

INFORMATION MANAGEMENT

50TH YEAR

AN ARMA INTERNATIONAL PUBLICATION

MAY/JUNE 2016



Innovative Ideas for **Making IG Happen!**

Page 20

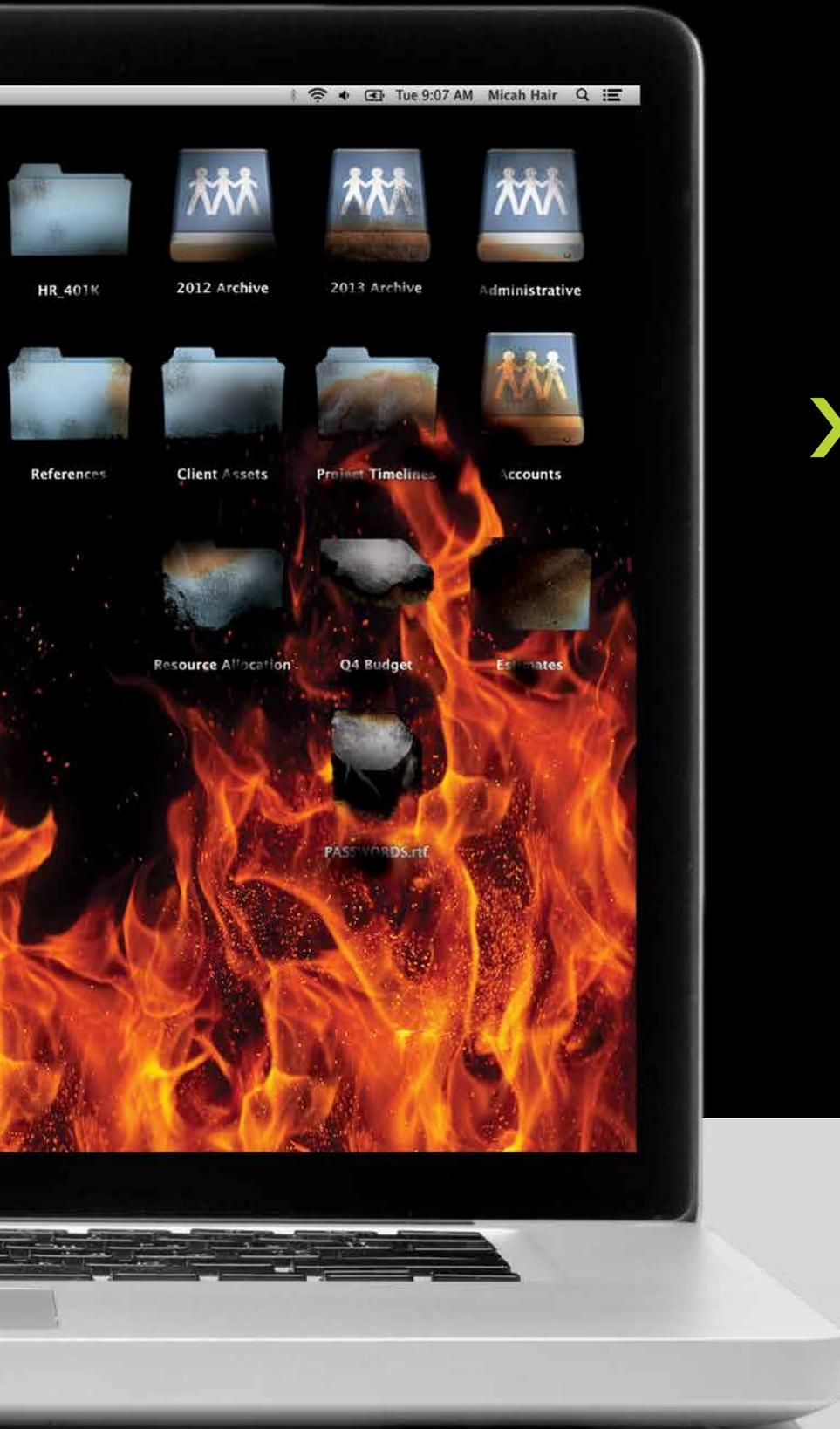
Quarterbacking a PST Reduction Project: How to Get to the End Zone – No Matter the Opposition **Page 24**

Applying Archival Appraisal Concepts to Information Lifecycle Management **Page 29**

Special
in this issue:

hottopic

Technologies and Trends for
**Managing, Using &
Securing Digital Information**



➤ Don't get burned by
**MISMANAGED
INFORMATION.**

**NEXT
LEVEL** ➤ information governance assessment

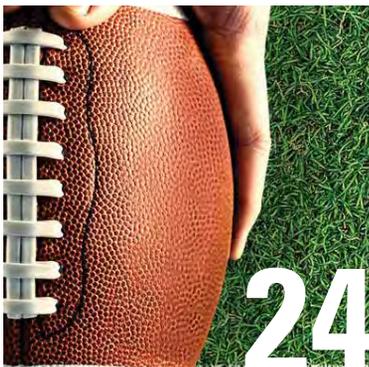
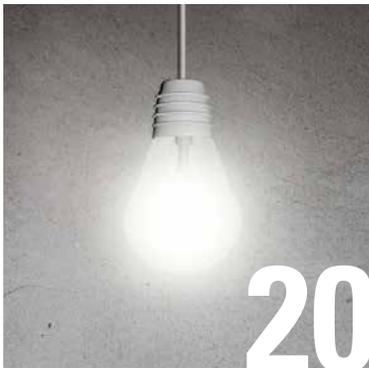
Your amount of sensitive customer and business data is doubling by the year. And a little loss could have a big impact on your bottom line. Now more than ever, the way you manage your company's information matters. Find out where you stand with the Next Level Information Governance Assessment. Through this self-administered online assessment tool, you'll discover areas of strength. You'll also uncover opportunities for improvement. In the end, you will be empowered to increase your organizational transparency and data integrity.

Start turning information into an asset by visiting arma.org/nextlevel.

INFORMATION MANAGEMENT

50TH YEAR

MAY/JUNE 2016 VOLUME 50 NUMBER 3



DEPARTMENTS 4

6

FEATURES 20

24

29

SPOTLIGHTS 34

38

SPECIAL SECTION 42

44

45

CREDITS 47

48

INFOCUS A Message from the Editor

UPFRONT News, Trends, and Analysis

FELLOWSFORUM

Innovative Ideas for Making IG Happen!

Susan Cisco, Ph.D., CRM, FAI, and Sue Trombley, IGP, FAI

Quarterbacking a PST Reduction Project: How to Get to the End Zone – No Matter the Opposition

Ben Greene, CRM

Applying Archival Appraisal Concepts to Information Lifecycle Management

Stephen Cohen, CRM

GOVERNMENTRECORDS

Establishing a Duty to Document: The Foundation for Access to Information

Marc Koscieljew, Ph.D.

BUSINESSMATTERS

Systems Automation: A Way to Reduce RIM Risk

Joao Penha-Lopes, Ph.D.

50THYEAR

50, 25, 10 Years: A Look Back...

