RIM VIEW

ARMA International
Southern California Inland Empire Chapter

Vol. 8. Issue No. 3. Winter 2011

Silver Lining 25 years of RIM Education

In This Issue

President's Address

This has been a great year so far and 2011 started out on a great note. We have seen an increase in meeting attendance and some fresh new faces, too. The chapter has seen a dramatic shift in its current membership in the past few years. This has to do with the maturity of our long-term chapter members and our active outreach with other local organizations.

Our focus next year will be to balance the schedule amongst our remaining seasonal RIM professionals with our new SCIE chapter members. If there is a burning topic in your profession, then please contact a board member.

We continue to reach our annual goals for 2010-2011.

- Added Webinars in conjunction with our current program
- Continuous Chapter Website improvements
- Responsive feedback to our Membership Surveys
- 180 names to ARMA Int'l for Spring Recruitment Campaign

I had the pleasure of visiting the ARMA Silver State Chapter with Pacific Region Coordinator, David Fleming and Utah-Salt Lake City Chapter President, Marcie Fujikawa at their monthly meeting. Iron Mountain hosted the event at the North Las Vegas facility and provided all attendees a tour of their facility. They gave a demonstration on their destruction services, process of storing paper and electronic records. Former SCIE Chapter President, A. J'nise Smith presented "The In's & Out's of Legal Hold Notices". She explained the best method of sending out Records Hold Notice, monitor Legal Hold notices, and identifying some of the pitfalls that come with technology driven solutions. This presentation really shed a new perspective and outlook on dealing with Legal Notices. I would recommend you check out their website at www.armalv.org

There are two major events coming up before the end of this calendar year. First, our Annual All-day RIM Seminar at Canyon Crest Country Club on Wednesday, March 30, 2010. There will be an announcement sent out the second week of March. We have Christine Figueroa, MLIS, CRMA (OCARMA Chapter), Taunya Bathard (Iron Mountain) and Ilona Koti, MLIS, CRM (Sacramento Chapter) speaking at this year's event. There will be a discount offered to those whom attend as a group from one employer.

Our Chapter was officially charted on September 24, 1985 and we will be celebrating 25 years of history, accomplishments and success on May, 12, 2011 at the Mission Inn Hotel, Riverside from 6:30 p.m. – 9:30 p.m. You definitely will not want to miss this great event and one to remember for the ages.

Brandon L. Reeder, President
Southern California Inland Empire ARMA Chapter

SAVE THE DATE:
SCIE/ARMA
25th Anniversary
Celebration
Thursday, May 12, 2011
Mission Inn Hotel
Spanish Art Gallery Room
6:30 p.m. – 9:30 p.m.
[Discount Rates for those planning at the Mission Inn]

BECOME A SCIE ARMA BOARD MEMBER 2011 - 2012

Have you given any thought as to where you plan to take your Records & Information Management (RIM) career and what might help move it in a positive direction?

Twitter as Records Part 3

By Jesse Wilkins on AIIM Expert blog

I am one of the Twitterati. I use it every day to interact with my professional colleagues, longtime acquaintances, analysts, and many others. If I were made to choose between email and Twitter, I'd drop the former like a hot potato. And I talk a lot about the value of Twitter for individuals and organizations. Almost every time I do, questions come up about managing Twitter in the context of the records program. So here's my take on it.

On the one hand, Twitter has been likened to a cocktail party. You don't try to follow every conversation at the party; rather, you catch a snippet of interesting conversation and drift closer to catch the rest. If it remains interesting, you remain; if it doesn't, you drift off to the next conversation. Or it's like a water cooler or break room where people gather to exchange gossip, talk about the day or the weekend, and gripe about a particular problem.

On the other hand, Twitter does produce a record of what is posted. While this may not be a record in the ERM sense, it is nevertheless recorded information that could have business value to the organization. And the courts have long held that the "recordness" of a piece of information is not as important as a) its existence and b) its responsiveness to a particular matter. This leads then to the question I noted earlier - or, rather, two questions: what to capture, and how to capture it. I will address the second part in a subsequent article.

There are a number of considerations as to whether something should be retained as a record. As always, individual organizations' mileage will vary considerably depending on your regulatory and legal environment.

1. Does it contain evidence of your organization's policies, decisions, or activities? For example, many municipalities have begun using Twitter as another channel for reverse 911.

2. Does it offer or provide evidence of a transaction or contract? A number of vendors including Dell Computers, many airlines, and lots of restaurants and fast food joints have published deals, discounts, and links to coupons using Twitter. In at least one instance, a UK court issued an injunction via Twitter.

3. Is it original information that is not documented elsewhere? On the other hand, the reverse 911 system also uses text, telephone, and other communications channels as well. Maybe it's not the content of a given Tweet that is the record, but rather the fact that that content was transmitted through reverse 911 at such a time through all these given channels. Similarly, a significant number of Tweets are used to share links to other resources. Most of those Tweets would not be records - rather, the resource linked to would be.

4. Is there an expectation that the account is monitored? In the reverse 911 example, what if someone responds to the Tweet, via Twitter, indicating some type of an emergency? Many of those same municipalities have put a policy in place to address this. The short version is something along the lines of "This account is not actively monitored. If you have an actual emergency please dial 911". It may then link to a longer policy that also addresses usage, archiving, and the like. In the absence of such a policy, users may be more likely to be confused and the organization is more likely to be at risk.

