



## *In This Issue*

Get Back In the Box.....	2
Making Sense of the "Master Record" .....	3
Information Retention Management .....	4
Legal Records Managers: Ready for Electronic Prime Time?.....	6
Records and Information Management Resources .....	8
Upcoming Training Opportunities .....	8

It's hard to believe that another year is almost over. If you're like me, you're still trying to mark some items off your "to do" list that you started in January 2007. And, also, if you're like me, you're probably re-thinking your "to do" list and wondering whether those items are really worth completing one year later! Chances are, they're not! If they were so important, they would have been completed by now! The excuse "just in case" doesn't work for outdated "to do" lists just like it doesn't work for keeping records beyond their value to the organization.



A new year coming up gives us a chance to start fresh—shed the old baggage (figuratively and literally) and old records (yes, seriously!). Less really does add up to more when it comes to collecting (especially records—you'll acquire more space, have a more esthetically-pleasing work environment, have less records to wade through in your search for the correct information and you'll be more productive! Trust me!).

In this issue of *RIM Matters*, I'm taking the "less is more" lesson to heart. This edition of the newsletter contains less articles than past issues. (I must confess it's partly because I'm doing more with seemingly less time—although I know that can't be true because the clock registers 60 minutes per hour for each of us!). Anyway, I hope you find something in this issue to pique your interest.

In closing out 2007, my profound wish for each of you is that you have a relaxing holiday season and if you celebrate Christmas, I wish you a very Merry Christmas!

*Mary Colak, cmc*



# Get Back In the Box

In Issue 3 of *RIM Matters*, we talked about records thinking “outside the box” as a way to promote creativity and improve our records programs. We contrasted the “new think” and the “old think” records manager. While there is some merit to thinking outside the box to identify problems that are impacting our records management program, there is also great merit to thinking inside the box to find appropriate solutions.

Dan Heath and Chip Heath, best-selling authors of *“Made to Stick: Why Some Ideas Survive and Others Die,”* contend that constraints can help free a team’s thinking. Where “thinking outside the box” may work in some instances, they say that we should in fact be thinking inside the box for solutions—albeit a new box may be needed!

The problem appears to be not so much the box, but the general message that we receive that inhibits our thinking. Let’s say, for instance, your manager tells you that he wants to redesign the entrance to your office to make it more modern. Quick. What is the first thing that you think of? Furniture placement? New furniture? Light fixtures? Muted colours on walls? Glass door? Where do you put your supplies? Your filing cabinet? Chances are that you’ve probably come up with a blank. And, so say the authors, that’s possibly what people want when they recommend an “outside-the-box,” “blank-slate” approach. However, that blank slate and outside the box thinking is not helping you create a more modern office space.

When told to think outside the box, everyone envisions something different. Depending on

your experience, your idea of modern (in our example above) may include piping-in rock music, soft music or no music at all, adding “mood lighting” (what does that look like, anyway?), painting the walls a creamy tone-on-tone colour or pure black, purchasing glass furniture, or perhaps just hiding the filing cabinet behind a screen. Generally, none of this is very helpful. However, if your manager tells you he wants the office to look more like a Starbucks, then you know definitely where you need to go with the “modern” idea!

The authors say that as soon as you’re given a suggestion about requirements, the vision is immediately constraining (“inside the box”) because it takes several options off the table. However, it also improves a team’s chances of coming up with an idea that all will agree on in short order. In fact, teams often produce better results as a direct result of constraints. Authors Michael Gibbert and Martin Hoegl agree. They say that the human mind is most productive when restricted. By having limited or better focused rules and constraints, we are more likely to recognize an unexpected idea.

So, when we embark on improving our organization’s records management program, for instance, we need definite guidelines for what that program must look like when it is complete. We really can’t think outside the box. Try the world standard ISO 15489 for setting up your organization’s records management program. There. I’ve just given you a constraint!

So, go ahead. Think *inside* the box when developing your records management program.. Your creativity may surprise you! ■



# Making Sense of the “Master Record”

We understand the definitions of “master” record” or “original record” and we understand the file classification descriptions for both primary and secondary classifications. Yet, sometimes we still can’t figure out what records apply to us as the “Office of Primary Responsibility.” When is our office the “official” record holder?

Here’s a simple guideline:

- Did you create or sign the record for your organization (i.e., did you compile and/or sign the report/letter/memo/email, etc.)?
- Did you receive the original record on behalf of your organization (i.e., does the record have an original signature or did it come directly to you from the originator)?

