



Developing a “Retention Policy” for Digital Documents

A “Retention Policy” is a rule that states how long documents should be kept before they are to be destroyed. Many firms have realized the importance of setting a Document Retention Policy, as it minimizes costs and can free up valuable retail space.

Digital documents are a whole different story, as many firms do not have rules in place regarding digital documents. Although often overlooked, it is important for firms to adopt standards for digital documents as well as your traditional paper documents.

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Keep in mind that digital documents can take many forms, such as emails, word processing documents, spreadsheets and PDF's. Orion's Records Management or our integration with Worldox® can help to automate this process at your firm.

Advantages of a Defined Electronic Retention Policy

- Reduce the costs of eDiscovery in the event of a lawsuit or other legal action. Producing this information in response to an eDiscovery request can be extremely time-consuming and costly. Following a clear, communicated Retention Policy adds defensibility to the deletion of electronic information.
- Reduce the dangers of eDiscovery. Minimizing the amount of electronic material that an organization keeps on hand means it has less material to produce during eDiscovery. Accordingly, this leads to less incriminating evidence.
- Legal obligations. For example, local laws may require private information about former employees to be deleted after a certain period of time.
- To facilitate mergers and acquisitions. If part of a firm is being sold off, the purchasing organization needs to have a clear understanding of the information that is leaving with that part of the firm. The deletion of stored information supports that requirement.

Implementing an Electronic Retention Policy

First, those considering forming a Retention Policy should first form a committee. This committee needs to include representatives of different departments, in order to provide a diverse view of the types of electronic documents being stored. You should consider any legal obligations to keeping the material as defined by law, for instance, you may be required to store tax information for seven years.



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The committee should then define the different classifications of documents and the appropriate retention period for each. You may want to consider a “Delete if Not Used” period, such as deleting the case if there is no corresponding activity within three years.

With the rules defined at your firm, you can now formulate a way to automate this process. There is software that can help with this, such as Orion’s Record Management and our integration with Worldox. Another benefit of the Worldox integration, is the ability to force users to profile and save their emails when the emails reach a certain “age”. This can help to eliminate important emails from being left in cluttered attorney mailboxes for long periods of time.

In order to keep this process running, your firm must audit and report the process. To be effective, the Retention Policy must be consistently enforced throughout your firm.

If you still have questions, we can help. Feel free to contact Orion Support today.