5. Is the account public or private? If the account is public, I tend to think it reduces the need to actively archive, declare Tweets as records, and so forth because in the event of an audit, public records request, or discovery, providing the content is as easy as posting the public URL. But if the account is private, it is not part of the public Twitter stream; it is not archived by the Library of Congress, and is not

Jesse Wilkins

Jesse Wilkins is a Principal Consultant with Access Sciences Corporation, where he focuses on electronic records management, email management, and Web 2.0 strategy, program development, and system selection and implementation. He also teaches the AIIM ERM, ECM, and Email Management Certificate Programs. Follow him on Twitter at http://www.twitter.com/jessewilkins.

FOLLOW US NOW ON

twitter

@SCIEARMA

Twitter as a Records Part 3 (cont.)

through Twitter Search. In that case there is a much better argument to be made for a more formal process that involves capturing the Tweets outside of Twitter and managing them appropriately.

This is probably a bit more controversial because it's not directly related to the type of content being posted or transmitted. But it has defensible roots in discovery. One of the key considerations for producing information is whether it is privileged for any of a number of reasons including attorney-client communications. That privilege can be breached - for example by the client forwarding the message thread to someone else or posting it to a public website or forum. But privilege goes to the expectation of privacy - and in 2010 it is inconceivable that there would be any expectation of privacy for a public Twitter account or any other public social media site.

Did I mention I'm not a lawyer and this is not legal advice?

Note also that even public accounts can send private communications using direct messages, or DMs. These are directly analogous to email messages or private streams and should probably be treated in similar fashion - that is, they should be captured outside of Twitter and managed appropriately.

The bottom line is that just like any other type of format or media, whether a Tweet is a record or not will depend on what it is and its context. Organizations should put policies in place that outline how Twitter and other social media will be used – and then follow that policy.

--Jesse Wilkins, CRM, is a Principal Consultant for Access Sciences Corporation, a vendor-independent ECRM consulting firm. Contact him at jwilkins@accesssciences.com or visit his website at http://www.accesssciences.com.

2011 SCIE ARMA visits Silver State Chapter – Las Vegas

Terri Robertson, David Fleming, Linda Hellow & Mercedes Ward

A. J'Nise Smith – Reno Chapter – Presented to the Silver State Chapter

"The In's & Out's of Legal Hold Notices" (2/8/11)

2011 – 2012 SCIE ARMA OPEN BOARD POSITIONS

On average, board members spend approximately 2 - 4 volunteer hours a month, depending upon their board position. This time is usually spent attending to Chapter business (i.e., planning program schedules, approving member activities, discussing and approving educational events, etc.). Additionally, board members interact with other ARMA chapters, chapter sponsors and groups of interest to keep members up-to-date on events and webinars devoted to RIM.

If you are seeking a leadership role in SCIE, and you are excited about an opportunity that will provide an avenue for innovation and creativity, please review the following list of open board positions and ask to be nominated for an open position:

Open Board Positions 2011 - 2012 include:

President Vice-President Secretary

Please contact Brandon Reeder BrandonR@knfilters.com or Debora Thomsen deborathomsen@sbcglobal.net

SCIE/ARMA Membership April – June 2011 Anniversaries

Brenda Hutchinson	19 years
Coleen Ramirez	17 years
Naty Kopenhaver	16 years
Mary McDuffee	10 years
Susie Keen	10 years
Margaret Newberry	7 years
Brandon Reeder	6 years
Theresa Makowski	6 years
Pamela Knudsen	3 years
Linda Johnson	2 years
Maria Catalan	2 years
Sylvia Baca	2 years
Alice Rodriguez	1 year
Christine Martinez	1 year
Corrine Pino	1 year
JoAnne Cousino	1 year
Kylene Sotelo	1 year
Nancy Stubbs	1 year
Olivia Flores	1 year
Sabdi Espinoza	1 year

2010/2011 Chapter Calendar

Wednesday, March 30, 2011

ANNUAL SPRING RIM SEMINAR

"Records Inventory & Retention Scheduling" Christine M. Figueroa, MLIS, CRM – Irvine Co.

"Auditing your Records Management Program" Taunya Bathard – Iron Mountain

"Certified Records Manager (CRM) Exam Coaching" and *"Executive Coaching for the Information Manager"* Ilona Koti, MLIS, CRM – Crystalview Consulting Group

Canyon Crest Country Club
975 Country Club Drive
Riverside, CA. 92506

Thursday, April 21, 2011

"Unified Information Management" presented by Kurt Thies of Iron Mountain

Kountry Folks Restaurant
3653 La Sierra Avenue, Riverside, CA. 92505
www.kountry.com

Thursday, May 12, 2011

SCIE/ARMA 25th Anniversary Celebration – Awards Banquet and Installation of the Officers

Mission Inn Hotel
3649 Mission Inn Avenue
Spanish Art Gallery Room
Riverside, CA. 92501
www.missioninn.com

John Isaza, Esq. is a California-based attorney and partner of Howett Isaza Law Group, LLP

ASK THE RIM LAWYER

This is the first of a syndicated column I will be doing for ARMA chapters, including the SCIE ARMA Newsletter. My column is devoted to answering information governance, records management and related legal questions from Chapter Members. As you read my responses, please note that although I am an attorney specializing in these areas of law, these are my opinions only based on very limited knowledge of the Member's particular circumstances. My opinions should not be construed as legal advice. Kindly consult with an attorney for more formal advice. "That said," please keep your interesting questions coming.