INREVIEW

Information Lifecycle Considered in Context of the Electronic Ecosystem

Meg Scofield

INREVIEW

UK Copyright Law Made Clear for Information Professionals

Sarah R. Demb

AUTHORINFO

ADVERTISINGINDEX

Online **Info** for Offline **Success**



Industry-leading **Information Management** magazine puts cutting-edge topics at your fingertips so you can turn best practices into reality for your organization. It's just one of the many perks of ARMA membership.

ARE YOU AN ARMA PRO?

**INFORMATION
MANAGEMENT**
www.arma.org

ONLINE

INFORMATION MANAGEMENT

AN ARMA INTERNATIONAL PUBLICATION

Publisher: Robert Baird, IGP, PMP

Editor in Chief: Vicki Wiler

Contributing Editors: Nikki Swartz, Jeff Whited

Art Director: Brett Dietrich

Advertising Account Manager: Jennifer Millett

Editorial Board: Sonali Bhavsar, IBM • Alexandra Bradley, CRM, FAI, Harwood Information Associates Ltd. • Sara Breitenfeldt, PepsiCo • Marti Fischer, CRM, FAI, Wells Fargo Bank • Uta Fox, CRM, Calgary Police Service • Mark Grysiuk, CRM, CIP • Parag Mehta, Esq. • Preston Shimer, FAI, Records Management Alternatives • Sheila Taylor, IGP, CRM, Ergo Information Management Consulting • Stuart Rennie, Stuart Rennie Consulting • Karen Shaw, CRM, BSP Consulting • Mehran Vahedi, Enbridge Gas Distribution Inc. • Jeremy Wunsch • Penny Zuber, Ameriprise Financial

Information Management (ISSN 1535-2897) is published bimonthly by ARMA International. Executive, editorial, and advertising offices are located at 11880 College Blvd., Suite 450, Overland Park, KS 66210.

An annual subscription is included as a benefit of professional membership in ARMA International. Nonmember individual and institutional subscriptions are \$150/year (plus \$20 shipping to destinations outside the United States and Canada).

ARMA International (www.arma.org) is a not-for-profit professional association and the authority on governing information as a strategic asset. Established in 1955, the association's approximately 27,000+ members include records and information managers, information governance professionals, archivists, corporate librarians, imaging specialists, legal professionals, IT managers, consultants, and educators, all of whom work in a wide variety of industries, including government, legal, healthcare, financial services, and petroleum, in the United States, Canada, and more than 30 other countries around the globe.

Information Management welcomes editorial submissions. We reserve the right to edit submissions for grammar, length, and clarity. For submission procedures, please see the "Author Guidelines" at <http://content.arma.org/IMM>.

Editorial Inquiries: Contact Vicki Wiler at 913.217.6014 or by e-mail at editor@armaintl.org.

Advertising Inquiries: Contact Jennifer Millett at +1 888.277.5838 (US/Canada), +1 913.217.6022 (International), +1 913.341.3742, or e-mail jennifer.millett@armaintl.org.

Opinions and suggestions of the writers and authors of articles in **Information Management** do not necessarily reflect the opinion or policy of ARMA International. Acceptance of advertising is for the benefit and information of the membership and readers, but it does not constitute official endorsement by ARMA International of the product or service advertised.

© 2016 by ARMA International

Periodical postage paid at Shawnee Mission, KS 66202 and additional mailing office.

Canada Post Corp. Agreement No. 40035771

Postmaster: Send address changes to Information Management, 11880 College Blvd., Suite 450, Overland Park, KS 66210.



It is your **life**. It is your **career**. It is your **certification**.

CRM

In a business world of doing “more with less,” your designation as a Certified Records Manager shows that you understand the many facets of the RIM profession.

In a business world that is rapidly changing, your designation as a Certified Records Manager shows you are up to date on the latest technology, the latest rules and regulations, and the techniques of the RIM profession.

In a business world in which new jobs are increasingly competitive, your designation as a Certified Records Manager (CRM) demonstrates that you have the experience and expertise to lead change and deploy best practices as they evolve in the RIM profession.

For more information about becoming a Certified Records Manager, **contact (518) 694-5362** or visit www.icrm.org



'Seize the Day' and Lead the Way for a Successful Information Program



This issue's articles reinforce the imperative of seizing – even creating – opportunities to collaborate with other information governance (IG) stakeholders to ensure that your organization's information is successfully governed and managed.

In their cover article, Susan Cisco, Ph.D., CRM, FAI, and Sue Trombley, IGP, FAI, provide a number of innovative ideas for “making IG happen,” and they all involve records and information management (RIM) professionals taking the lead in collaborative projects with IG stakeholder groups, including legal, compliance, audit, IT, and lines of business leaders. In five case studies, they share how RIM professionals were able to leverage business disruptions and collaborate internally and externally

to improve information availability, streamline processes, ensure compliance, control risks, and protect intellectual assets in their organizations.

Another feature article, by Ben Greene, CRM, underscores the importance of working with IT if one of your RIM goals is to reduce the volume of e-mail saved as personal storage table (PST) files on users' local drives. While IT may have been behind the prevalent practice of storing Outlook e-mails as PST files, you can cut the expense and difficulty of managing these files by following Greene's advice in “Quarterbacking a PST Reduction Project: How to Get to the End Zone – No Matter the Opposition.”

Collaborating with IT is also important for those who want to automate systems as a way to improve the way their organizations manage information. Joao Penha-Lopes, Ph.D., describes the benefits of automation in reducing RIM risk in the Business Matters sub-feature that begins on page 38.

Close collaboration with key business units is necessary, too, for those who might want to borrow appraisal concepts from their archives colleagues and apply them to information lifecycle management. In his feature article, Stephen Cohen, CRM, tells how appraising information – determining what the information is, where it came from, how it was used, when it was created, who created it,

and who benefits from it – enables RIM professionals to determine its value with respect to business needs and regulatory requirements and to calculate how long it needs to be preserved before it starts to pose a risk.

With these articles, we trust that this publication is continuing to uphold the tradition of “providing a continuing chronicle of our profession's growth and acceptance as a meaningful approach to information management” that was begun in 1967 with the initial publication of this magazine's predecessor, *Records Management Quarterly (RMQ)*. Having learned of the recent passing of *RMQ*'s founder and long-time editor, William Benedon, CRM, FAI, at the age of 92, we take time to remember and honor him – not only for this, but for the breadth of his pioneering work that has been integral to the success of the RIM profession and this association. Please take time to do some “Looking Back” at his legacy in the special section that begins on page 42.

Also, don't forget to browse this issue at <http://imm.arma.org> to access several pages of “Bonus Content” found only online.

As always, we're eager to hear from you about the content you need to advance your career and your organization's RIM or IG program. You can reach us at editor@armaintl.org.

Vicki Wiler
Editor in Chief



When it comes to document imaging the value is in the data we capture

Richard Stinnett
V.P. of Operations, BTCO
www.btcoinc.com

Get The Most From Your Capture Solution With PaperStream

When it comes to document imaging, the value is in the data. That's why Fujitsu Computer Products of America created a portfolio of software products to complement our industry-leading scanners to help you get the most from your capture solution. At the heart of every high-speed fi Series document scanner is PaperStream IP. The powerful drivers behind PaperStream Capture Pro that ensure high quality image processing—while PaperStream Capture Pro enables efficient document separation and content indexing. For fast, easy-to-use, and simple release, Fujitsu helps you get the most out of data capture by reducing resources, minimizing manual errors, and increasing your bottom line. See us at www.fcpa.com



PaperStream Capture Pro



EHRS

Former Dept. of Veterans Affairs Nurse Falsified Records

A former registered nurse at Veterans Affairs (VA) Medical Center in Miami will spend 60 months in prison after pleading guilty to altering and falsifying VA computer records.

