



HON. RICHARD E. BEST
Commissioner, San Francisco Superior Court
(Retired)

BIOGRAPHY

Discovery Referee by court appointment. The Hon. Richard E. Best presided over discovery and other law and motion matters in San Francisco Superior Court from 1974 to March 2003. On March 15, 2003, Commissioner Best announced his retirement from the San Francisco Superior Court after 29 years of service. He served in various assignments, but is most commonly associated with law and motion hearings involving civil discovery. He continues to promote the use of proven technology and professional conduct to attain more efficient, effective, and economic discovery and to devote some time as a private discovery referee.

EDUCATION

1968 LL.B, Columbia University, School of Law
1965 A.B. in Economics, Indiana University - College of Arts & Sciences

PROFESSIONAL EXPERIENCE

1968 New York State Bar, Retired
1971 California State Bar

Discovery Referee by court appointment.

San Francisco Superior Court, 1974 – 2003.

Discovery and other Law & Motion matters heard since 1974.

Member, Civil & Small Claims Advisory Committee to California Judicial Council
Chair, Discovery Subcommittee, 2000, 2001.

Proposed, drafted, and worked to enact legislation on civil procedure and evidence including legislation for use of technology in civil litigation and discovery, Code of Civil Procedure §§2017(e) & 2025(h) enacted in 2001 and effective 2002.

Proposed, drafted, and worked for adoption of California Rules of Court and legislation on civil procedure and evidence including Rules 335, 341, E.C. §915, CCP §2026.

Formed lawyers committee on employment law form interrogatories, which led to adoption by the Judicial Counsel of form interrogatories for employment law litigation.

Formed lawyers committee to evaluate need for special rules and discovery relating to electronic data and documents.

Contributor to continuing legal publications on civil procedure, probate, and conservatorships published by Continuing Education of the Bar, The Rutter Group, Nolo Press, BNA, CJER, Tech Journal, Pike & Fischer, California Center for Judicial Education and Research; Contributing Editor, Civil Procedure Before Trial, The Rutter Group; Advisory Board, Digital Discovery & e-Evidence, Pike & Fischer, Inc.

RECENT PUBLICATIONS

"Taming the Discovery Monster" California Litigation: The Journal of the Litigation Section, State Bar of California, November 2005

"E-Discovery Basics" California Litigation: The Journal of the Litigation Section, State Bar of California, August 2005

"How, When & Why to Use a Discovery Referee", Pike & Fischer, Digital Discovery & e-Evidence, Vol. 5, No. 1, January 2005

"The Need for Electronic Discovery Rules." Modern Practice, Findlaw (2002).

California E-Discovery Legislation: Digital Discovery & e-Evidence. Pike & Fischer, Inc. (2002).

"New Authority for Implementing Technology in Discovery: Tech Guide for California Courts." Vol.3, No.3, California Judicial Education & Research (Winter, 2002).

"Discovery Of Electronic Data & Documents." Selected Civil Law Topics (CJER 2001).

"Discovery Case Outline." Discovery Planning: Strategies, Tools & Tactics, (CEB 2001).

"A Web Site for Every Court." Tech Guide for California Courts. Vol.2, No.1(CJER,2000).

"Discovery of Electronic Data & Documents." Discovery & Admissibility of Electronic Evidence (CEB 1999).

2005 CONTINUING LEGAL EDUCATION

Electronic Discovery Guidance for Corporate Counsel
Ethical Issue in Electronic Discovery
San Francisco, December 16, 2005
Practicing Law Institute

Annual Electronic Discovery & Records Management Seminar
December 8-9, 2005
San Francisco

Basic Electronic Discovery
SF Bar Association, Litigation Section
November 11, 2005
San Francisco

Taking Effective Depositions

June 7, 2005; 9:00-4:30
with Mary Alexander, Frank Pitre, David McClean, Neill McCarthy
Crown Plaza, San Francisco
Lorman Education Services

How, When and Why to Use a Discovery Referee
with Craig Ball
May 4, 2005
webcast on Discovery Resources, Fios Inc.

Judicial Perspectives on Electronic Discover
With Hon. David J. Waxee, Federal District Court, Kansas; Kenneth J. Withers, Federal Judicial
Center
April 28, 2005
Kroll Ontrack Online Seminar

Electronic Discovery & Digital Evidence Institute
State Bar of Texas, Litigation Section
Hotel Derek, April 6, 2005
Houston, Texas

Glasser Legal Works Legal Technology Show
March 17 & 18
Hyatt
San Francisco

Electronic Discovery in California: Legal Strategies & Best Pictures
January 27, 2005
sponsored by the Lorman Education Services
San Francisco

June 25 2002

Richard Best, Mary Alexander, Frank Pitre, Jack Slobodin
San Francisco
Lorman Education Services

Association of Defense Counsel

Reno, Nev.