1. **When can you safely release records from legal/preservation holds so they are not stuck in an indefinite/permanent limbo?**

   This is a question that goes to the heart of a successful legal holds program, and one that my clients ask constantly. There is no easy answer to this question. To release the legal holds, you will need input from your counsel. The holds become candidates for release once a case has settled. This should occur 80-90% of the time. Settlements offer a very clear finite date for release of the hold (i.e., when the settlement agreement is signed after court approval and/or final payment made on the settlement). Otherwise, a hold can be released once the case has been resolved through verdict or court dismissal of the case. In those minority scenarios, you will need to work closely with counsel to determine the likelihood of appeal and whether all or only some of the documents at issue may become relevant in the appeal. The documents determined relevant will need to remain on hold until counsel announces conclusion of the case (e.g., verdict on appeal or settlement during appeal). Once a hold has been released, the records then go back to their normal retention schedule. If retention periods have expired, they should be disposed immediately. If not, the records need to return to their lifecycle. Both of these scenarios assume the records at issue are not relevant to other pending or anticipated litigation. Diligent watch of legal hold release is key to avoid the indefinite limbo. Be especially vigilant of changes in scope during the litigation, when issues may be dismissed, settled or abandoned, thereby resulting in other documents to release even during litigation. Stay in close contact with counsel for updates. For more details on this issue, please check out my book *7 Steps for Legal Holds of ESI and Other Documents*, published exclusively by ARMA International.

2. Why can't Corporate Legal Counsel's office maintain chain of custody?

Chain of custody is a complex issue, particularly in the electronic arena. Think of it as Electronic Crime Scene Investigation (E-CSI). Having corporate counsel maintain chain of custody would be akin to having the perpetrator keep her own hair sample intact to present it as evidence against her at trial. This is, of course, an exaggerated metaphor. The fact is that in-house counsel is by most accounts an interested party, and in fact the attorney-client privilege does not always ascribe to her work for the organization. In-house counsel often wears the hat of both corporate officer and of legal counsel. The former makes her an interested party. At its core, the issue for chain of custody boils down to the duty of the organization to produce information as it is ordinarily maintained during the course of business. Once litigation ensues, counsel for the organization (which likely will not be in-house counsel in large, sensitive or complex matters) should come to agreement with opposing counsel for how information should be preserved and produced for discovery and at trial.

3. Why does it seem like Corporate Attorneys fail to practice what they preach when it comes to good Records Management?

In defense of in-house attorneys, I would have to say that many records maintained in the legal department are frequently copies of records owned by someone else within the organization. For example, contracts may be owned by the business unit that generates it, and legal may simply keep a copy of it. This may result in the attorney's cavalier attitude towards her copies. Conversely, some records maintained by legal tend to have retentions tied to the life of the organization, such as corporate bylaws or articles of incorporation. Therefore, keeping track of a retention schedule for these records is not paramount. That said, as a general rule, attorneys are usually the last adopters of technology, which makes it hard enforce electronic initiatives within their departments. Related to that, many senior attorneys were taught with old school methods involving bound books, legal pads and pens. We prefer to preserve all of our notes and previous drafts of work done as reference materials. No one likes to re-invent the wheel when a similar contract type or other transaction document comes around for a second time. As a result, we tend to be very conservative hoarders, especially when many of us feel we do not have anything to hide. As the new generation of tech-savvy lawyers continues to climb the corporate ladder, while witnessing more senior lawyers getting walloped by poor recordkeeping practices, I suspect we will see more RIM-compliant corporate attorneys.

Mr. Isaza is widely recognized as one of the country's foremost experts on electronic information governance, records management, and e-discovery preparedness. Mr. Isaza chaired the Chicago Program Committee for ARMA's 2005 international conference; he is a member of ARMA's Electronic Discovery Advisory Group and the GARP® Metrics Task Force; he is past President of the Greater Los Angeles ARMA Chapter and he has served on the Board of Directors of ARMA International. Mr. Isaza co-authored a book entitled 7 Steps for Legal Holds of ESI & Other Documents released in July 2009. He is the 2008 recipient of ARMA's prestigious Britt Literary Award. John Isaza is a California-based attorney and founding partner of the Howett Isaza Law Group, a law firm that specializes in electronic information governance, records management and overall corporate compliance. He may be reached at Jisaza@HiLawGroup.com or follow him on Twitter and LinkedIn.

CRM EXAM STUDY QUESTIONS

1. **Sequential numeric filing is *also referred to as*_______ numeric filing.**

   a. Terminal-digit
   b. Alpha
   c. Consecutive
   d. Middle-digit
   e. Chronological

2. **The use of________ forms reduces capital outlay for printing, storage costs, and distribution costs**

   a. Legal-sized
   b. Carbon
   c. Tri-colored
   d. Electronic
   e. Magnetic

3. **The primary concern regarding legal admissibility of electronic records is the ability to detect the ______ of the information.**

   a. Elements
   b. Value
   c. Location
   d. Cost
   e. Alteration

4. **The world's first global standard for records management, issued in 2001, was:**

   a. ISO 90000
   b. DOD 5015.2
   c. ISO 15489
   d. ASCII 2000
   e. RIM 2001

5. **The normal size of a standard records center container is:**

   a. 10" x 11" x 14"
   b. 10" x 12" x 14"
   c. 10" x 10" x 15"
   d. 10" x 12" x 15"
   e. 10" x 12" x 18"

6. **An average single letter-size page scanned at 200 dpi, and stored as Group 3 TIF, requires _______ bytes of storage.**

   a. 10,000
   b. 20,000
   c. 50,000
   d. 75,000
   e. 100,000

7. **Budgets prepared through an assumption that each budget item has no allocation are _________ budgets.**
   a. Fixed
   b. Non-revenue
   c. Strategic
   d. Expenditure-based
   e. Zero-based

8. **Vital records should be retained:**

   a. for 33 years.
   b. for 3 years.
   c. no longer than 10 years.
   d. permanent.
   e. as long as they're vital.

