

THE POWER OF EXPERIENCE

# Results through the Power of Experience



**CONSULTING \* STAFFING \* TRAINING**

# GOVERNANCE RULES FOR E- DISCOVERY: BEING PROACTIVE

Presented by

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Practice

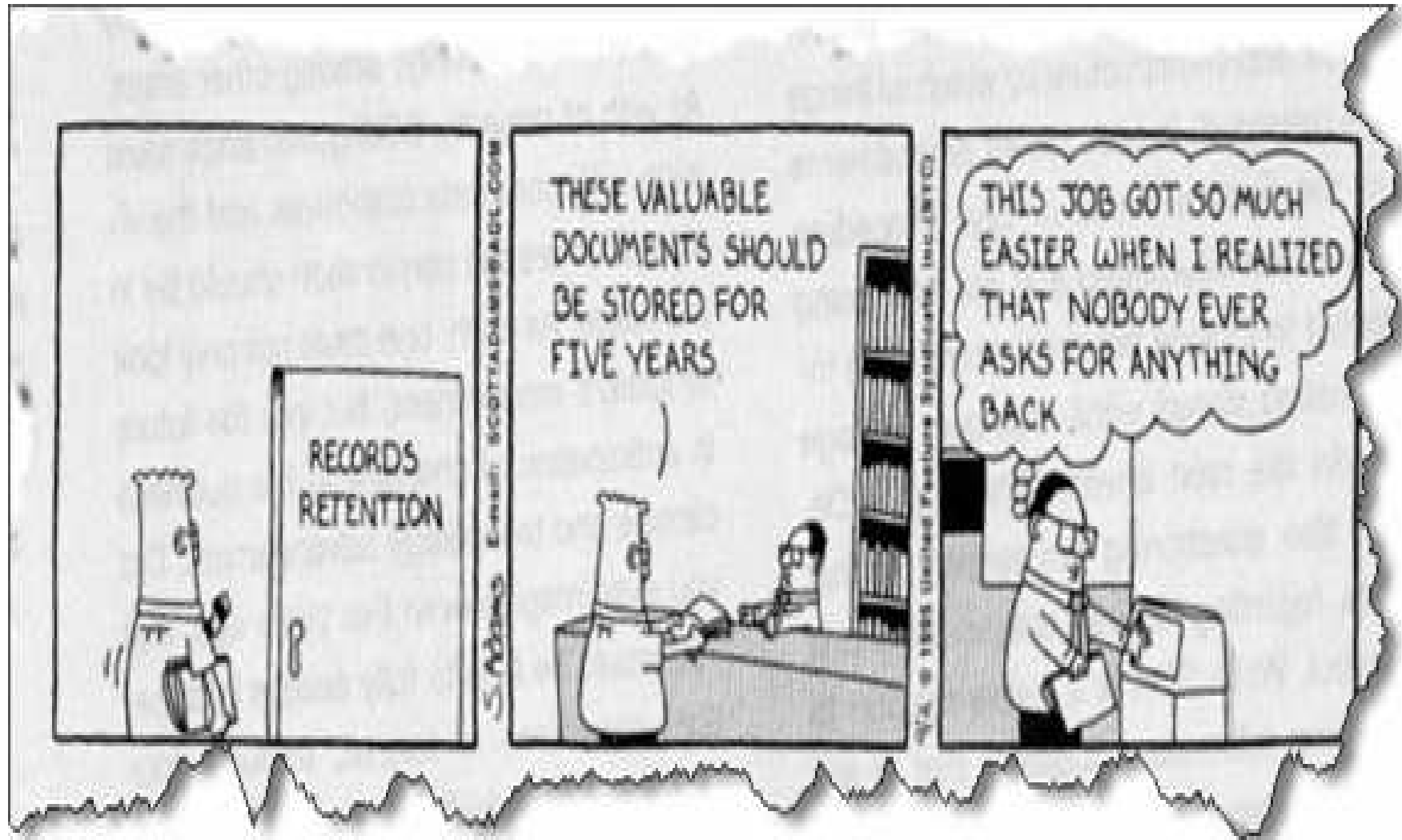
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# Topic Objectives ....