The court record states that Enrique Martinez Mathews interfered with an internal investigation at the medical center related to the death of a veteran in Martinez's care. The investigation revealed that Martinez had altered the patient's records while the patient recovered in the surgical intensive care unit. Because of Martinez's actions, appropriate medical treatment was withheld from the patient, who later passed away. Martinez then altered more records to try to hide his prior actions.

Special Agent in Charge Monty Stokes said, "This investigation represents the VA OIG's commitment to investigate obstruction as well as alterations of medical records that needlessly compromise veterans' care and subject them to harm. We will continue to vigorously investigate employees whose actions corrupt the integrity of VA's healthcare records relied upon by VA clinicians who treat our nation's heroes."

E-DISCOVERY

Scheidlin to Step Down From U.S. District Bench

The author of the landmark *Zubulake* decision is retiring her gavel. U.S. District Court Judge Shira Scheindlin, for the Southern District of New York, who has presided over many high-profile cases and made groundbreaking e-discovery decisions, plans to leave the bench for private practice in New York City, *The New York Law Journal* has reported.

Scheidlin told her colleagues in a written letter that she also plans to spend time mentoring, lecturing, and working on alternative dispute resolution, including work as "an arbitrator and mediator and in other neutral capacities with the hope of doing a fair amount

of public interest work, as well as working on commercial matters." *Zubulake* put companies on notice that they have a duty to preserve data once they reasonably anticipate they might be sued, according to the *ABA Journal*. Similarly, lawyers can no longer simply initiate a hold; they now have an obligation – thanks to *Zubulake* – to oversee the compliance process. The sanctions for not doing so can be harsh and crippling.

According to the *ABA Journal*, *Zubulake* imposed a far-reaching duty to preserve on every business in the United States, as well as any company in the world that does business with the United States.

"Up until that opinion, the rules of the game for preserving



of public interest work, as well as working on commercial matters."

Scheidlin, 69, was appointed to the Southern District of New York by President Bill Clinton in 1994. Over the years, she made a name for herself as an expert on e-discovery in a series of opinions in *Zubulake v. UBS Warburg* starting in 2003.

Of course, that decision changed the way companies and lawyers approach electronically stored infor-

docs were simple and clear. When the other side was interested in getting a document, they'd send over a request for it and, putting aside objections, that's when the duty attached. Scheindlin came along and said 'no more.' She changed the rule – and in doing so, she created an industry, as well as a drastic mess for corporate America," Catalyst CEO and former lawyer John Tredennick told the *ABA Journal*.

E-RECORDS

Report: E-Gov Exacerbates Records Challenges in Developing Nations

In its 2016 World Development Report, “Digital Dividends,” the World Bank assesses the impact of digital technologies on countries’ development and concludes that these technologies have been disappointing and unevenly distributed despite boosting growth, expanding opportunities, and improving service delivery. For digital technologies to benefit everyone everywhere, the report says countries need to strengthen regulations to ensure competition, adapt workers’ skills to the demands of the new economy, and ensure that institutions are accountable.



The World Bank report draws on a number of background papers that are also provided to the public. In “One Step Forward, Two Steps Backward? Does EGovernment Make Governments in Developing Countries More Transparent and Accountable?,” Victoria Lemieux, Ph.D., CISSP, discusses the unintended consequences and risks for transparency and accountability associated with the way digitally recorded information is produced and managed by the public sector in developing countries.

According to the paper, many countries are in the process of transitioning from primarily paper-based administrative systems to digital systems by implementing information and communication technology (ICTs) as part of their e-government initiatives. The presumption is that this transition should improve accountability and transparency by making information more readily accessible. Lemieux points out that the transition has not necessarily been a positive one.

“In many countries, the introduction of ICTs has brought about a deterioration in the quality, management, and accessibility of recorded information with concomitant negative impacts upon transparency and public accountability mechanisms, such as the operation of right to information (RTI) laws,” the report states. The report presents a compelling argument that “e-government or the rising use of digital technologies for the creation, communication, and storage of information within public administrations has created new challenges that exacerbate previous weaknesses in recordkeeping systems constraining the availability and integrity of information for transparency and accountability.”

In most developing countries, the report notes, legislative frameworks haven’t been updated and are typically inadequate for addressing e-records and information management concerns. Given all the digital forms of information used today to conduct government business, and especially with the rise of e-government, the report says there is a clear and present need for public officials and information commissioners to have better guidance on how electronic data should be collected and managed under public records and RTI laws.

PRIVACY

B.C. Information and Privacy Commissioner to Step Down

British Columbia Information and Privacy Commissioner Elizabeth Denham has announced that she will step down when her term ends in July to become the United Kingdom’s new information commissioner this summer. She has served for the past six years.

“I leave believing that the independence and impartiality of this Office has served the public well,” she wrote in her resignation letter. “I also leave knowing that government’s awareness of



Denham

the importance of privacy and security of personal information, the need for good record keeping of government decisions and the public’s right to know have been enhanced during my tenure.”

Denham has been outspoken on privacy and access to information in the province. Most recently, according to *CBC News*, she wrote a scathing report about the provincial government’s “triple-deleting” of e-mails in various ministries after whistleblower Tim Duncan alleged he was ordered to delete e-mails related to a freedom of information request.

She also has criticized what she called “oral government” within the provincial government, “where business is undertaken verbally and in a records-free way.” She said this undermines the freedom of information system by leaving little or no record of government decision-making, *CBC News* reported.



PRIVACY

FCC Seeks Stricter Privacy Rules for ISPs

In March, the Federal Communications Commission (FCC) negotiated a deal with Verizon in which the company agreed to pay \$1.35 million for using technology that enabled marketers to track its customers' online activity, *CNET* reported.

The FCC, according to *CNET*, wants to make sure that doesn't happen again, so it has proposed regulations meant to protect private consumer information by:

- Requiring Internet service providers (ISPs) to obtain customers' permission before sharing their data with third parties
- Preventing phone companies and cable operators from repurposing and reselling what they learn about consumers' phone or TV viewing activity to marketers

At its March 31 meeting, the FCC voted to open the proposal for public comment. Chairman Tom Wheeler said actual rules likely will be voted on later this year after the comment period ends.

If approved, the proposal would put in place the strongest set of privacy regulations ever established

for ISPs, according to *CNET*. The proposed broadband and wireless rules to give consumers more control over their data are similar to those for cable TV and telephone services, which the FCC already regulates. The rules would:

- Require ISPs to clearly disclose how personal consumer data is collected, how it's shared with third parties, and how it's used by these outside firms
- Mandate that customers actively choose to participate in the program rather than be automatically enrolled
- Direct ISPs to strengthen security practices for customer data

According to *CNET*, the regulations would also set broadband and wireless providers apart from Internet and social media sites, including Google or Facebook, which also collect large amounts of consumer data that is used for marketing. But these companies follow different rules because they are monitored by the Federal Trade Commission (FTC), which has limited authority to create specific regulations. The FTC monitors only data collection practices in an attempt to prevent misuse or fraud.