9. **A major hurricane wipes out several businesses & government buildings. This would be an example of a _________ disaster.**

   a. Class 1
   b. Class 2
   c. Class 3
   d. Class 4
   e. Class 5

10. **The best font to use for electronic forms requiring public access is:**

    a. Arial
    b. Time New Roman
    c. Courier
    d. Tahoma
    e. Dingbats

.

Answers on Page 15

Congrats – Ilona Kota, CRM Sacramento ARMA Chapter Member appointed as Records Management Rep on California Historical Records Advisory Board

Ilona Koti, Principal Consultant Crystalview Consulting Group, was recently appointed Records Management Representative to the California Historical Records Advisory Board (CHRAB) by Nancy Zimmelman Lenoil, the California State Archivist. The California State Archives is a division of the Office of the Secretary of State. Her term on CHRAB will run from January 2011 through December 2013.

CHRAB works in partnership with the National Historical Publications and Records Commission (NHPRC) to serve the needs of California constituencies involved in the management and preservation of historical records. Under federal regulations, the state board's two principal roles are to act as the coordinating body for historical records activities throughout California and to review NHPRC grants from California organizations and make recommendations to the national commission. Ms. Koti looks forward to joining the twelve other board members who represent various state agencies, as well as archival and historical organizations, in conducting the work of the board.

Ilona Koti

Ilona Koti is the founder of Crystalview Consulting Group an independent records and information management (RIM) consulting firm. Ilona has over 17 years of experience in libraries and records & information management (RIM). Ilona has worked on a multitude of RIM projects ranging from records assessments and taxonomy development to multi-million dollar electronic document management system (EDMS) implementations for corporate clients in software, bio-tech, manufacturing, oil & gas and non-profit sectors.

Ilona is a Certified Records Manager (CRM), certified Project Manager (PMP), Certified Document and Image Architect (CDIA+) and has a Masters of Library Science (MLS) and Masters of Information Management (MS IM) from Syracuse University. She has also written and published for ARMA International (Association for Records Managers & Administrators) to develop global training on electronic document management, audit/inventory and risk management & business continuity planning as well as document control integration issues. Ilona is very active within ARMA and sits on the GARP (Generally Accepted Recordkeeping Practices) Metrics Task Force and the HETF (Higher Education Task Force).

Ilona Koti, CRM appointed on CHRAB (cont.)

California Historical Records Advisory Board

The California Historical Records Advisory Board was established in 1976 in response to federal regulations that require each state to have an historical records board in order to participate in the grant funding program of the National Historical Publications and Records Commission. As the central advisory body for historical records in California, CHRAB is authorized to carry out statewide planning and assessment activities, act as a coordinator to facilitate cooperation among historical record-keepers within the state, and serve as a state-level reviewer of NHPRC grant applications. To date, California projects have received over five million dollars from the NHPRC records program.

The California Historical Records Advisory Board is dedicated to promoting, coordinating, and supporting efforts to identify, manage, and preserve the historical records of California. In carrying forward this mission, the board advocates professional stewardship and cooperation in the record-keeping community in order to ensure ready access to and use of the states documentary heritage.

Website: http://www.sos.ca.gov/archives/chrab/

The Carmel Valley eDiscovery Retreat

The Carmel Valley eDiscovery Retreat will be a premier resource for industry practitioners who wish to focus on the complexities and practicalities of eDiscovery. Whether you're new to eDiscovery, or want to increase your existing expertise, the retreat will allow you to explore this critical topic with established industry leaders and your peers - all in one of the most stunningly beautiful areas of the United States, Carmel, California. Earn CLE credit hours while you get away from the hustle and bustle of the daily grind in one of California's most pristine destinations.

The Carmel Valley eDiscovery Retreat will offer participants opportunities to interact personally with industry experts in a collegial atmosphere. The retreat has been developed with an emphasis on breakout sessions and workshops, tailored to the needs of attendees. Your entire team can participate and explore the latest issues affecting the industry, and develop strategic directions.

To give you a taste of what's in store, here's a short list of confirmed speakers:

- **Hon. James Smith** (Ret). - JAMS ADR
- **George Socha**, *Owner* - Socha Consulting LLC
- **Browning Marean**, *Senior Counsel* - DLA Piper
- **Diane Barry**, *Dir. of Discovery Strategy & Management* - ILS-IPP
- **Martha Dawson**, *Partner* - K&L Gates LLP
- **Jeffrey Ritter**, *Founder & CEO* -Waters Edge Consulting LLC
- **Bill Hamilton**, *Partner* - Quarles & Brady LLP
- **Robert Owen**, *Partner* - Fulbright & Jaworski
- **Gareth Evans**, *Partner* - Gibson, Dunn & Crutcher
- **Patrick Mullin**, *Partner* - Jackson Lewis
- **Eric Sinrod**, *Partner* - Duane Morris LLP
- **Greg Buckles**, *Consultant* - Reason-eD, LLC
- **Troy Dunham**, *Senior Electronic Discovery Manager* - Cooley LLP
- **Ruth Hauswirth**, *Dir of Litigation & eDiscovery Services* - Cooley LLP
- **Trent Livingston,** *Partner* - Geekly Group
- **John Isaza,** *Partner* - Howett Isaza Law Group

Please visit www.carmelvalleyediscoveryretreat.com for more information or contact Chris La Cour at: 949.887.3786 clacour@carmelvalleyediscoveryretreat.com

Your registration code is **SCIEARMA**

Retail registration is $899 for a Full Retreat Pass (2 Days). Using the discount code will take off $100 and the total will come to $799. Single Day Passes are available at $499 for a choice of Day 1 or Day 2.

