

INTRODUCTION TO RECORDS MANAGEMENT

Nitza Medina-Garcia, CRM



InfoCompass Business Solutions



InfoCompass Business Solutions

Help businesses optimize information
management, mitigate risks and save
money

Certified with the State of California as a small business SB-#1800309



Hunter College, NYC 1998

Nitza Medina-Garcia, CRM

- ▶ Certified Records Manager
- ▶ Founder and Principal Consultant of *InfoCompass Business Solutions*
- ▶ President, Greater Sacramento Capitol Chapter of ARMA
- ▶ Expert in iManage Govern Records Manager Software

What is Records Management?

- ✓ Helps you understand what information you have
- ✓ Helps you control your information
- ✓ Not just a one and done organizing effort
- ✓ Builds procedures and routines to keep records organized

Why Records Management?

- ✓ Get the right record to the right person at the right time

Here's What You Will Learn Today

- ✓ How to Design a Records Management Program
- ✓ How to Build a Records Retention Schedule
- ✓ How to Implement a Records Retention Schedule

Current Situation?

01

Designing a Records Management Program

Records Program Outlines



Lifecycle of records



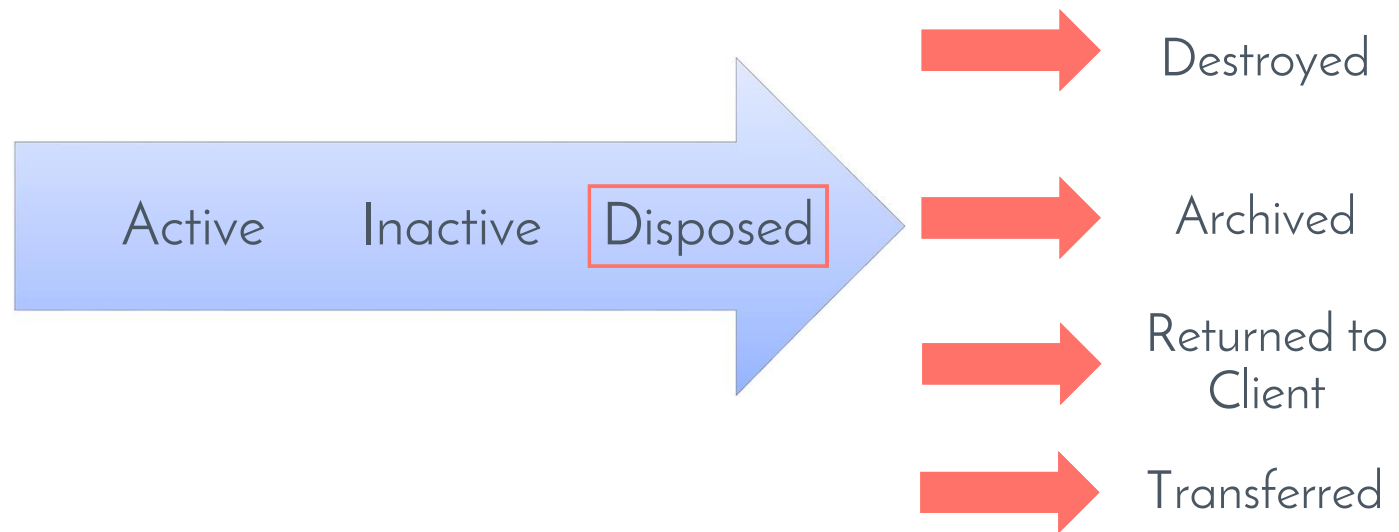
Proper handling of records



Orderly disposition of records

Lifecycle of Records

Define the statuses for records



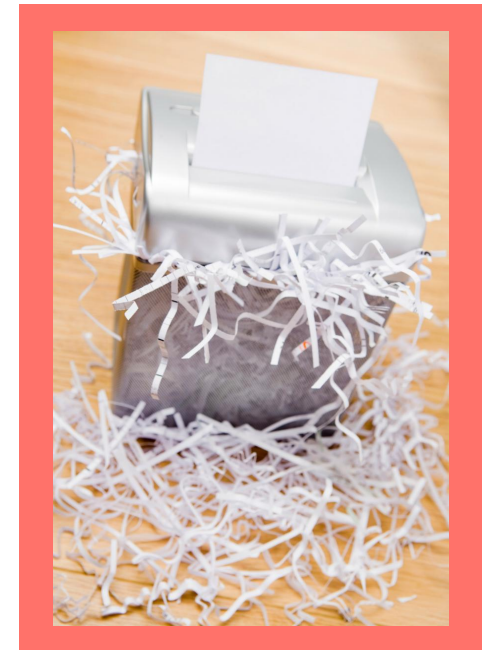
Proper Handling of Records

- ✓ Location of records when active?
- ✓ When should records be sent offsite? When there is no more room in the office?
- ✓ Who can have access to the records?
- ✓ What about electronic documents, emails and records?
- ✓ Can electronic records be shared via file sharing sites?
- ✓ Are any of these procedures written down?



