Civil Procedure
- 11.4 Preparing With Your Client for the E-Discovery Meet and Confer Conference
- 11.5 Electronically Stored Information Topics of the Meet and Confer Conference
- 11.6 Costs and E-Discovery: Understanding Who Pays For What
- 11.7 Litigation Counsel's E-Discovery Duties and Responsibilities
- 11.8 Responding to the Subpoena for Electronically Stored Information
- 11.9 Understanding the Risks of Data Deletion in Automated Information Systems
- 11.10 Producing Data in Reasonably Useable Formats
- 11.11 Negotiating the Data Production Format
- 11.12 The Protocol for a Forensic Inspection
- 11.13 Protections Against and Remedies for Inadvertent Production
- 11.14 The Electronically Stored Information Deposition of an IT Representative

12 International Discovery

- 12.1 Obstacles to Cross-Border Discovery
- 12.2 Navigating Cross-Border Data Requests
- 12.3 The E-Discovery Impact of Privacy Protection Laws Abroad

13 Ethics

- 13.1 Ethical Duties Implicated by E-Discovery

14 Technology

- 14.1 Understanding Document Servers and Shared Network Resources
- 14.2 Understanding E-Mail Servers and Clients
- 14.3 Data in the Cloud: How Web-Based Storage and Email Works
- 14.4 Managing Data Volume with Document Retention Policies
- 14.5 Understanding Flash, Temporary and Ephemeral Data Storage
- 14.6 E-Discovery and Various Data Locations and Data Forms
- 14.7 Understanding Data in Unallocated Space
- 14.8 Understanding the Difference between System and File Metadata
- 14.9 How a Computer Manages and Stores Its Internal File Records
- 14.10 Understanding How A Computer Overwrites and Destroys Data
- 14.11 Managing Disaster Recovery Media
- 14.12 The Data of Social Networking Websites
- 14.13 The Risks and Benefits of Off-Site Data Storage and Access
- 14.14 The Impact of Software Upgrades and Integration on Electronically Stored Information
- 14.15 Understanding How Hardware Maintenance Impacts Electronically Stored Information
- 14.16 Understanding How Databases Structure Electronically Stored Information

15 Budgeting

- 15.1 Building the E-Discovery Budget
- 15.2 How to Measure and Minimize the Costs at Each E-Discovery Stage



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