

Current and Restyled E-Discovery Rules Comparison Chart

The following chart compares the past Federal Rules of Civil Procedure with the restyled rules. The amended rules have taken effect as of December 1, 2007. For additional information, see the Committee Notes for specific rules.

	Current Rule	Restyled Rule
Pretrial Conferences, Scheduling Management	16(b)(5)	16(b)(3)(B)
Initial Disclosures	26(a)(1)(B)	26(a)(1)(A)(iii)
Inaccessible Electronically Stored Information	26(b)(2)(B)	26(b)(2)(B)
Limitations on Nature & Extent of Discovery	26(b)(2)(C)	26(b)(2)(C)
Claiming Privilege/Protecting Trial Prep. Materials	26(b)(5)	26(b)(5)
Conference of the Parties	26(f)(3)	26(f)(3)(C)
Interrogatories: Option to Produce Business Records	33(d)	33(d)
Production of Documents and Electronically Stored Information	34(a)(1)	34(a)(1)(A)
Party to Specify Form of Production	34(b)	34(b)(1)(C)
Responding to a Request for Production	34(b)	34(b)(2)(D)
Producing Electronically Stored Information	34(b)	34(b)(2)(E)
Sanctions: Safe Harbor	37(f)	37(e)
Subpoenas: Form and Issuance	45(a)(1)(C)	45(a)(1)(A)(iii)
Subpoenas: Form of Production	45(a)	45(a)(1)(C)
Subpoenas: Objections	45(c)(2)(B)	45(c)(2)(B)
Subpoenas: Producing Electronically Stored Information	45(d)(1)	45(d)(1)