Wheeler may be in for a fight from broadband and wireless industry leaders, who have noted the discrepancy. The lobby group

National Cable & Telecommunications Association issued a statement saying it was "disappointed by Chairman Wheeler's apparent decision to propose prescriptive rules on ISPs that are at odds with the requirements imposed on other large online entities."

E-MAIL

IRS Begins Digitizing Records

After years of high-profile missteps and congressional scrutiny, top IRS officials recently told the House Oversight and Government Reform Committee that they are working toward improving their processes for retaining and accessing data.

"We're making significant progress," Ed Killen, director of privacy, governmental liaison, and disclosure at the IRS, told the committee.

FCW.com reported that the e-mail messages of senior IRS executives are being archived in electronically accessible formats in perpetuity, and the messages



of second-tier managers are being stored for 15 years. According to Killen, the IRS is aiming to archive all employees' e-mail electronically by the end of the year as part of a plan to move away from an antiquated approach consisting of printing and filing and using backup tapes.

Moving to an electronic archive will require moving e-mail servers into two main data centers, said IRS Chief Technology Officer Terry Milholland.

Privacy+

Look for it. Ask for it. Expect it.

PRISM International (Professional Records and Information Services Management) was established in 1980 as the trade association for the commercial information management industry. The vision of PRISM is to be the global advocate for safeguarding physical and digital information by serving organizations who provide information management services.

In 2012 PRISM launched the Privacy+ certification program in order to allow offsite records and information management companies to clearly demonstrate their commitment to ensuring the privacy of information in their custody.

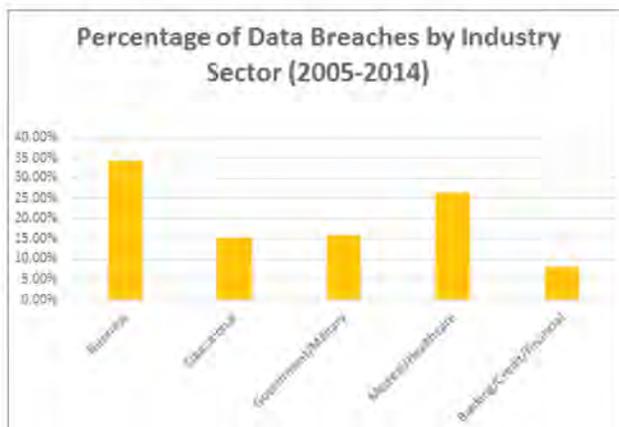


Chart provided by Identity Theft Resource Center (ITRC) and sponsored by IDT911™

The program was built using recognized industry laws and standards, including:

- Health Insurance Portability and Accountability Act (HIPAA)
- HIPAA Privacy Rule Payment Card Industry Data Security Standard (PCI DSS)
- The Personal Information Protection and Electronic Documents Act (PIPEDA)
- Gramm-Leach-Bliley Act (GLBA)
- Sarbanes-Oxley Act (SOX)
- Federal Trade Commission (FTC) "Red Flags Rules"
- American Institute of Certified Public Accountants

(AICPA) Statement on Standards for Attestation Engagements (SSAE) No. 16, Reporting on Controls at a Service Organization

- Family Educational Rights and Privacy Act (FERPA)
- Fair and Accurate Credit Transaction Act (FACTA)
- State information security laws including 201 CMR 17.00
- European Data Protection Directive

PRISM knows your information is priceless.

Using a Privacy+ certified company should give you peace of mind and confidence that your information is being protected

against unauthorized access and data breaches, and that your chosen records and information storage partner is using best practices.

To achieve Privacy+ certified status, records and information storage companies must establish and have a thirdparty independent audit of internal controls designed to meet a specific set of control objectives designed to preserve information privacy. The control objectives have been established by PRISM International and must be met by all Privacy+ participants.

The number of data breaches in the United States has grown exponentially in recent years. As you search for a company to help with your off-site records management and storage, look for the Privacy+ logo, ask for it in your RFPs, and expect it from those trusted with your information management storage.

To find a Privacy+ Certified records and information management company, or to find out more information about the Privacy+ program, visit www.prismintl.org or call **1.800.336.9793**.



PRIVACY

California Judge Orders Release of 10 Million Student Records



A federal judge for the Eastern District of California has ordered the release of about 10 million California public school students' records – including each child's name, Social Security number, address, mental health assessment, medical history, and test scores.

In her ruling, Judge Kimberly Mueller granted a small, parent-run, non-profit group working for the rights of disabled children access to the sensitive information of each student in kindergarten through 12th grade who has attended public school in California since Jan. 1, 2008. The records must be made available to a court-appointed data analyst so they can be analyzed on behalf of the Morgan Hill Unified School District parent group, according to *USA Today*.

The parent group is suing the California State Department of Education because it does not believe the state requires school districts to provide appropriate special education services for children needing them, as mandated under federal law. The California Concerned Parents Association, which advocates for students with disabilities statewide, joined Morgan Hill's lawsuit. The state vehemently denies the allegations and is defending itself against the lawsuit, a spokesman told *USA Today*.

The Concerned Parents group

requested statewide data to prove its case that students with special needs are not being given adequate attention. But the parent groups said they never asked for, nor do they want, students' personally identifiable information.

"We asked repeatedly, many times, for the data without identifiable information," the group's president, Linda McNulty, told the *San Jose Mercury Sun*. She said the state education department refused.

The state said it's just following the judge's orders.

"The California Department of Education has been fighting vigorously to defend the privacy rights of students throughout California, but we are required to comply with the court order in this case," department spokesman Peter Tira responded.

The *Mercury Sun* said it was not clear why Social Security numbers and other sensitive information couldn't be redacted.

The court order allowed parents who wish to opt-out of the release of their child's information to do so by filling out an exemption form.

After any exemptions are received, the state will turn over the entire database of student data to the plaintiff's attorneys. According to the *Mercury Sun*, the court order allows fewer than 10 people to access the student data, and their review will be closely overseen by

a court-ordered special master in electronic discovery.

According to *USA Today*, the attorneys reviewing the records are required by a protective order to keep the data private and confidential. Once the group completes its statistical analysis, it is required to "either return or destroy the confidential data at the conclusion of the lawsuit. No student's identifying records will be disclosed to the public," the parent group said.

CLOUD

Use of Cloud Apps Rose 50% in 2015

The average number of cloud apps a global business uses rose almost 50% to 917 applications, increasing 21% alone between October 2015 and the end of the year, according to Netskope's "Cloud Report."

The majority of those apps are well known, and the top 20 include Outlook, Lync, OneDrive for Business, LinkedIn, Facebook, Twitter, and YouTube.





FOIA

Obama Administration Sets FOIA Records

U.S. federal government searchers said they could not find a single page of information in response to nearly 130,000 Freedom of Information Act requests for information (about 17%) in the 2015 fiscal year – a record number, according to a new Associated Press (AP) analysis of government data.