- Understanding Records Management Program's Role
- Identifying External Impacts on Organizations Resulting in Change Management
- Determining 'Compliance' Reality on Records Programs
- Clarifying the Governance Package Scope
- Developing the Package
- Implementing the Program
- Assuring Program Sustainability

# THE POWER OF EXPERIENCE



# Existing Programs

Records Management Programs traditionally consist of:

- Records Management Policies Issued by the RM Dept.
- Records Retention Schedules
- Records Management Procedures (SOP's)
- Records Management Software
- Records Discovery Support
- Active File Center Maintenance
- Inactive Records Storage and Disposition

All the above program elements are focused on Paper or Imaged Records at the back-end of the process

# External Factors

- Since 2002, 4 events have caused organizations to refocus on the need for compliant information controls:
  - HIPPA
  - SOX
  - Federal Rules of Civil Procedures
  - Government Bailouts
- Management has been looking for someone to assist with implementing compliant solutions including:
  - IT
  - Legal
  - Technology Vendors
  - External Consultants

Where are the Records Managers???

# Today's Records Program Objectives

- To Implement a Compliant and Flexible Governance program for Staff and Business Unit's Document Handling and Storage Processes
- To Enable Enterprise Knowledge Of and Access of Electronic and Physical Records
- To Reduce Information Volumes Ensuring Preservation of Complete and Trustworthy Records
- To Ensure Records' Chain of Custody from Creation through Disposition
- To Control Information Duplication, Processing and Storage

# The Governance Package

- The Foundational Enterprise Rules
  - Records & Information Management Policy
  - Retention Schedule
  - Electronic Messaging Policy
  - Hold Order Policy
  - Standard Operating Procedures
- Organization Specific Rules can include
  - Inactive Media Policy
  - Legacy Data Retention Policy
  - Acquired or Dissolved Business Unit Retention Policy

# Package Development

- Understanding the Organization
  - Culture
  - Document Handling Processes
  - Litigious Environment
  - External Impacts (Global vs. Local)
  - Products and Services
- Collecting and Analyzing Information
  - Data Repositories
  - Systems and Software (ERP, ECM, Enterprise & Local)
  - Physical Document Environment
  - Electronic Messaging Utilization
  - Back-up Media Storage Regimens
  - Record Types & Inventories
  - Local Policies and Procedures

# Package Development

- Codifying Collected Information
  - Taxonomies
  - Inactive Media Rotation
  - Electronically Stored Information Repositories
  - Category Standards
  - Information Custodians
- Validating Findings and Recommendations
  - Secure user consensus prior to developing Standards and Rules

# RIM Policy

- Content of Policy mirrors Organizational Level Policies authorized by the Board or Executive Body.
- Policy is Enterprise in Scope to ensure consistency and sustainability
- Policy defines life cycle of all information regardless of media or type.  
(No Longer is there a differentiation between Record or non-record or data versus document versus record)
- Policy defines governing body oversight responsibilities.
- Other Information Governance Policies and Procedures Link with the Records and Information Management Policy.