If you answered “yes” to either of the above, then you are the holder of the “official” record (in other words, you are the Office of Primary Responsibility [OPR]) for that record). As the OPR, you are responsible to retain/maintain/safeguard that record for the organization throughout the record’s lifecycle (retention schedule). How you keep the record in your office depends on the recordkeeping procedures established by your office.

Are there exceptions to the OPR determination? Well, not really. Although, in some organizations (government, for instance), it is sometimes hard to know who (which office) received the complete original record. In that case, several offices are designated as OPR for that record. For example, let’s say you sit on a cross-organizational/cross-agency committee. And, so does John Smith who works in the Branch right next to yours (he’s part of your organization—he’s just in another Branch). There are also two other people in your organization on that same committee (these individuals are in two other branches). Now, the

committee minutes are emailed not only to you, but to John Smith and the two others. Technically, you all receive the original record from the originator and, by definition, you are all OPRs for that record for the duration of the record’s lifecycle.

When the committee ceases to exist, all four sets of records will be sent to offsite storage (remember, there’s you, John Smith and the two others who have been saving the original records). In an ideal world, if the records are being sent through a central monitoring point, that point would be reviewing lists of records going to offsite storage and purging duplicated records before they go to offsite. This would save on offsite storage

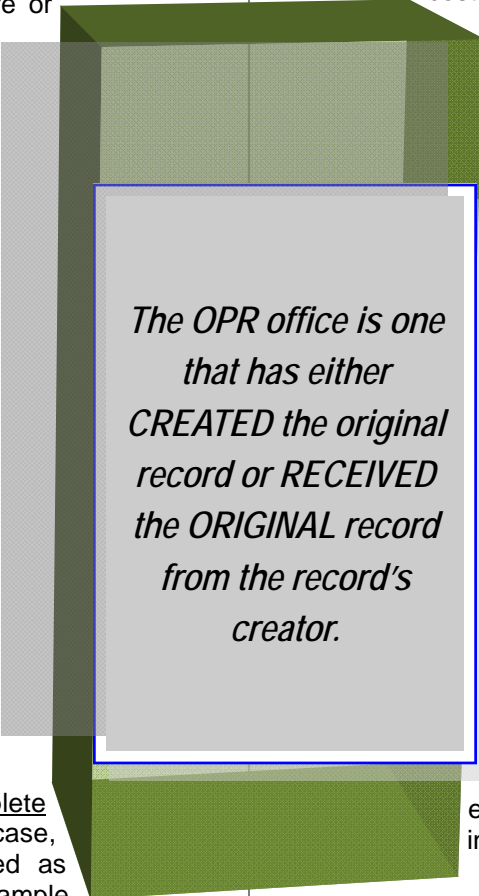
costs. However, we know that that is not always possible, so we end up with four sets of the committee file going to offsite storage for the timeframe as prescribed by the retention schedule for that particular committee file (record series).

What about email? When are you obliged to keep the email (either in electronic or paper form)? Well, the same two questions apply:

- Did you create the original business email to document your organization’s business? If so, your office is the OPR for that email record.

- Did you receive the email directly from the originator? If so, you are the OPR for that email. *EXCEPT* if you received that email as a copy, then your office is not the OPR (i.e., you were sent the email as a “cc” or “bcc” for information purposes only).

Bottom line: we should not be guessing if our office is the OPR for a given record series. The Corporate Records Officer is responsible for outlining, in detail, what records your office must keep for the specified retention period. If your office is not listed as the OPR for a given record series, then please do not retain it in the organization’s central files. ■



*The OPR office is one that has either **CREATED** the original record or **RECEIVED** the ORIGINAL record from the record’s creator.*

# Information Retention Management

(adapted from Gartner, November 12, 2007)

The US National Archives and Records Administration offers the following definition for “records:”

*“Records include all books, papers, maps, photographs, machine-readable materials or other documentary materials made or received by a department or individual working for the corporation or government entity or employed by it under international, federal, state or local law or regulatory statute or in connection with the transaction of corporate or government business and preserved or appropriate for preservation by that corporation or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the corporation or because of the informational value of the data in them.”*

Records can include paper and electronic documents, email and web site content. Organizations cannot apply a *formula* to decide what to keep and what not to keep. Further, the American Association of Records Management adds that *“records are evidence of what the organization does. They capture its business activities and transactions.”*

Business intelligence and information managers need to think about information retention management (IRM) and records management (RM) in the building and planning phases of any system selection or implementation project. This research should be applied during the use and governance phases of the cycles.