The AP's annual review covered all requests to 100 federal agencies during fiscal 2015. In 39% of cases – or 5,168 times – the Federal Bureau of Investigation couldn't find any records. The Environmental Protection Agency regional office that oversees New York and New Jersey came up empty handed 58% of the time, and U.S. Customs and Border Protection couldn't find anything in 34% of cases.

The review had no way to determine whether more requests last year involved non-existent files or whether searches for records were not thorough enough. The Obama administration told the AP that it completed a record 769,903 requests, a 19% increase over the previous year, despite hiring only 283 new full-time workers for the issue, an increase of about 7%. The number of times the government said it couldn't find records increased 35% over the same period.

The AP noted that in some high-profile cases involving federal lawsuits, the Obama administration found tens of thousands of pages after it previously said it couldn't find any. The website Gawker sued

the State Department last year after it said it couldn't find any e-mails that Philippe Reines, an aide to Hillary Clinton and former deputy assistant secretary of state, had sent to journalists. After the lawsuit, the agency said it found 90,000 documents about correspondence between Reines and reporters.

When the government says it can't find records, it rarely provides detailed descriptions about how it searched for them, the AP said. Under the law, federal employees are required to make a reasonable search, and a 1991 U.S. circuit court ruling found that a worker's explanation about how he conducted a search is "accorded a presumption of

good faith, which cannot be rebutted by purely speculative claims" that a better search might have turned up files.

Overall, the AP found that the government censored materials it turned over or fully denied access to them in a record 596,095 cases, or 77% of all requests. That includes 250,024 times when it said it couldn't find records, a person refused to pay for copies, or the government determined the request to be unreasonable or improper. The White House routinely excludes those cases from its own assessment. Under that calculation, the administration said it released all or parts of records in 93% of requests.

E-DISCOVERY

UK Court Approves Technology-Assisted Review

In 2012, the *Da Silva Moore v. Publicis Group* ruling allowed for technology-assisted review (TAR) and changed the face of discovery in the United States by not requiring litigants to look at every single document. Three years later, a judge in Ireland ruled in favor of predictive coding in *Irish Bank Resolution Corporation Limited & Ors v. Sean Quinn & Ors*.

Now, the world's second-largest discovery market – the UK – has taken a seat at the TAR table. In the case *Pyrrho Investments and MWB Business Exchange v. MWB Property and others*, Master Matthews of English High Court allowed the parties to use predictive coding, marking TAR's first use in UK courts.

In his precedent-setting decision, Matthews cited 10 factors that led him to favor approving predictive coding in the case, including:

- "[t]here is no evidence to show that the use of predictive coding software leads to less accurate evidence than, say, manual review alone"
- "there will be greater consistency in using the computer to apply the approach of a senior lawyer towards the initial sample (as refined) to the whole document set, than in using dozens, perhaps hundreds, of lower-grade fee earners..."

According to *Legaltech News*, proportionality also influenced Matthews' decision. He wrote, "The cost of manually searching these documents would be enormous, amounting to several million pounds at least. In my judgment, therefore, a full manual review of each document would be 'unreasonable'..."

Counsel in the case estimated that the cost of TAR would be much lower, between £181,000 and £469,000 pounds, plus hosting fees.



E-RECORDS STORAGE

Sony Says System Supports 100-Year Data Storage



Sony has unveiled technology it says will keep data safe and sound for up to a century. The scalable, jukebox-like optical library system from Sony Optical Archive Inc., is called Everspan.

It is designed to store, retrieve, and read discs that will hold 300GB, with 150GB on each side. Capacity is expected to grow to 1TB over the next five years, IDG

News Service reported.

Everspan will start shipping to customers in July.

Long-term storage promises are not new, though, and they fail to address key factors in long-term data preservation. For starters:

- **Ability to read the data:** The hardware and software needed to retrieve the data from any media are more critical than

the longevity of the media it's stored on.

- **Technology advances/value of information remains:** With each technology improvement, legacy data gets harder to retrieve and read. Sometimes data can't even be migrated to a new application or system, and vendors drop support for older software and hardware.
- **Need for long-term planning:** To ensure that the information can be retrieved from any media requires long-term planning. The records and information management department must collaborate with the IT department to ensure that conversion and migrations plans coincide with hardware upgrade plans, and management must allocate sufficient resources for data conversion and migration.

Still, the digital storage devices market looks to be a lucrative global business – worth \$5.4 billion [£3.75 billion] by 2020, according to a recent Kroll Ontrack article.

E-DISCOVERY

Whistleblower Says VW Deleted Data

According to a lawsuit filed by a former employee, Volkswagen workers illegally deleted electronic data soon after the U.S. government accused the carmaker in September 2015 of cheating on emissions tests.

The lawsuit filed in Michigan accuses Volkswagen of violating the state's whistle-blower protection act in the wrongful dismissal of information manager Daniel Donovan in December. Donovan says he was fired because his superiors believed he planned to report the company to U.S. authorities for obstruction

of justice, according to *The New York Times*.

Volkswagen of America said in a statement that the claim of wrongful dismissal was “without merit” and that the dismissal was unrelated to the emissions issue.

According to Donovan's lawsuit, his superiors told him on September 18 to instruct the chief information officer (CIO) at the company offices in Auburn Hills not to delete any electronic records and that the CIO replied to Donovan's telephone call demanding to know why a lower-ranking employee was giving him instruction.

The lawsuit claims that IT



workers continued to delete electronic data until September 21 and that even after that date, employees destroyed backup data because they felt there was not enough storage space. Donovan said he told IT managers they could be accused of obstructing justice and told them he did not want to participate.

INFO SECURITY

Digital Forensics to Grow to \$4.8 Billion by 2020

The business of obtaining, interpreting, and uncovering digital data from electronic devices is gaining momentum and won't slow anytime soon, according to a recent report from IndustryARC.



“Digital Forensics Market Analysis” says the digital forensics market is expected to grow at an annual compound rate of just over 14%, hitting \$4.8 billion in revenue by 2020. The biggest reason for the growth is a heightened focus by companies and government on cybersecurity and data theft prevention, according to the report.

The exponential growth in the volume of data with the proliferation of a wide variety of mobile devices and formats has led to a rise in the use of digital forensics.

IndustryARC said most of the market growth will occur in the Americas and also found that:

- The digital forensics market in the Americas will hold around 60% share by 2020.
- In Europe, the use of digital forensics in the corporate sector will grow at a maximum rate of 19.2% between 2015 and 2020.
- The Asia-Pacific market will grow at a rate of 25.2% be-

tween 2015 and 2020.

- The global market is estimated to grow at about 14.2% during the same period.

“[The] Digital forensics market is majorly driven by the rate of digital crimes in a particular region,” Sowmya Kulkarni, associate business consultant at IndustryARC, told *Legaltech News*. “Globally, the rate of digital crimes such as data espionage, cyber-based terrorism, computer intrusions, hacking, malware, and so on is relatively higher in the Americas region. According to the FBI, in the U.S. alone there has been report of over 269,422 complaints of cybercrimes received in 2014 with estimated loss of \$800 million.”

The use of digital forensics by the federal government “contributes to 45% of the overall market while the legal sector contributes to 55% of the overall market,” Kulkarni added. Digital forensic revenue from the federal sector is estimated to increase from \$1.1 billion in 2015 to \$2.1 billion by 2020, *Legaltech News* reported.