Orderly Disposition of Records

- ✓ Process defined for destruction, return, archive or transfer
- ✓ Retention periods defined
- ✓ Processes are systematic and not determined on an ad hoc basis



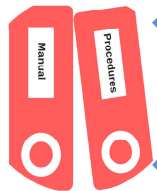
Records Program Components



Records Policy Statement



Records Retention Schedule



Procedures for executing and enforcing
the Records Policy and Schedule

Records Policy Statement

- ✓ Defines what are your business records, client records and administrative records
- ✓ Applies to all business information and records regardless of medium (paper, electronic, duplicates, microfilm, etc.)
- ✓ Include in employee policy and procedures manual
- ✓ Discuss during employee onboarding/training



Policy Statement Example

SAMPLE RECORDS MANAGEMENT POLICY STATEMENT

Policy No.: 123	Subject: RECORDS MANAGEMENT	
Policy Date: Oct. 31, 2016	Supersedes: Initial Issuance	
Date Approved: Oct. 31, 2016	Approved by: Jane Smith	Pg. 1 of 2

1. POLICY STATEMENT

ABC Law Firm is committed to firm-wide compliance with records management policies and procedures. In keeping with this commitment, it is important that all partners and employees understand and support the Firm's commitment.

2. SCOPE

This policy applies to all partners and employees, including associates, support staff, legal assistants, and summer, temporary and contract employees at all locations.

3. DEFINITION

Records Management is defined as the management of Firm information from active use through secure inactive maintenance to its ultimate disposition according to established policy and procedures.

4. PROCEDURE

- A. Ownership of Records - All records created, received or maintained by ABC Law Firm personnel in the performance of their duties are the property of the Firm. Partners and staff may not create copies in any medium for persons or entities outside of the routine performance of their duties, or create and maintain copies of Firm records at locations other than those approved by the Firm.
- B. Storage Procedures - Inactive records maintenance shall be governed by procedures set forth in the most current version of the Records Services Manual.
- C. Records Retention and Disposition - The Firm's official policy on records retention scheduling and disposition procedures, controls and exception management are set forth in the Records Retention Schedules and supporting Records Services Manual.

5. ADMINISTRATIVE RESPONSIBILITY

It is the responsibility of all personnel to uphold the Firm's records management policy. Questions regarding the content of or changes to records retention policy, interpretation of a Records Retention Schedule (RRS) or procedures supporting the schedules should be directed to the Records Manager. |

From The Lawyer's Guide to Records Management and Retention

Story



Mark Duffy, Director of Archives

Episcopal Church Headquarters

New York City

Challenge: Up to date retention policy and procedures

02

Building a Records Retention Schedule

Create Retention Schedule

- ✓ Compile the list of records
- ✓ Determine who is the record owner
- ✓ Partner with general counsel or management to determine retention periods
- ✓ Document retention period research
- ✓ Do not want to rely on ad hoc retention decisions of individuals



*Building a
Schedule*

BOTH AN ART & A SCIENCE

Retention Schedule Example

RECORDS RETENTION SCHEDULE

Accounts Payable

Record Category	Retention Period	Comments
Invoices	Current Year + 5 Years	Includes supporting documentation
Expense Accounts	Current Year + 5 Years	
Contributions	Current Year + 5 Years	
Ledger	Current Year + 5 Years	
Reports	Current Year + 5 Years	

Accounts Receivable

Record Category	Retention Period	Comments
Billing	Current Year + 5 Years	
Reports	Current Year + 5 Years	Also referenced as the "blue reports"
Collections	Current Year + 5 Years	

Organize Retention Schedule

- ✓ By Business Function
- ✓ Department or Program
- ✓ Big Buckets
- ✓ General and Agency-specific