Changes to laws and regulation, increasing storage volume, costs, and growing awareness of the environmental impact of running computer and storage hardware are combining to raise the level of urgency that organizations feel about tackling this problem. Creating a records retention schedule, inventorying existing systems, and cataloging document and content types, then assigning these to categories is time consuming work that requires specific

expertise. Many organizations are looking for technology and service providers to assist.

The Gartner Research Group deliberately distinguishes between RM and IRM and they feel that this distinction is important, especially when it comes to electronically stored information.

RM is a specific discipline that requires training, experience and software. There are three reasons to keep records:

1. Business continuity.
2. Law and regulation.
3. Records of the corporation.

However, there are more reasons than this to keep information. Not everything that is created becomes a record, nor should it. Backup and recovery is one instance of this broader need for information retention.

IRM means managing information through a life cycle—for example, when does a “draft” become a “final” and what should happen to drafts when finals exist? This is not inconsequential: the number of information artifacts that should become records is far fewer, but the rules are stricter. All information needs to be managed through its life cycle. For this to happen, decisions need to be made by its creators and users, by the IT personnel who support their systems, and by legal advisors.



Email archiving, basic content services, policy management, content monitoring and filtering, enterprise content management, and records management are all examples of technology solutions that you can use once you have policies and rules to deal with information retention. Email is the logical place to start with archiving technologies, as email is the biggest driver of incremental storage costs and is frequently the target of requests and subpoenas from lawyers and regulators.

*See IRM on page 5*

*IRM, continued from page 4*

Organizations are beginning to implement basic content services to try and bring documents on shared servers and hard drives under retention control. Basic content services allow check-in and check-out, security and version control. Users can access URLs instead of passing documents around in email. There are built-in retention mechanisms in some of these basic content systems and some organizations are supplementing these with their own governance mechanisms, using templates with embedded metadata in order to facilitate archiving and deletion of content. There are categories of tools available (content monitoring and filtering, content analytics and even search) to help locate files and move them into a controlled repository. Migrating to basic content services brings some level of IRM, but not necessarily full RM, which is a subsequent step.

Retention schedules, which are necessary for formal records management, can be purchased from a number of vendors and then customized to suit specific needs. Prepackaged schedules, of course, can only get you so far—half-way at best! Where RM requires formal schedules, IRM does not because it is a business continuity issue.

Vendors can also provide tools to automate the identification, categorization and archiving of emails and other electronic messaging other than records. The automation of policy, however, is not within the purview of these vendors.

Organizations hesitate to apply automated classification of documents and content that is provided through vendor systems, believing the classification that is provided is not granular enough or will not satisfy the regulators or the lawyers. However, there are no better alternatives.

Simply put, users will not classify records or information accurately. And, Gartner believes that they should not have to. Given options, users almost invariably pick the “do nothing” or “save it forever” routes. However, inadequate classification is better than none—as long as the organization has made a sincere attempt at accuracy.

Gartner says that you should pick a method and apply it. Courts, regulators and lawyers to not expect perfection—automatic methods, however imperfect,

are at least auditable. Document your policy decisions, and don't overcomplicate matters. Make sure the lawyers see it and sign it off, otherwise you will have to wait for a very long time, under a growing mountain of electronic information, for perfect technology to come along and save you.

No matter what business you are in, you need an IRM policy, and that policy needs to be automated as much as possible. Classification and categorization of information for retention (and deletion) must be part of this. Policy creation will work better at the business unit level, but should extend to the broader organization. Expressing the retention schedule as a series of rules which are then rolled up and applied centrally is an approach that has promise.

If you want to follow best practices in this area, Gartner recommends the following:

- Make retention rule creation a bottom-up activity, supervised and finalized by your legal or compliance department, rather than a top-down activity
- Understand that creation and ongoing retention rule maintenance must be a staffed function.
- Think of focusing more on managing policies and rules, instead of retention schedules.
- Develop a broad retention management policy that extends across the organization in the stores, applications and content repositories.
- Incorporate retention management into workflow processes.
- Check with your ECM vendors for their automated policy management partnerships.
- Keep it simple. ■



# Legal Records Managers: Ready for Electronic Prime Time?

(reprinted with permission from the author, Nancy A. Williams, CRM)

When lawyers began using desktop computers in the early 1990s, some predicted they would be the first group to migrate from paper to electronic-based information systems. Contrary to the prediction, the legal profession is likely still further from achieving a paperless system than are their corporate clients, perhaps because many lawyers are not yet comfortable with a completely electronic system. Therefore, law firms today continue to maintain two separate work-product systems: paper and electronic.