CYBERSECURITY

Survey: CEOs Feel Left Out of Cybersecurity Plans

Only 51% of chief executive officers (CEOs) believe their organization’s cybersecurity strategy is “well established,” according to a recent IBM survey. The “Securing the C-Suite” survey also found that 77% of chief risk officers (CROs) and 76% of chief information officers or chief technology officers feel the same.

They may feel this way because 55% of CEOs consider themselves to have “little to no engagement” in cybersecurity threat management activities, and more than half of CROs, chief legal officers, chief marketing officers, and chief finan-

cial officers agreed with that assessment, IBM’s survey revealed.

IBM separated the respondents into three groups:

1. Cyber-secured – 17%
2. Growing capability – 56%
3. Unprepared – 27%

The survey found that 79% of cyber-secured organizations had established an office of information security and appointed a chief information security officer. Just 32% of growing capability organizations and 29% of unprepared organizations had done the same.

“The world of cybercrime is evolving rapidly, but many c-suite executives have not updated their understanding of the threats,” said Caleb Barlow, vice president at IBM Security, in a statement accompanying the report. “While chief information security officers (CISO) and the board can help provide the appropriate guidance and tools, CxOs [chief executive officers] in marketing, human resources, and finance, some of the most sensitive and data-heavy departments, should be more proactively involved in security decisions with the CISO.”





PROFESSIONAL DEVELOPMENT

Study Reveals Skills RIM Pros Will Need

The records and information management (RIM) profession is becoming more technical and more closely aligned with data analysts and IT staff, according to the research report “What will it take to be a NextGen InfoPro?” from Iron Mountain and AIIM.

By 2020, the study revealed, employers expect their RIM professionals to be competent in risk management – with 50% of employers desiring them to have security and data privacy skills; 47% demanding content and information management skills across a wide range of formats and platforms; and 44% seeking data analytic skills.

Beyond that, the report suggests, employers want RIM professionals who can identify new opportunities for their organization’s data and support colleagues during disruptive changes, such as mergers, acquisitions, or divestitures.

“It’s no longer enough to be a competent records manager. It’s

time for them to evolve into next-generation information professionals with stronger technical, analytical, and management skills and the confidence to think, mediate, and guide,” said Sue Trombley, managing director of thought leadership at Iron Mountain.

The study also revealed that over the next three to five years:

- The most sought-after professional RIM capabilities will be related to information accessibility, including the use of mobile devices (53% of organizations); data-quality management, data cleansing, and migration (49%); and information security and access control (42%).
- The demand for technical knowledge will center on information security systems and procedures (68% of organizations); enterprise content management, document management, and records management systems (60%); and mo-

bile devices (53%).

- Organizational expectations for RIM professionals will be broad and include soft skills like innovative thinking (70% of organizations) and change management (70%).

According to Iron Mountain, the study may reveal a mismatch between what employers expect and what information professionals currently deliver. The greatest gap is found in the ability to manage change, which is highly regarded by 70% of employers, but only half of RIM professionals are confident about having.

Iron Mountain suggests that RIM professionals must educate themselves continuously on the latest technology, security, and management developments and how each affects their organizations. The survey found that 79% of RIM professionals are proactively enhancing their skills, while only 8% are content with their current abilities.

203 Strong. And Growing.

Congratulations to these Certified Information Governance Professionals

Mitchell Abrams
Elizabeth Adkins
Pey-Jia Angell
Christine Ardern
Deborah Armentrout
DeAnna Asscherick
Randy Aust
Christie Baird
Robert Baird
Patty Baldacchino
Salvador Barragan
Christopher Beahn
Richard Berlin
Margaret Boeringer
Isabel Bracamontes
Aaron Bryant
Susan Burd
Kiji Burston
Doug Caddell
Stacie Capshaw
Melissa Carlis
Diane Carlisle
Laurie Carpenter
Alexander Carte
Mark Carter
Peter Casey
Anita Castora
Elizabeth Castro
Tod Chernikoff
Carol Choksy
Vicki Clewes
Andrew Cogan
Julie Colgan
Bud Conner
Dani Cook
Russ Cottle
Marvin Cross
Kristen Crupi
Becky Darsch
Lisa Marie Daulby
Nicholas De Laurentis

Melissa Dederer
G. Derk
Deborah Dotson
Christina Doyle
Sandra Dunkin
Priscilla Emery
Sofia Empel
Tony Epler
Debra Farries
Elizabeth Farthing
Carol Ann Feuerriegel
Glenn Fischer
Matt Fisher
David Fleming
Patricia Franks
Rhonda Galaske
Caroline Gallego
Stephen Garner
Charles Garrett
Irene Gelyk
Sue Gerrity
Kimberly Giertz
Susan Goodman
Joshua Grisi
Komal Gulich
Jocelyn Gunter
Allen Gurney
Michael Haley
Grace Hammar
Joshua Hargrafen
Paula Harris
Matthew Hebert
Charles Herbek
Margaret Hermesmeier
Caroline Higgins
Gordon Hoke
Patricia Huff
Janice Hulme
Bethany Hynes
Nicolas Inglis
Leigh Isaacs

Mary Janicik
C'Les Jensema
Chris Johnson
Todd Johnson
Deborah Jostes
Deborah Juhnke
Soo Kang
Andrew Keller
James Kennedy
Anju Khurana
Ellie Kim
Michelle Kirk
Monica Kirsch
Tamara Koepsel
Greta Krapac
Peter Kurilecz
Tera Ladner
Richard Lang
Ronald Layel
Anna Lebedeva
Gilles Legare
Donnell Long
Howard Loos
John Loveland
Eric Lynn
Cindy MacBean
Rudolph Mayer
Brian McCauley
Stephanie McCutcheon
Cheryl McKinnon
James Merrifield
Bruce Miller
Sandy Miller
Dana Moore
Dermot Moore
Rafael Moscatel
Linda Muller
Jen Murray
Stephen Murray
Deborah Naas
Joe Nadzam

Lindy Naj
Peggy Neal
Lee Nemchek
Kurt Neumann
Sheri Nystedt
Carolyn Offutt
James Owens
Eleanor Ozaeta
Lewis Palmer
Jadranka Paskvalin
Alan Pelz-Sharpe
Graham Pescod
Denise Pickett
Debra Power
James Presley
Cindy Pryor
Fred Pulzello
Angel Ramos
Tony Ratcliffe
Joshua Rattan
Scott Raynes
Jessica Rickenbach
Deborah Rifenbark
Carol Rittereiser-Coritt
David Rohde
Donna Rose
Shawn Ryan
Kathryn Scanlan
Danna Schacter
Tonia Schneider
Teresa Schoch
Terry Schrader
Karen Schuler
Karen Shaw
Mary Sherwin
William Silvio
David Skweres
Doug Smith
Michael Smith
Natalie Spano
Brian Starck

Jason Stearns
David Steward
Melissa Suek
Lisa Summers
Paula Sutton
Marjorie Swain
Sheila Taylor
Robin Thompson
Kathleen Timothy
Louis Tirado
Brian Tretick
Susan Trombley
Nathan Troup
Brian Tuemmler
Martin Tuip
Amy Van Artsdalen
Paul Van Reed
James Vardon
Katharine Voldal
Jennifer Watters Farley
Bridgett Weldner
Erik Werfel
Steven Whitaker
Kristi Whitmore
Jesse Wilkins
Marc Willemse
Dylan Williams
Steven Williams
Rick Wilson
Terri Wilson
Brett Wise
Jennifer Witt
Kristin Wood
Robin Woolen
Jeffrey Yawman
Cheryl Young
Margo Young
Andrew Ysasi
Ryan Zilm

Application deadline: November 12, 2016.

