

ONLINE CURRENTS

Volume 22, Number 5

September 2008

ARTICLES

Discovery in the digital domain: The acquisition and use of electronically stored information in court proceedings – Arun Raghu

The pervasion of computers and computer-operated devices in contemporary society has meant that information relevant to court proceedings is now, in many cases, stored electronically. There are a number of legal and technical issues that arise with respect to acquisition and use of this information for the purposes of legal proceedings – a process often referred to as “electronic discovery”. This article provides an overview of those issues, primarily from an Australian perspective, but also with reference where necessary to overseas developments. It canvases the role e-discovery plays in facilitating the acquisition and presentation of computer-based (or digital) evidence before a court of law, and explores the current points of contention that have arisen when e-discovery is used to acquire electronically stored information. The ultimate proposition put forward is that the issues associated with e-discovery will be resolved in large part through technological advances, avoiding the need for a complete overhaul of legal rules of evidence. 151

Access, usage and citation metrics: What is the function of digital libraries and repositories in research evaluation? – Chris Armbruster

The growth and increasing complexity of global science poses a challenge to scientists: what is the best way to organise global evaluation of research programs and users? In the 21st century, we not only need scientific information, but we also require meta-level scientific data which is delivered to the digital workbench of every researcher. Access, usage and citation metrics constitute an important informational tool that researchers need on an everyday basis to handle the complexity of science. Scientometrics has been developed from centralised commercial databases of high functionality with restricted scope, mainly providing information that may be used for research assessment. Enter digital libraries and repositories: can they collect reliable metadata from the source, ensure universal metric coverage and defray costs? This systematic appraisal of the future role of digital libraries and repositories for metric research evaluation investigates the practical inadequacies of current metric evaluation, before defining the scope of libraries and repositories as new players. Subsequently, the notion of metrics as a research information service is developed. Finally, the future relationship between: a) libraries and repositories; and b) metrics databases (commercial or non-commercial), is addressed. 168

One giant leap: Leveraging web 2.0 technology in the legal services market – Damien MacRae

Legal services providers are taking advantage of the internet to reach new audiences and develop closer ties with existing clients. As a result, legal consumers can now find a vast array of useful information on law firm websites, such as legal articles, legal news, firm media releases, and practitioner profiles and CVs. Finding these websites has been a problem in the past – not everyone is familiar with the names of local law firms and Google doesn’t allow users to focus a search on law firm websites. However, this task has now been made easier with the launch of Fee Fie Foe Firm, a new search engine that focuses exclusively on law firm websites. 181

Guidelines for Contributors

Submission and licence agreement instructions

All contributions to the journal are welcome and should be sent to the Production Editor, *Online Currents*, Lawbook Co., PO Box 3502, Rozelle, NSW 2039 (mail), 100 Harris St, Pyrmont, NSW 2009 (courier) or by email to tlranz.olc@thomson.com, for forwarding to the Editor. All contributors will be requested to sign an exclusive licence agreement.

Letters to the Editor

By submitting a letter to the editor of this journal for publication, you agree that Thomson Legal & Regulatory Limited, trading as Lawbook Co., may edit and has the right to, and may license third parties to, reproduce in electronic form and communicate the letter.

Manuscript

- Manuscript must be original, unpublished work that has not been submitted for publication elsewhere.
- Personal details (name, qualifications, position) for publication and a delivery address, email address and phone number must be included with the manuscript.
- Manuscript must be submitted electronically via email or on disk in Microsoft Word format.

Style

1. **Levels of headings should be clearly indicated (no more than four levels).**
2. **Books should be cited as follows:**

Macken JJ, O'Grady P, Sappideen C and Warburton G, *The Law of Employment* (5th ed, Lawbook Co., 2002) p 55.

 - In footnotes do not use *ibid* or *op cit*. The following style is preferred:
 4. Austin RP, "Constructive Trusts" in Finn PD (ed), *Essays in Equity* (Law Book Co, 1985).
 5. Austin, n 4, p 56.
3. **Journals should be cited as follows:**

Odgers S, "Police Interrogation: A Decade of Legal Development" (1990) 14 Crim LJ 220.

Wherever possible use official abbreviations not the full name for journal titles.

 - In footnotes do not use *ibid* or *op cit*. The following style is preferred:
 6. Sheehy EA, Stubbs J and Tolmie J, "Defending Battered Women on Trial: The Battered Woman Syndrome and its Limitations" (1992) 16 Crim LJ 220.
 7. Sheehy et al, n 6 at 221.
4. **Internet references should be cited as follows:**

Ricketson S, *The Law of Intellectual Property: Copyright, Designs and Confidential Information* (Lawbook Co., subscription service) at [16.340], <http://www.subscriber.lawbookco.com.au> viewed 25 June 2002. Underline the URL and include the date the document was viewed.

SUBSCRIPTION INFORMATION

Online Currents comprises 10 parts a year, with combined parts issued for January/February and June/July.

Customer service and sales inquiries:
Tel: 1300 304 195 Fax: 1300 304 196
Web: www.thomson.com.au/legal/p_index.asp
Email: LRA.Service@thomson.com

Editorial inquiries:
Tel: (02) 8587 7000

HEAD OFFICE
100 Harris Street PYRMONT NSW 2009
Tel: (02) 8587 7000 Fax: (02) 8587 7100



© Thomson Legal & Regulatory Limited ABN 64 058 914 668 trading as Lawbook Co.

ISSN 0816-956X

Typeset by Lawbook Co., Pyrmont, NSW

Printed by Ligare Pty Ltd, Riverwood, NSW