Foundation Highlights

ARMA International Educational Foundation Board Approves 66% Increase in Funding for Programs; Strengthens Partnership with ARMA International and International Records Management Trust

Denver, CO January 23, 2011: The Board of Trustees of the ARMA International Educational Foundation (www.armaedfoundation.org) today approved an immediate 66% increase in the total funding for core programs of research, scholarship and education from the current $22,000 to $64,000. The allocation of the new level of funding includes $10,000 in support of the African Book Project to provide educational texts to sixteen universities in Central and Southern Africa for use by students pursuing degrees in records and information management and $ 5,000 dedicated to the new Academic Award for Excellence in Records and Information Management Education, which is expected to be awarded to the two best Educators within the field in late 2011. The Foundation's scholarship and research programs have been allocated $20,000 each with the balance of the funds to be utilized for core mission programs at the discretion of the Board of Trustees.

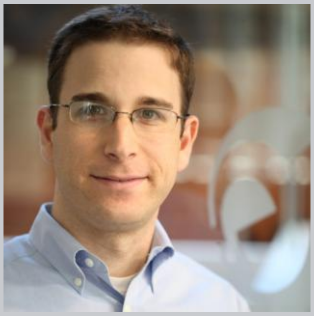
During the initial day of the two-day meeting, the Foundation Board of Trustees was joined by ARMA International President, Nicholas De Laurentis, ARMA's Executive Director, Marilyn Bier and the Executive Director of the International Records Management Trust, Dr. Anne Thurston. The three organizations agreed that a focus in the near-term should be a strengthening of the partnership with a focus on ensuring synergy of efforts as well as results. To that end, ARMA International suggested that the parties conduct a conference call on a quarterly basis to ensure open communication and harmony across the diverse set of shared and individual projects each organization is working upon.

On Friday, January 21st, representatives Barbara Voss, Denver Regional Director and Paul Wester, Director of Modern Records for the United States National Archives and Records Administration (NARA) spoke to the group regarding the effort to evolve the Agency towards supporting the challenges of managing records and information in the digital age. Upon the conclusion of the discussion, the leaders of ARMA, the IRMT and The Foundation all felt that an opportunity exists to work more closely with NARA in partnership to ensure consistency in educational and research-oriented efforts going forward.

Contact your Chapter Foundation Champion – Brandon L. Reeder
(951) 826-4000 ext. 4302
BrandonR@knfilters.com

SCIE ARMA 1st Webinar: A Huge Success

Michael Swarz, J.D., VP Marketing & Operations for eClaris, Inc. presented a webinar to the chapter on **"Spotlight on Electronic Discovery: What Every Records Professional Needs to Know"** on December 16, 2010. This presentation can be found on our Chapter website www.sciearma.org The following article written by Mr. Swarz compliments this webinar.



Top Ten Tips For Winning eDiscovery Data Maps

Both applicable state law and the amended Federal Rules of Civil Procedure (FRCP) mandate each party to create a data map to gain an understanding of the other's electronically stored information. Having a viable data map is critical to the eDiscovery process and could very well be the difference between obtaining a favorable verdict and being hit with higher expenses, inadvertent spoliation and -- even worse -- losing the case altogether.

Follow these ten easy tips to stay a step ahead:
These suggestions are merely guidelines and are not intended to be legal advice as there may be additional and/or different steps that your business should take.

1. **Keep Your Data Map Current**
Many businesses, especially the larger ones, have thousands and thousands of data repositories. Do not lose focus. Zoom in on the storage locations most likely to be subject to discovery and create your data map out from there. This approach will allow our business to minimize the risk of losing data that is critical to a discovery request. Creating an effective eDiscovery data map will allow you to be able to zone in on the required details needed for capturing potentially relevant electronic evidence. The data map can also be used as a framework for propounding requests to obtain electronic data from the other side. Finally, you will be able to approach the entire discovery phase with greater confidence knowing that your data map guide through.

2. **Collaborate With All Knowledgeable Individuals**
Incorporating the knowledge of others when creating a data map will allow for greater customization. Working as a team will allow your organization to maximize the benefits to be seen from the data mapping process as soon as possible.

3. **Know The Data Awareness Level Of Your Multiple Audiences**
Draft your data map to accommodate the variant levels of knowledge the attorneys, IT personnel and judges have so that each can efficiently realize the data map on their own level. Make sure that the data map allows your attorney to have instructive exchanges with each of these audiences.

4. **Use Knowledge Obtained From The Data To Your Advantage**
Locating where exactly electronic evidence resides within a business is always a good step when gearing up for a discovery meeting. Next, incorporate this information into your data map to

leverage negotiations with opposing counsel by providing the other side a more realistic comprehension of the burden, if any, it would take to comply with the discovery request.

5. **Make Your Data Map Flexible**
Since the discovery process remains fluid it is important to create a data map that can adapt to how the electronic evidence is being stored. To avoid overlooking any relevant electronic evidence, be sure to draft a data map that foresees variations over the course of time.

6. **Make A Check List To Document Data Architecture**
A key component of discovery readiness is having a well thought out checklist that documents the electronic evidence to be searched. As such, include in your data map sections on how the data was created, organized and stored. In addition do not forget to cover if the data has been deleted or copied. This checklist will allow you to properly evaluate your findings.

7. **Focus On The Potentially Relevant Information**
Ensure that your data map is on point by capturing the information needed as it relates to your case. Avoid tangents when it comes to locating information about the electronic evidence. This will enable your attorney to better respond to discovery obligations.