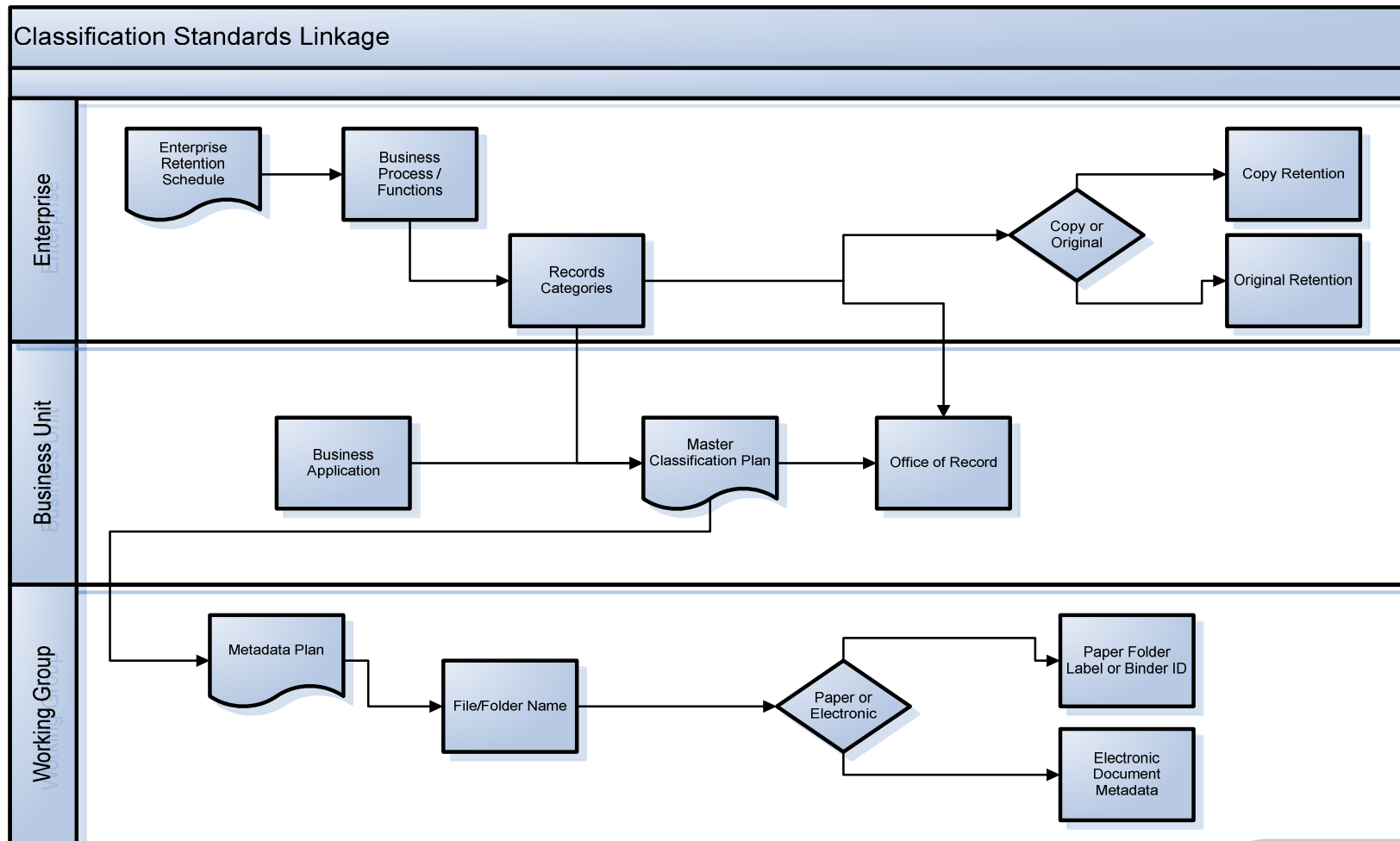
# Retention Schedule

- First Step is Researching Government Regulations that Impact the Business
- Once Completed the Policy Must be Created by:
  - Mapping regulatory research results with standard categories
    - Providing industry benchmarking to non-regulated record series
    - Adjusting retention policies for operational preservation processing needs
  - Combining with other business rules relating to Security, Business Resumption, and Corporate Ethics

# Retention Schedule

- Next Step is Consolidating Codified Information into an Enterprise Retention Schedule Listing:
  - Classification Standards (Record Series) with Definition
  - Media and Record Designation (Vital, Historical, etc.)
  - Copy and Official Retention Period
  - Applicable Regulatory Citations
  - Records Custodians
- Format Structure for mapping to ECM tables
- Publish a Summary Retention Schedule
- Once the Enterprise Schedule is completed, local schedules can be established linking to the Enterprise Retention Schedule