Calculate Retention

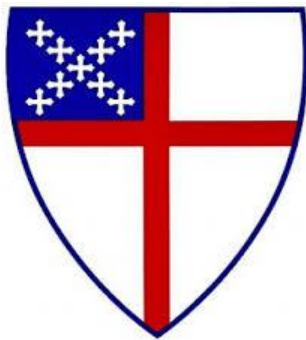
Retention Trigger + X Years

- ✓ Creation Date
- ✓ File/Project/Matter Close Date
- ✓ Calendar/Fiscal Year End
- ✓ Event Date
- ✓ Superseded
- ✓ Permanent

Risk

OVER RETAINING & **UNDER**
RETAINING

Helpful Hints



Nitza Medina-Garcia, Records Manager

Episcopal Church Headquarters

New York City

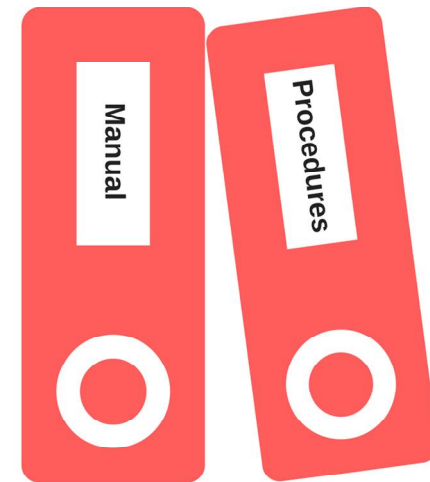
Challenge: Creating a Retention Schedule

03

Implementing a Records Retention Schedule

Procedure Considerations

- ✓ Define image scanning and filing process
- ✓ Create rules for when records go offsite
- ✓ Define file close process
- ✓ Define record destruction process
- ✓ Define record transfer process
- ✓ Legal holds
- ✓ Acceptable file sharing methods (DropBox? Box.com?)
- ✓ Define records management training process
- ✓ Document how and when process audits will be conducted



Important

DEFINE **WHO** IS RESPONSIBLE
FOR **WHAT**

Inactive Records Procedure

- ✓ Close file in system of record?
- ✓ Any paper file clean up? Destroy drafts?
- ✓ Prepare paper files to be shipped offsite?
- ✓ What happens to the electronic file? Do the electronic files get moved to an inactive database or network location?

Records Destruction

- ✓ Confirm no legal holds
- ✓ Law firms - if you are sending a Client notification letter, document efforts to contact via certified mail to last known address
- ✓ Do not let there be exceptions to retention schedule retention periods without documented justification
- ✓ Gather and/or identify all records to be destroyed
- ✓ In-house personnel perform destruction or 3rd party vendor completes destruction
- ✓ Destruction means destruction (paper or electronic)
- ✓ Document destruction approvals, inventory numbers, certificate of destruction

Important

DO **NOT** DESTROY IF ON LEGAL
HOLD OR LITIGATION IS
FORESEEABLE

Helpful Hints



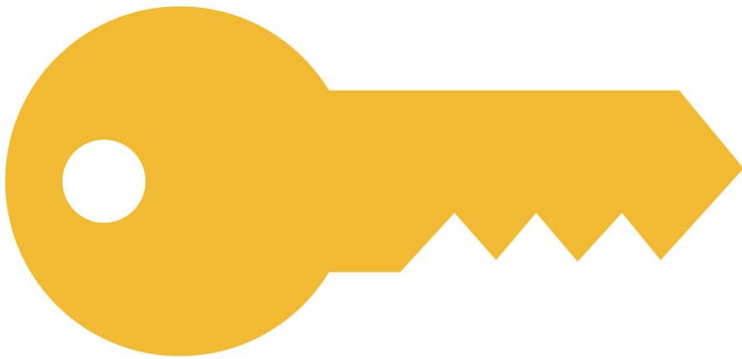
Derick Arthur, Director of Records and
Information Governance

King & Spalding

New York City

*Challenge: Implementing procedures for
day forward and for old legacy records*

Key Take Aways



- ▶ Document your policy, procedures and schedule
- ▶ Be systematic, not ad hoc
- ▶ Partner with general counsel and/or management Policy should encompass both physical and electronic records and information

How can you take action quickly?

- ✓ Discuss with your General Counsel and/or Management the importance of a formal Records Policy
- ✓ Raise general awareness of records management importance with end-users, key players and management
- ✓ Begin writing your Records Policy statement
- ✓ Begin listing the types of records at organization

Questions?



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Please contact me if you have any questions