8. **Work Together With Key Personnel To Obtain Data**
An effective data map will elicit responses from many sectors of the business. Seek out the principal owners, IT professionals and those involved with records coordination and management. These people will be most equipped to answer your questions concerning how and where electronic evidence is stored, the rationale for its storage and if and where other copies reside.

9. **Investigate All Technical Data Resources**
Do not forget to focus on the details when it comes to your electronic evidence data map. Be sure to zone in on the type and scope of the existing data, how that data is stored, how the data is being preserved as well as who created the data. This information is will become most useful when composing your data map and will allow you to better respond to discovery requests.

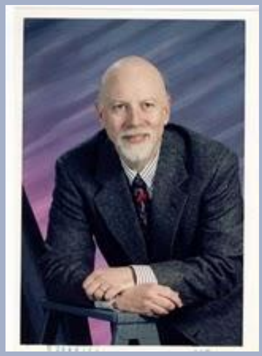
10. **Be Proactive When Creating Your Data Map**
Do not delay and begin creating your data map now. Starting to compose a data map right before a meet and confer or other discovery conference is just too risky. Courts have consistently punished those who forgo working on their data map until the last moment with costly sanctions. Think ahead.

Michael Swarz, J.D., VP Marketing and Operations
Michael Swarz currently serves as VP of Marketing and Operations for eClaris, Inc. eClaris is an electronic discovery consultancy and service provider dedicated to helping law firms and corporations classify, process and review® electronically stored information. Michael is well versed in the state and federal laws that relate to electronic discovery and has written extensively on the subject. His recent article, *The Evolution of eDiscovery Sanctions*, provides a guide to the penalties a court can impose on those abusing the discovery process and has been published by the American Bar Association. Michael is a graduate of both Brandeis University and New England Law in Boston. He can be reached at mswarz@eclaris.com, 213.784.0231 and through www.eclaris.com

Records Management Evolves to Information Governance

By Gordon E.J. Hoke, CRM

Gordon is a Senior Records Management Analyst/Consultant and a member of Twin Cities Chapter of ARMA. He won the *AIIM International* Distinguished Service Award in 2009.



Author: Gordon E.J. Hoke, CRM can be contacted at 507-534-2293 or at ghoke@mindspring.com or http://PositivelyRIM.blogspot.com

It's not your parents' records management anymore. Old-fashioned library services, full of retention schedules and version control, recede into the wallpaper. Now new media, hosted solutions, e-discovery, contextual analytics, cloud computing and more converge, transforming records management into information governance.

ARMA International, which convened in San Francisco in November, reflected that evolution. New technology and new applications of recent technology took center stage. ARMA's generally accepted recordkeeping principles (GARP), launched last year, strode to the forefront as the primary interpreter of the developments and everything that used to be called records management.

GARP defines the discipline of records management. It is a codification of thousands of years of evolving records practices. For ARMA, it has become, as intended, a primary branding mechanism designed to relate to professionals in legal, finance, IT and other areas. ARMA promotes GARP's accompanying maturity model as a tool for measuring risks that derive from shortcomings in organizations' records programs.

Approximately 2,700 attendees (a substantial rise over last year) filled meeting rooms for 80 presentations. Additionally, poster sessions, industry roundtables and a bustling expo floor reflected practitioners' keen interest in the information governance evolution.

Befitting a new stage, questions related to the latest technology abounded. These questions and untold others echoed across the conference:

- How can we build alliances with IT?
- How can we harmonize record retention schedules across many continents?
- How can we manage records in the cloud?
- How can we produce Facebook correspondence for e-discovery?
- How can we control derelict collaboration sites?

Not surprisingly for a new development, successful case studies/war stories were hard to find. Steve Nelson, business process manager at St. Jude Medical (sjm.com), explains, "If it's not SharePoint-easy, people are not adopting it yet. There are cost issues (the big vendors do not make it easy to start off small), and there are ease-of-use issues. The problem is the short-term focus.

The rewards [of the new technology] are on the back end. If the whole focus of a company is on quarterly earnings, and you're trying to do something that will reap rewards in five to 10 years, it is a hard sell to management. They don't see the long-term gain."

Traditional records management is still a significant challenge, and its practitioners struggle to find, retain, dispose or archive records. New Media present

The vexing challenges

Industry leaders and strategists see information governance offering solutions to some of the public and private sectors' most vexing needs:

- Corporate counsel wants comprehensive, cost-effective e-discovery.
- Information technology leaders want relief from the exponential growth of storage.
- Operations officers want rapid access to business and customer documents.
- Compliance officers want to lighten the burden of regulations.
- Security officials want assurance that valuable or private information is safe.

Records Management Evolves to Information Governance (cont.)

challenges, as the records managers strive to corral not just proliferating e-mail, but also Tweets, VoIP, hard drives on multifunction printers and much more.

At ARMA 2010, the atmosphere was positively encouraging. Lurking in the wings, however, is the threatening issue that almost no one mentions: long-term preservation of digital records. While the bulk of business records are ephemeral—with a lifespan of six months to five years—there are few strategies for preserving records that require long-term storage.

Fortunately, two factors offer hope. First, the discipline of records management is medium neutral. It values and manages information based on its content, not its form or format. Second, neither paper (with its 1,000-year storage potential) nor microform (predictively viable for 500 years) is going away. ARMA's expo floor featured both banker box manufacturers and fresh initiatives in microforms from Kodak, Fujifilm and others.

