

**Butter & Jam on that Toast?**  
*Turning Records Management Adversity  
into Opportunity*

*Presented by:*

**Karen Strong**  
*Gimmel Group*

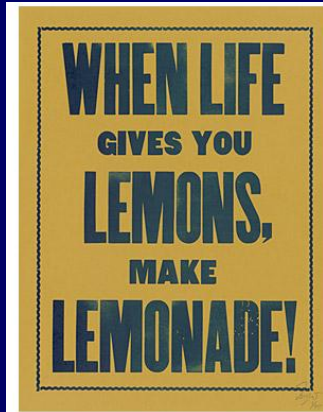
**Conor R. Crowley**  
*Daley Crowley LLP*

**Carol Stainbrook**  
*Cohasset Associates*

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## You Know the Saying...



## Turn Adversity into Opportunity

1. Resume Control
2. Look on the Bright Side
3. Seek a Second Opinion
4. Find a Solution



## Discipline Yourself and Your Organization

- Opportunity to contain costs and improve quality
- Strengthen your weak links
  - ▲ Enterprise / Organizational
  - ▲ Legal / Compliance
  - ▲ Records Management



## Enterprise / Organizational

- Develop an information governance competency

Managing content at an enterprise level is imperative



## Enterprise / Organizational

- Focus on the 'value' of information

Successful organizations leverage assets to deliver value over a long period of time



## Enterprise / Organizational

- Drive enterprise consistency

Consistent practices improve operational performance and protect the organization



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## Legal / Compliance

- Use adversity as a driver
  - ▲ Reevaluate existing practices and procedures
  - ▲ Examine records management and e-discovery expenditures to identify areas of potential savings
  - ▲ Identify areas of exposure



## Legal / Compliance

- Reevaluate existing practices and procedures
  - ▲ Ensure records retention periods are up to date
  - ▲ Review RIM and Legal Hold policies and procedures to ensure all forms of ESI are addressed
  - ▲ Implement Big Bucket Retention schedules



## Legal / Compliance

- Examine records management and e-discovery expenditures to identify areas of potential savings
  - ▲ Reduce the number of backup tapes stored
  - ▲ Negotiate the scope of preservation
  - ▲ Ensure legal holds are properly implemented and lifted



## Legal / Compliance

- Costs of review
  - ▲ Technology solutions
  - ▲ Form in which information is reviewed
  - ▲ Impact of FRE 502 on the cost of privilege review



## Legal / Compliance

- Costs of production
  - ▲ Native vs. other production formats
  - ▲ Track production sets
  - ▲ Use shared repositories to minimize production costs



## Legal / Compliance

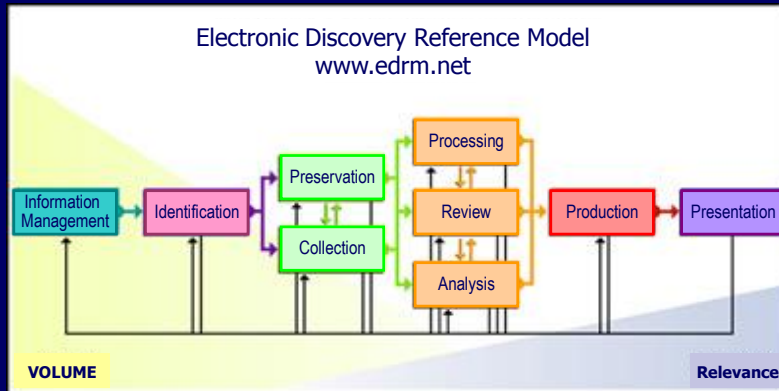
- Identify areas of exposure
  - ▲ Establish multidisciplinary teams
  - ▲ Standardize preservation, review and production methodologies
  - ▲ Ensure your outside counsel understands electronic discovery issues



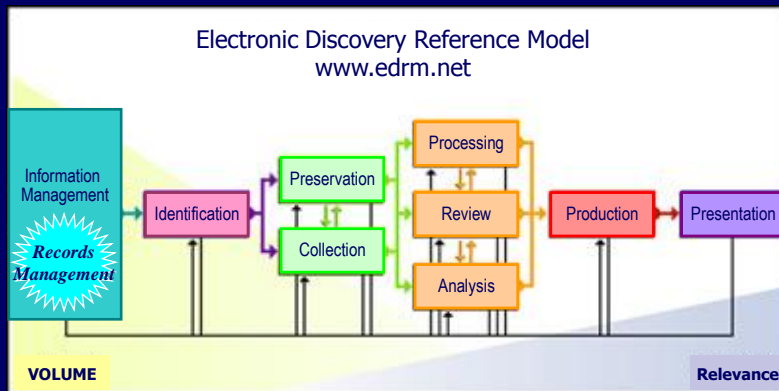
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## Current Model



## Or, is this a better model?



# Records Management Opportunities

<b>Governance</b>	Clarify roles & responsibilities
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# Records Management Opportunities

<b>Program Controls</b>	Coordinate efforts with Information Technology
	Coordinate with Legal to effectively apply legal preservation/hold processes
	Refresh policies & procedures
<b>Governance</b>	Clarify roles & responsibilities



## Records Management Opportunities

Orderly Retention & Orderly Disposition	Dispose of eligible <b>high-value</b> information
	Revisit "backup rotation cycles"
	Dispose of eligible <b>low-value</b> information
	Establish appropriate controls for <b>high-value</b> info
	Simplify records retention schedules
Program Controls	Coordinate efforts with Information Technology
	Coordinate with Law to effectively apply legal preservation/hold processes
	Refresh policies & procedures
Governance	Clarify roles & responsibilities



## Records Management Opportunities

Implement other creative opportunities
Orderly Retention & Orderly Disposition
Program Controls
Governance



## Summary

- It takes a team!



## Summary

- It takes a team!
- Leverage opportunities at the MER
  - ▲ Learn from experts
  - ▲ Network with peers
  - ▲ Gain knowledge from vendors
- Empower the RM program to empower your organization



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