Register today at www.arma.org/igp.



CYBERSECURITY

Global Survey: Only 1 in 5 Organizations Securely Manages User Identities

Organizations are rapidly developing and hosting new on-line services but frequently under-invest in adequate cybersecurity measures, according to a recent global survey by Capgemini and RSA.

The survey, “Identity Crisis: How to Balance Digital Transformation and User Security?,” polled more than 800 C-level executives in Benelux and the Nordics, France, Germany, the UK, and the United States and found that 62% consider it critical or very important for their organizations to securely enable or extend access for users to digital services, but only 26% have the technology in place to do so.

“As organizations extend to the cloud they must ensure they have solutions in place that address the risk and threats associated with assuring user identities,” Jim Ducharme, vice president of identity products at RSA, said in a news release. “These solutions must understand who is accessing what; manage that access effectively; and control access across the various cloud services. These elements are absolutely essential to giving the organization the assurance that users are who they say they are in a cloud environment.”

Eighty-four percent acknowledged they need to offer more flexible, adaptive authentication methods and IDs, according to the survey. And, the survey showed, companies are trying to do just that: 68% have increased their identity and access management (IAM) budgets, with 28% reporting a “strong” increase.

The survey also revealed that the way IAM is being viewed and implemented is changing, as a result of maturing and emerging

technologies and user preferences. According to the results, allowing users to log in securely with their existing social identities is the goal of many companies.

The report also revealed that:

- Adaptive authentication is expected to define the future of

where security services are hosted, with close to 90% of respondents preferring or requiring data centers that deliver IAM services to be located within their country or region.

“The days of logging into a company’s system with a username and password specific to that organization are numbered. Users aspire to log in from anywhere in a variety of ways, including with social media profiles and existing email ac-



device and service access for users. Most organizations – 84% – consider the ability to deploy such authentication and offer users more access options a high or very high priority.

- For most companies (85%), it is critical or very critical to add new services underpinned by cloud technology quickly and efficiently and to ensure these are supported by IAM.
- U.S. and European organizations are very sensitive to

count,” said Mike Turner, COO of Global Cybersecurity at Capgemini Group. “The ownership of online identities is moving away from the organization to more flexible and secure services maintained by the user, addressing access management needs.”

Turner added that while it is good to see increasing recognition and investment from senior leadership, most organizations have a long way to go before reaching that goal.



EHRS

Survey: Patients Lack Online Access to Health Records

According to a recent survey of 502 consumers planning to enroll in a health plan in 2016, 53% of patients say they have no online access to their health-care data. The survey, conducted by healthcare technology company HealthMine, also found:

- 32% have had difficulty accessing their medical records at all.
- 29% have had difficulty accessing their lab records.
- 29% have had difficulty accessing their insurance information.
- 25% have had difficulty accessing their prescription history.

However, according to FierceHealthIT, the Office of the National Coordinator (ONC) for Health IT recently reported that online access to medical records is growing for consumers – from 28% in 2013 to 38% in 2014, the ONC reported.

A \$10 million infusion of new funding to expand the OpenNotes program to 50 million patients nationwide may help boost those numbers. The program, which gives patients real-time access to their doctors' clinical notes, has grown to cover 5 million patients, FierceHealthIT reported.

“Based on recent studies and our own enforcement experience, far too often individuals face obstacles to accessing their health information, even from entities re-

quired to comply with the HIPAA Privacy Rule. This must change,” wrote Jocelyn Samuels, director of the HHS Office for Civil Rights (OCR).

The OCR has released the first of what will be a series of Frequently Asked Questions documents, as well as a fact sheet, covering patients' general rights to their protected health information, what data is excluded from that right to access, how an individual may request access, and how an entity must provide the information.



GOVERNMENT RECORDS U.S. Agencies Less Cyber-Secure in 2016

Many large U.S. federal agencies are less secure now than they were in 2015, according to an Office of Management and Budget (OMB) report. Overall, the average “cybersecurity assessment score” for the reporting agencies was 68% for the reporting year, down 8% from the previous fiscal year, *Legaltech News* reported.

According to the OMB's fiscal year 2015 “Federal Information Security Modernization Act” report to Congress, of the 24 federal departments and agencies named within the CFO Act of 1990, only the General Services Administration – at 91% – scored above 90%, in contrast to the eight agencies that scored above 90% in the 2014

fiscal year.

Thirteen agencies achieved a “moderate” grade between 65% and 90%, including the remaining top-five finishers: Department of Justice (89%), Department of Homeland Security (DHS) (86%), Nuclear Regulatory Commission (86%), and National Aeronautics and Space Administration (85%).

Scoring less than 50% were the State Department (34%), Department of Housing and Urban Development (39%), Department of Agriculture (43%), and Department of

Transportation (48%). The Department of Defense was deemed too large to receive an accurate grade, according to *Legaltech News*.

The report found federal agencies reported 77,183 cybersecurity incidents, a 10% increase over the 69,851 incidents reported in FY2014.

According to the OMB, the president's FY2017 budget, which includes \$19 billion in cybersecurity resources, may help. It would lead to the creation of the Information Technology Monetization Fund, which aims to facilitate “the retirement of the Government's antiquated information technology (IT) systems and transition to more secure and efficient modern IT systems, funding to streamline governance and secure Federal networks, and investments to strengthen the cybersecurity workforce and cybersecurity education across the nation.”



E-DISCOVERY

Courts Applying New FRCP Amendments in Discovery Cases

Courts have not hesitated to employ the December 2015 amendments to the U.S. Federal Rules for Civil Procedure (FRCP) in rulings on preservation, proportionality, and specificity.

In one recent example, *NuVasive v. Madsen Med.* (S.D. Cal. Jan. 26, 2016), a court in the Southern District of California cited amended Rule 37(e) in allowing the plaintiff to vacate a prior order that imposed an adverse inference for failing to preserve text messages. Under the previous Rule 37(e), the court said that NuVasive had spoliated evidence by not saving messages of four employees who were key to the case, and it denied NuVasive when it tried to make a similar claim against Madsen.

But, the court did not say that NuVasive had *intentionally* failed to preserve the text messages, and as the court noted in its January ruling, intention matters. The new rules allow an adverse inference for failure to preserve ESI “only upon the finding that the [spoliating] party acted with the intent to deprive another party of the information’s use in the litigation.”

The FRCP amendments got the U.S. Supreme Court’s attention as well. In the court’s 2015 “Report on the Federal Judiciary,” Chief Justice John Roberts addressed the changes. Discussing propor-

tionality, he wrote that [Rule 26(b) (1)] “states, as a fundamental principle, that lawyers must size and shape their discovery requests to the requisites of a case. Specifically, the pretrial process must provide parties with efficient access to what is needed to prove a claim or defense, but eliminate unnecessary or wasteful discovery.”