With GARP and its maturity model, specialists in records and information governance appear ready to stand shoulder to shoulder with leaders in law, IT, finance and others to meet the challenges of new technology. Information governance, using GARP, apparently offers the best opportunity in recent memory for the discipline of records management to make major contributions to organizations' success.

"This article originally appeared in KM World."

Jan 2011 Meeting "RIM Ethics"

Dr. Norman Moordian, SCIE ARMA Chapter Member & Vice President for Information Management & Compliance at CookArthur presented "What is RIM Ethics." This was one subject that in my years as an ARMA member never heard before. I assumed that all RIM professionals had an ethical duty, since most fall under the Legal or Compliant area of a company. It is imperative that RIM professionals make good judgment calls.

Norm explained to the audience, "What is RIM Ethics?", "Why RIM ethics should be important to Records Professionals?" and "Ethics versus Compliance". There is one question that sticks in my mind asked by one of the attendees. "Where would a RIM Professional begin in their organization with ethical issues?" Norm stated, "You should begin with your Business Unit Managers and/or upper management. In addition, provide them ARMA Int'l data to support your position." Sometimes one can do something heinous, but still within the letter of the law.

I would highly recommend Dr. Mooradians' work, "The Importance of Privacy Revisited" – Ethics and Information Technology, Vol. 11, No. 3, pg. 163-175. Norm can be reached at (909) 946-1762 or nmooradian@cookarthur.com

ANSWERS TO CRM EXAM QUESTIONS

1. C	2. D
3. E	4. C
5. D	6. C
7. E	8. D
9. B	10. A

Feb 2011 Meeting "Round Table Discussion – Records Retention"

We had our greatest turn-out for this calendar year in February. Our scheduled speaker did not realize that we had morning meetings and what would have normally turned out to be a disaster, became a wonderful round-table discussion.

Chapter President, Brandon Reeder opened by all attendees introducing themselves and explaining their current RIM experience. This was followed by an open forum of questions about current RIM issues at their employment. The hot topic was Records Retention and how Legal Holds affect it. The other attendees really chimed in and provided some great feedback to all questions.

If you want to learn more about Records Retention, then you will not want to miss our annual RIM seminar on March 30, 2011 at the Canyon Crest Country Club in Riverside.

ICRM: The Candidate Coach

Social Networking, Study Groups and Access to Study Materials

Although social networking creates a variety of records management challenges for organizations, it also offers benefits that should not be ignored. As I've reviewed this newer technology, I'm convinced it can and should be used to benefit candidates who are preparing to take the CRM examination by making it easier for local study groups and individuals to obtain, contribute, collaborate and share information related to preparing for the six parts of the ICRM examination. In fact, I am aware of a few, local study groups in the US and Canada that already uses these kinds of sites to increase their effectiveness. Over the next few months, I will be making an effort to utilize this technology to increase the effectiveness of the ICRM mentoring program.

As the ICRM Mentor Coordinator, I am constantly reminded, with each request, the number of manual steps it takes to answer questions, share study materials and assign mentors to new candidates. Through the use of social networking and websites, these tasks will become more streamlined, less time consuming and candidates should have greater availability to relevant study material and guidance. For more information or access to these sites, please contact me at, HLOOS@KPMG.COM.

Recommended Study Materials to Get You Started

The ICRM website contains two key documents which are essential when preparing for Parts 1 – 5 of the CRM Examination. Both documents are available to you by going to the following website location www.icrm.org Once you enter the website, you will see the following two links on the upper-right corner of the screen:

- The ICRM Handbook (2007)
- Study Bibliography (ICRM-Bibliography, Fall, 2008)

Both documents are in PDF format and can be downloaded free of charge by selecting each of their respective links.

The following "Short List" of study books should provide you with a solid foundation and are available from the ARMA website, www.arma.org. These books are recommended for all parts of the ICRM exam:

- Saffady, William. Records and Information Management Fundamentals of Professional Practice, 2004.
- Langemo, Mark. Winning Strategies for Successful Records Management Programs, 2003.
- Stephens, David O. Records Management: Making the Transition from Paper to Electronic, 2007.
- Saffady, William, Managing Electronic Records, 4rd ed, 2009.

Before going through the expense of ordering all of the above listed books, as well as other books or publications you may want to read, listed in the Study Bibliography, you may want to consider checking with members of your local ARMA chapter. Many ARMA chapters have a library of books that can be checked out to CRM candidates.

Last, but not least, the following study guides are available to assist you in your exam preparations:

- Study Guide for Parts 1 – 5
- Study Guide for Part 6

If you are interested in obtaining the study guides or even volunteering some of your time and talent to the mentoring program, please email me at HLOOS@KPMG.COM.

(Reprinted with permission from the Spring 2010 issue of the ICRM's *ProfessioNotes* newsletter).

8 Ways to Contain the Cost and Risk of Litigation

8 Ways

1. Get your (information) house in order
2. Know how long to keep your Information
3. Bring some processes in house
4. Look for a complete solution from a single vendor
5. Have a defensible data gathering plan
6. Identify and scan high-risk information in advance
7. Ensure secure chain of custody
8. Make a plan to apply technology

Ensuring an effective and timely response to litigation requests has never been more critical to corporate success. But as the costs, frequency and stakes associated with the discovery process continue to rise, many organizations struggle to strike the ideal balance between litigation-related expenditures and organizational risk.

What's needed is tools that help you manage the request and discovery processes and effectively supply evidentiary data for pending litigation. These solutions can help you review hardcopy records to locate and digitize relevant documents so they can be processed more efficiently for legal review. However, such technology must be employed within the greater context of a comprehensive and legally defensible program that includes defined and consistently applied records management policies, according to a retention schedule — and preservation with effective management of legal holds.