## The Current Information System

Law firm information is currently organized in a client-matter-folder hierarchical system. First, each client is assigned a unique number, usually the next-available number in a client numbering series. Then, typically, each project, or matter, a lawyer performs for the client is sequentially assigned to the client's number. Together they are collectively referred to as the client-matter number. Finally, law firms will assign numbers to the various folders they create for each matter. The folder numbering system varies widely among law firms.

Within this system, lawyers generally consider the paper file the official record for their clients and the electronic systems as their own work-in-progress systems. Whenever lawyers accumulate paper documents in their offices it becomes obvious that documents are not making their way into the file.

Unfiled emails are less obvious. Although the policy for many firms is for emails to be printed and the hard copy filed, unless the attorneys or their secretaries are working overtime to print them out, they mostly reside in each attorney's personal folders in the email system. Therefore, at no particular time can it be said that there is a complete file of a matter's documents in either system, paper or electronic.

Law firms are trying to address the email filing problem in one of three ways:

1. Filing emails into a document management system (DMS)
2. Filing emails into a records management system (RMS)
3. Filing emails first into the DMS then declaring them as records into an RMS

However, each of these systems has its drawbacks:

- Filing emails into a work-in-progress DMS makes it harder to separate the wheat from the chaff. A DMS contains non-work product as well as work product. A DMS is not a content management system and does not have records retention functionality.

*“...inevitably, paper systems will become obsolete. That does not mean a firm will not need records management expertise; it just means that legal records personnel will be providing the same service in an electronic environment.”*

- Filing emails into an RMS ensures that the email is automatically declared as a record and has full records retention functionality. However, the RMS is probably a separate repository, and that action means documents for a particular matter are filed in two separate systems, the DMS and RMS.

- Filing documents first into the DMS ensures that emails become part of the work-in-progress system and all attorneys can view the documents. But requiring attorneys or their secretaries

to take the second step of declaring a record into an RMS will not make doing so a high priority for them.

The ideal system would be to have all documents and physical files available in one repository throughout the matter life cycle until paper systems are eventually phased out. The final step is to transition to an all-electronic information system.

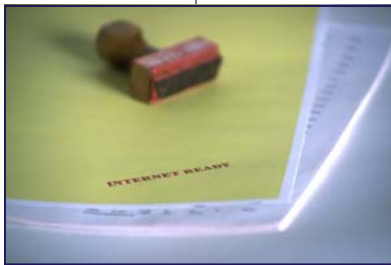
## Achieving an Electronic System

The following initiatives are prerequisite to achieving a workable electronic information system:

*See Legal on page 7*

*Legal, continued from page 6*

- Change how paper files are organized in each practice area unless the firm plans to phase out its paper-based system within the next three years. Currently, most law firms use document type naming conventions, where documents are filed by the type of document (e.g., letter, memo, fax, agreement) rather than by the content of the document itself.
- Most users do not search by document type. Therefore, folder title names should include the most unique information about the contents of a file. For example, a file containing research on a particular issue in litigation should be identified by the content of the research (e.g., Toxic Fume Releases). All documents related to this subject would also be included in this folder regardless of what type of document it is (e.g., email, memo, fax).
- Establish identical categories for both the paper and electronic system. Having identical categories in both systems promotes consistency and helps the user learn how the documents are organized. These categories will be different in each practice area, as patent law is different from healthcare law. In other words, avoid designing a one-size-fits-all category system. In addition, keep the folder hierarchy as shallow as possible (e.g., three tabs) because deep hierarchies eventually confuse everyone.
- Streamline the matter closing and record retention functions. Lawyers spend less time looking for the information they need when the information is current. Many matters remain open well beyond the time the work is completed. For most firms, records retention will be assigned at the matter level. If there is a records retention schedule, but it is not being followed, this would be the time to implement it. Constantly applying retention to attorney work product causes less frustration in search and retrieval of needed information.



**Taking the Lead**

With all due respect, neither lawyers or IT people are good records managers. The only personnel in law firms with sufficient experience for organizing lawyer information are records managers, and they must lead the way for

electronic systems just as they have for paper systems. Specifically, legal records managers should take the following initiatives:

- Get involved in the planning process for any electronic system upgrades the firm contemplates, not just the records management program. Risk management issues can occur at any stage of the matter life cycle, and participation regarding security and retention of these records—including conflicts, time and billing, calendar, litigation support, and others—are a necessity.
- Establish naming conventions for folders, document titles, and email subject lines to facilitate information retrieval. Implement data entry standards to ensure consistency in how information is viewed.
- Assign qualified records personnel as database administrators for all electronic systems, not just the RMS, to ensure consistent information quality. Fortunately, this trend is already happening in some firms.
- Assume responsibility for classifying documents for filing, rather than merely filing the documents.