May 16, 2003

Legalworks Seminars

Strategies & Best Practices of Cost Effective Electronic Discovery [*Tuesday*]
Multimedia Depositions, Remote Arguments [*Wednesday*]
Demystifying Electronic Discovery, Effective Records Management & Risk Control [*Wed.
Breakfast Workshop*]

April 22-23, 2003

Getting Technology Right: 6th Annual Technology Answer Show
San Francisco Hilton Hotel
Glasser Legal Works

Litigation Section

San Francisco Bar Association

April 10, 2003; 12:00 Noon Luncheon

Commissioner Everett A. Hewlett Jr., William Lee and Richard Best
Civil Discovery in San Francisco

CLE Discovery Program

April 3, 2003, 5:00PM

HANCOCK, ROTHERT & BUNSHOFT
4 Embarcadero Center 3rd Floor
San Francisco, Calif.

Effective Use of Technology in the Litigation Practice

March 21, 2003

Grand Hyatt San Francisco
San Francisco, California

Electronic Evidence Discovery

March 7, 2003

School of Law, University of Missouri, Kansas City
Kansas City, Missouri

2002 CONTINUING LEGAL EDUCATION

Electronic Discovery

December 5, 2002
Association of Defense Counsel Annual Meeting
San Francisco, California

Sixth Annual Electronic Discovery & Records Management Seminar

December 5, 2002

Glasser Legal Works
San Francisco, California

Discovery of Electronic Data & Documents

Assigned Judges Continuing Education

October 18, 2002

California Center for Judicial Education and Research
San Mateo, California

Effective Use Of Technology In Litigation

Keynote Address, Panelist on Ethics Issues

September 26-27, 2002

Seattle, Washington

Taking Effective Depositions

June 2002

Richard Best, Mary Alexander, Frank Pitre, Jack Slobodin
Lorman Education Services
San Francisco, California

Fundamentals Of Pretrial Practice

Continuing Education of the Bar

April 19 & 20; 12 hours

CEB Program

San Francisco, California

BNA Litigation Forum--Electronic Discovery: Best Practices and Evolving Law

Moderator Of Panel On Privilege Issues

April 4 & 5, 2002

San Francisco, California

Essentials of Electronic Discovery

Moderator Of 5 Panels

March 2002

Continuing Education of the Bar
Los Angeles, San Diego, San Francisco, Sacramento, Orange County

San Francisco Discovery Practice

Barristers Club - San Francisco Bar
February 2002
San Francisco, California

Electronic Discovery: Tips Tactics and Technology

Keynote: "Making E-Discovery Work: Rules, Referees and Reason"

February 5, 2002

Ontrack
Los Angeles, California

2001 CONTINUING LEGAL EDUCATION

Fifth Annual Electronic Discovery & Records Management Seminar

November 30, 2001

Glasser Legal Works
San Francisco, California

Retired Judges: Electronic Discovery

November 2

California Center for Judicial Education and Research
San Diego, California

Latest Deposition Techniques

October 19; November 14, 2001

San Francisco Bar Association

Electronic Discovery and Other Prickly Discovery Issues

CELA Annual Conference

October 27, 2001

California Employment Lawyers Association
San Francisco, California

BNA Litigation Forum--Electronic Discovery: Best Practices and Evolving Law

October 15 & 16

BNA; PIKE & FISHER
San Francisco, California

Continuing Judicial Studies Program

Electronic Discovery

August 5

California Center for Judicial Education and Research
San Diego, California

Discovery: Strategies & Tactics For Success

July 2001

Continuing Education of the Bar
San Francisco, Sacramento

Taking Effective Depositions

June 2001

Richard Best, Mary Alexander, Frank Pitre, Jack Slobodin
Lorman Education Services
San Francisco, California

5th Annual Technology Answer Show

April 24 & 25, 2001

Glasser Legal Works
San Francisco, California

Electronic Discovery

Civil Law and Procedure Institute

January 27, 2001

California Center for Judicial Education and Research
Monterey, California

1999 CONTINUING LEGAL EDUCATION

Fundamentals Of Pretrial Practice

12-Hour Ceb Program

November 5 & 6, 1999

San Francisco, California

Strategic Tips For Successfully Propounding & Opposing Written Discovery

CEB Moderator

July 10 & 24, 1999

Sacramento, San Francisco

Taking Effective Depositions

June 25, 1999

Richard Best, Mary Alexander, Raoul Kennedy, Frank Pitre, Jack Slobodin
Lorman Education Services
San Francisco, California

Discovery & Admissibility Of Electronic Evidence

CEB Moderator

May 7-8, 15 & 21-22, 1999

San Diego, San Francisco, Century City, Anaheim, Sacramento

Computer Discovery & Electronic Data Retention Risk Control

March 26, 1999

Glasser Legal Works
San Francisco, California

Discovery: Strategies & Tactics For Success

Moderator

March 3 & 27, 1999

Arne Wercheck, Arthur J. Casey, Richard Best
San Francisco & Sacramento

Queen's Bench ABC's of Law

September 15, 1998

Everet A. Hewlett, Barbara Lawless & Richard Best
San Francisco Courthouse
San Francisco, California