As such, it's important that your organization draw upon best practices to define a program that meets its specific needs. Working with a knowledgeable partner that offers the right portfolio of litigation support software, services and expertise can speed your journey to a stronger, defensible records management program. With more than 55 years of experience helping organizations manage information, Iron Mountain stands ready to help.

Having helped dozens of firms improve litigation response processes, we've compiled eight best practice tips for containing the cost of litigation preparation and response, while minimizing your organization's risk exposure.

1. GET YOUR (INFORMATION) HOUSE IN ORDER

It's no secret that companies of all sizes in all industries are creating and storing more documents, in more formats, than ever before. Gaining control of your information has always been sound business practice, but given today's increasing regulatory and compliance pressures, it's never been more important. And, knowing what physical and digital assets you have – and where they can be found — is critical when litigation occurs.

2. KNOW HOW LONG TO KEEP YOUR INFORMATION

Every official record has a lifespan, some longer than others. It's vital that your organization develops and implements a sensible and legally credible retention schedule that defines how long various records must be retained while considering relevant legal, regulatory, business and compliance obligations. Doing so helps to reduce data volumes — by disposing of certain items per the schedule — while ensuring you can produce the right information when needed. Oftentimes, there are industry or federally mandated guidelines for these schedules. In some cases, it's just good business to retain certain records. If you don't have a retention schedule or need help developing one, seek out external experts and consultants for guidance.

3. BRING SOME PROCESSES IN HOUSE

General Counsel and corporate legal teams must find creative ways to contain legal costs. Functions that were traditionally performed by outside counsel, such as conversion of physical records to digital for review purposes, can often be more efficiently and cost-effectively handled by an information management service partner. These providers can achieve greater cost savings and deliver consistent national coverage versus the more regional, niche vendors. If the provider already stores your physical records, the improved chain of custody reduces risk while saving on transportation and delivery costs.

4. LOOK FOR A COMPLETE SOLUTION FROM A SINGLE VENDOR

Choosing an integrated solution improves regulatory compliance, reduces the complexity of the discovery process, improves response time and helps mitigate the high cost of litigation. In addition, a comprehensive program gives you enhanced accountability across all phases of the litigation process with greater speed and accuracy. Plus, you get the assurance that your solution provider can scale up or down to meet your needs.

5. HAVE A DEFENSIBLE DATA GATHERING PLAN

In most cases, parties in litigation have 99 days or fewer to confer about what data must be preserved and to produce it. When litigation requests arrive, organizations must create a plan for finding and collecting information that can be implemented quickly and is legally defensible. To be successful, General Counsel, IT and Records Management should all be involved in the development and implementation of such a plan. By leveraging records management software, you will be able to classify information for streamlined access, consistently manage retention policies to reduce the amount of data that needs to be searched and apply holds to ensure preservation. Reducing the volume of information required for review also minimizes legal fees, which can easily be $100 per hour or more.

6. IDENTIFY AND SCAN HIGH -RISK INFORMATION IN ADVANCE

Many organizations have begun digitizing their physical records to streamline storage and access processes. The benefits of this approach are better management, greater levels of compliance and less risk — not to mention faster access to information. But, one of the biggest benefits is the ability to identify high-risk documents, which can then be preloaded into a discovery platform before litigation. This approach provides greater processing and review efficiencies, as well as cost savings.

7. ENSURE SECURE CHAIN OF CUSTODY

The handling of sensitive records and information involved in discovery may be critical to the outcome of your case. It is essential that you establish a comprehensive chain of custody, so you know where that information is at all times. If you choose a partner to manage your information, they should be able to provide the same or greater levels of security and peace of mind as you would. Failure to do so can be extremely costly in financial terms, and has the potential to damage your organization's reputation.

8. MAKE A PLAN TO APPLY TECHNOLOGY

There are many tools that promise to deliver a complete solution for litigation support, but technology alone is not the answer. You can maximize the return on technology and process investments by creating a litigation readiness plan that reflects the expertise and best practices of a trusted partner. A true solution partner will give you capabilities, such as conversion services, and valuable consulting to help solve even the most complex litigation challenges.

SCIE/ARMA CHAPTER # 127
BOARD OF DIRECTORS
FY 2010 - 2011

President
Brandon L. Reeder
K&N Engineering, Inc.
(951) 826-4000
BrandonR@knfilters.com

Vice President
Rhonda Basore
City of Murrieta
(951) 461-6030
rbasore@murrieta.org

Secretary
Debi Thomsen, CMC
(951) 688-6081
deborathomsen@sbcglobal.net

Treasurer
Traci R. McGinley, MMC
(909) 208-5828
tracimcginley@sbcglobal.net

Hospitality Director
Justin Lee
Iron Mountain
(714) 323-6954
justin.lee@ironmountain.com

Membership Director
Brenda Hutchinson, D.P.A.
United Health Group
(951) 328-6318
brenda.hutchinson@uhc.com

Programs Director
(Open)

Webmaster
Kylene Sotelo
City of Chino Hills
(909) 364-2631
ksotelo@chinohills.org

Chapter Mailing Address:
SCIE/ARMA
P.O. BOX 1434
RIVERSIDE, CA. 92501-1434

2010 – 2011 Sponsors

PLATINUM SPONSOR

IRON MOUNTAIN®

GOLD SPONSOR

recall™
Your Information. Securely Managed.

SILVER SPONSOR

Shred-it

SCANFILES
Converting the World's Documents
800-571-3099 - WWW.SCANFILES.COM