# Classification & Retention Structure

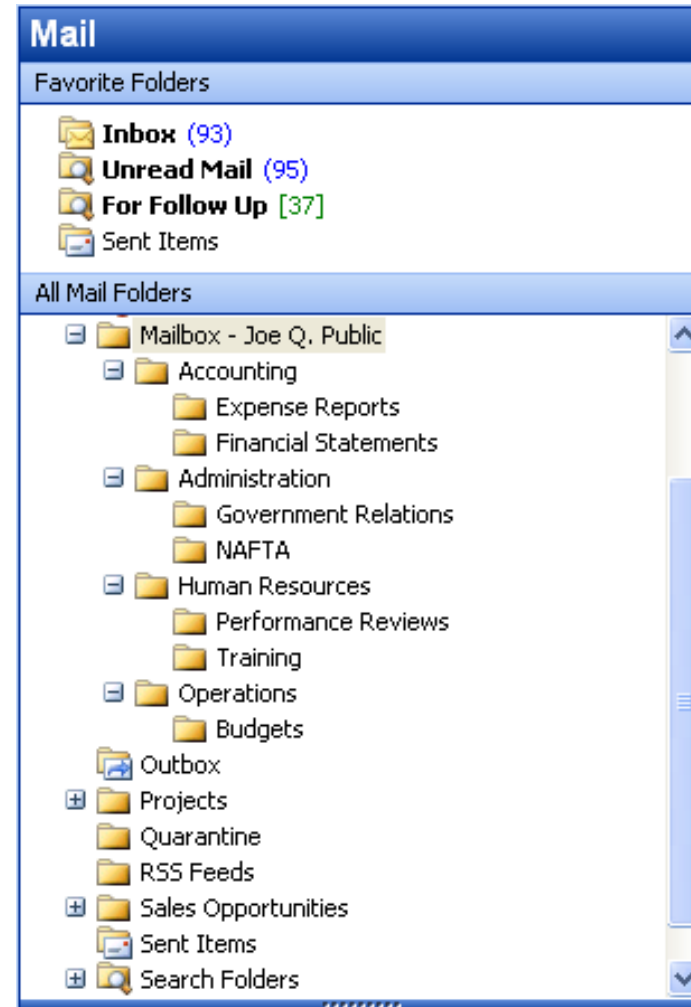


# Electronic Messaging Policy

- Defines the Scope of Information that are Saved via E-mail, Instant Messages, PDA's, Voice Over IP, Blogs, etc.
- Defines Software used to Vault or Journal E-mails
- Defines the Use or Non-use of .pst or Archive Folders on Personal Hard-drives
- Sets Retention Policies for Standard Folders (in-box, sent items, etc.)
- Sets Content Based Preservation Standards for Utilization with ECM Software
- Provides Content Based Folder Structure using Function or Bucket Organization
- Sets Folder Retention Periods
- Provides Auditable Compliance Practices

# Folder Structure and Retention

- Mailbox added folder structure:
  - Accounting 12 years
  - Administration 3 years
  - Human Resources 10 years
  - Operations 5 years
- Self auditing for e-mail deletion of PST's or local archives folders
- Messages not moved to a designated folder will be auto deleted as follows:
  - In-box 180 Days
  - Sent items 90 Days
- E-mails/attachments that associate with other electronic documents should be combined



# Inactive Media Policy

- Defines the Disaster Recovery Process for Electronic Data Stored on Servers including Back-up Tapes, Replicated Servers, or Hosted Hot Sites
- Focuses on IT and the Use of Back-up as a DR Requirement Not a Data Store
- Addresses Legacy, Archive, and other IT Data Storage
- Sets Minimal Retention for Back-up Media (e.g. Tapes as Full, Differential, Daily and Weekly backups)
- Incorporates Retention into the Overall Retention Periods for Retained Categories
- Eliminates Restore Requests from Users

# Hold Order Policy

- Sets Document Preservation Rules for ESI and Physical Records
- Defines Format, Scope, and Responsibilities associated with Litigations, Audits or Investigations
- Provides details on Matter, Date Ranges, Impacted Personnel, and Subject
- Provisions release notification processes and reminders
- Identifies Hold Order Management Tools including ECM applications
- Conforms with the Federal Rules of Civil Procedure
- Identifies the Organizations '30b6' Witness

# Procedures

- Life Cycle Enterprise Level Procedures that:
  - Provides High-level Guidelines for Indexing and Classifying Information
  - Details the Process of Using Tools (ECM or MOSS07)
  - Defines Data Repository or Inactive Storage Preservation Processes
  - Describes Retention Policy Application to Records and the Disposition Process.
  - Augments Existing Local SOP's to Conform and Link with Procedures

# Program Implementation

- Governance Package Roll-out Includes:
  - Executive Management Commitment
  - Change Management
    - How data, documents, and records are used, disseminated, stored, and disposed
  - Performance Rewards and Penalties relating to Adherence to the Governance Rules
  - Technology Identification Facilitating Conformance to Program Standards
  - Compliance Auditing

# Program Implementation

- Once the Governance Package is in Place the Implementation Process Steps are:
  - Training selected staff on new processes
  - Marketing program advantages through the organizational internal communications vehicles
  - Soliciting Internal Audit as a operations compliance watch-dog
  - Monitoring regulations and incorporating changes on an annual basis

# Program Benefits

- Reduces Management Decision Processes
- Enables Organization Personnel Access to Needed Information
- Provides Sustainable Information Volume Reduction
- Manages Life-Cycle of Structured and Unstructured Information
- Raises Management's Comfort Level of Ethical Conformance to the Rules
- Minimizes Document Handling Burdens
- Decentralizes Use and Access of Information by Employing Centralized Standards
- Makes the Records Management Program a Core Information Function

# What Are You Doing?

## Questions?

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