**The Future of Legal Records Management**

As long as there are parallel physical and electronic systems, the paper file system should prevail. But, inevitably, paper systems will become obsolete. That does not mean a firm will not need records management expertise; it just means that legal records personnel will be providing the same service in an electronic environment.

To prepare for this new responsibility, records personnel should know as much about each practice area as any paralegal so they can take over the classification responsibility from secretaries. Ask the lawyers to prepare practice-area-overview training sessions for this purpose. Records personnel should also learn the business of their clients to better understand how lawyers help them. Finally, legal records managers should become knowledgeable regarding the business process design, workflow, project management, and quality assurance principles.

Records management in law firms need not be limited to paper filing systems. Taking action now will prepare legal records managers for electronic prime time. ■

## RECORDS AND INFORMATION MANAGEMENT RESOURCES

**AIIM-The Enterprise Content Management Association**—AIIM is the international authority on Enterprise Content Management (ECM) - the tools and technologies used to capture, manage, store, preserve, and deliver content and documents related to organizational processes. ECM enables four key business drivers: Continuity, Collaboration, Compliance, and Costs. [www.aiim.org](http://www.aiim.org).

**ARMA International**—is a not-for-profit professional association and the authority on managing records and information – paper and electronic. [www.arma.org](http://www.arma.org).

**Bitpipe.com**—is the definitive guide to online resources for IT professionals. Provides information through technology white papers, webcasts, case studies and IT product information. [www.bitpipe.com](http://www.bitpipe.com)

**British Columbia Corporate Information Management Branch**—CIMB provides central information management services and support to ministries, Crown corporations and agencies within the Government of British Columbia. CIMB is responsible for government recorded information management policy, standards and procedures. [www.mser.gov.bc.ca/CIMB/](http://www.mser.gov.bc.ca/CIMB/)

**Gartner**—global leader in technology-related research and advice. [www.gartner.com](http://www.gartner.com)

**IDC—International Data Corporation**—get the latest trends, surveys and forecasts. [www.idc.com](http://www.idc.com)

**ISO—International Organization for Standardization**—check out the latest information on ISO 15489, the world's first standard for records management. [www.iso.org](http://www.iso.org).

**Library and Archives Canada**—Library and Archives Canada collects and preserves Canada's documentary heritage, and makes it accessible to all Canadians. This heritage includes publications, archival records, sound and audio-visual materials, photographs, artworks, and electronic documents such as websites. As part of Library and Archives Canada's mandate, they work closely with other archives and libraries to acquire and share these materials as widely as possible. [www.collectionscanada.ca](http://www.collectionscanada.ca)

**National Archives and Records Administration (USA) (NARA)**—Of all documents and materials created in the course of business conducted by the United States Federal government, only 1%-3% are so important for legal or historical reasons. These documents are kept by NARA forever. Learn about NARA's record keeping standards. [www.archives.gov](http://www.archives.gov).

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<http://searchcio.techtarget.com>.

## UPCOMING TRAINING OPPORTUNITIES

### Introduction to Records & Information Management

A one-day workshop covering the basics of RIM.  
Victoria—March 10, 2008  
Richmond—May 2, 2008

**New!**

### Converting Your File System

A one-day workshop demonstrating how to convert your office's old files to a new ARCS, ORCS or LGMA classification system.  
Victoria—March 13, 2008  
Richmond—May 5, 2008

### Using ARCS, ORCS and LGMA

A one-day workshop teaching the basic skills needed to master ARCS & ORCS.  
Victoria—April 2, 2008  
Richmond—May 7, 2008

**New!**

### Preparing Records for Offsite Storage

A one-day workshop providing practical hands-on experience on how to prepare records for offsite storage.  
Victoria—April 9, 2008  
Richmond—May 9, 2008

**New!**

### Effective E-Mail Management

A one-half day workshop for Executives and others who want to get a handle on their e-mail. Demos & practical hands-on experience provided.  
Victoria—April 14, 2008  
Richmond—May 12, 2008

### Designing Records Classification Systems

A two-day workshop providing practical hands-on experience in developing file taxonomies.  
Victoria—April 16-17, 2008  
Richmond—May 14-15, 2008

### Planning & Implementing Your RIM Program

A two-day workshop providing the tools and skills needed for developing a RIM program within organizations.  
Victoria—April 23-24, 2008  
Richmond—May 26-27, 2008

For more information and to register, go to:

[www.rimsolutions.ca](http://www.rimsolutions.ca)

Or call: 250-658-4873