The federal court of the District of Colorado must have taken note of Roberts’ writings; it referenced them in *Kissing Camels Surgery Center v. Centura Health Corporation* (D. Colo., Jan. 22, 2016).

The case, which concerned an antitrust dispute for ambulatory surgery centers, examined both sides’ production requests after the defendant asked the plaintiff to go through the terabyte of data

it had produced to identify which documents were relevant to its requests. However, the court did not appreciate the request.

First, the court said that being “mired in continuous disputes over the appropriateness of discovery served and the adequacy of responses” for “six months ... is not what the Federal Rules intended.” Thus, the court’s ruling called the defendant’s requests “omnibus requests” and said that they were “improper on their face.” It also criticized the defendant for not trying to tailor definitions of requests to the specific case as well, often including boilerplate terms such as “including, without limitation, any [long list], or any other person(s) acting or purporting to act with or on behalf of the foregoing.” **END**

RETENTION

Most UK Businesses Keeping Too Much Data

Seventy-five percent of businesses in the United Kingdom (UK) can’t differentiate between a record that must be retained and data clutter, according to a recent survey conducted by Crown Records Management.

The survey, which polled IT decision makers in UK organizations with more than 200 employees, also found that:

- 55% do not have an e-mail retention policy in place.
- 58% do not audit their paper-based data regularly or destroy data that is no longer required.
- 60% do not regularly review what data is stored in the cloud or onsite.
- 64% do not filter what goes into the cloud.
- 76% do not have systems in place to help them distinguish between records that must be retained and other information.

“These results suggest businesses still aren’t wising up to the importance of basic common-or-garden records management principle despite the high level of publicity for breaches,” said Mike Dunleavy, head of customer development and experience at Crown Records Management, in a news release.

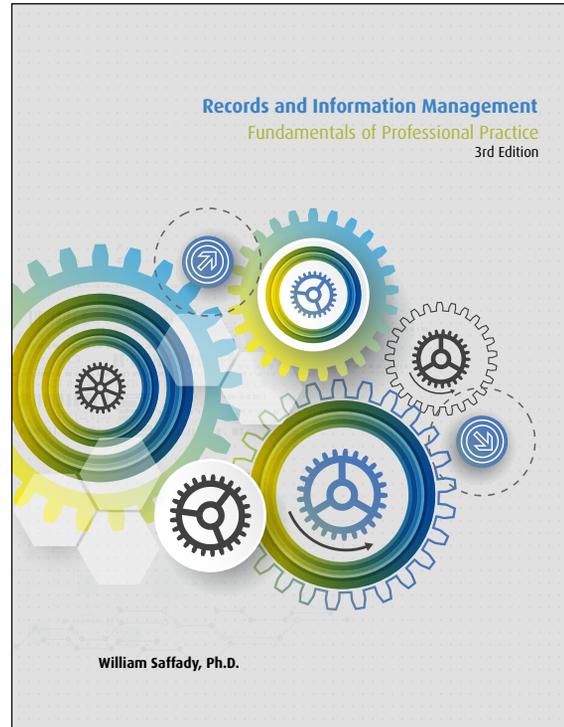




NEW in the Bookstore

Records and Information Management: Fundamentals of Professional Practice, 3rd. Ed.

William Saffady, Ph.D.



The new edition of this best-selling text has been thoroughly updated and expanded to include more international content and to cover topics not in previous editions, such as information governance and data protection. It is the “go to” book for newly appointed records managers; experienced professionals who want a review of specific topics; supervisors who oversee records management functions; decision makers who develop strategies and tactics for managing information assets; and for students in records management or allied disciplines, such as library science, archives management, information systems, and office administration.

A5026 **\$85.00** Professional members: **\$60.00**

V5026 PDF **\$80.00** Professional members: **\$55.00**

Order online today! **BOOKSTORE** ARMA INTERNATIONAL

www.arma.org/bookstore

Innovative Ideas for **Making IG Happen!**



Five case studies highlight how records and information management professionals recognized and seized opportunities to enlighten their organizations about the power of information governance (IG) by taking innovative and practical actions to link IG to their organizations' bottom line.

Susan Cisco, Ph.D., CRM, FAI, and Sue Trombley, IGP, FAI

The benefits of information governance (IG) are now acknowledged by most industries, and most agree that records and information management (RIM) is *not* a synonym for IG but rather a component of IG, alongside compliance, e-discovery, privacy, and security.

That said, IG program adoption in organizations of all sizes is lagging. The degree to which they embrace IG varies widely; many adopt only components of the IG framework in organizational silos, which undermines their organizations' ability to effectively mitigate risk, cut costs, and leverage the value of information.

While it is ideal to have an IG council and/or chief information governance officer to help ensure enterprise-wide IG program implementation, the chance for those positions being established is slim when there is a lack of understanding, sponsorship, or resources. It is important for RIM professionals facing these obstacles to help their organizations institute the components of IG in the best way they can.

RIM Must Take the Lead

To make further progress, RIM professionals must work strategically to raise awareness of the importance and value of a comprehensive IG strategy. This is made apparent by Iron Mountain's 2015 research "Overcoming the Disconnect: Establishing Shared Ground between Records Managers and Business Leaders," which indicates 83% of European and 70% of North American employers don't know what RIM professionals do. In return, more than half of those RIM professionals surveyed admitted they are not sure what their senior leaders or other functions across the enterprise expect of them.

Align IG with Business Goals

First and foremost, RIM professionals must understand their orga-

nization's business goals. In almost every publically traded and private business, revenue generation will be at the top of the list; the demands of shareholders and investors must be met for continued success. For governments, meeting the needs of the citizenry is tantamount. So, it is logical that savvy RIM professionals align their programs' activities with being profitable, staying competitive, and delivering on a mission statement.

This article shares five case studies about what some RIM professionals have done to enlighten their organizations about the power of IG and discusses the vital role they played through innovative and practical actions.

They highlight unique drivers for IG and the "hooks" these professionals used to successfully link IG to the bottom line. Sometimes their hook was carefully planned, while other times they seized on an unexpected and serendipitous occurrence. Though these cases are taken from organizations in specific industry sectors, their lessons are applicable across industries and are meant to stimulate readers' thinking about how to promote IG within their own organizations.

Case 1 IG Improves Information Availability

Who would have thought the 2015 record snowfall in New England could be the trigger to raise IG awareness and institute new practices? For years the RIM staff at a particular law firm had advocated for attorneys to become less reliant on paper to manage their cases. The enduring culture of the practice, though, was to be present in the office with records stored in efficient filing systems. When attorneys ventured out of the building, they carried a briefcase full of paper files.

When significant snowfall disrupted or halted transportation into the office for consecutive days, casework was negatively impacted; attorneys

simply had no access to files they required to deliver on client commitments. Suddenly, attention shifted to the notion of imaging client files and storing them in a secure but accessible and collaborative content management system – the domain of the RIM staff, who seized the initiative.

Along with creating specifications and leading vendor selection activities, the RIM team participated in updating the mobile use policy and conducted training to ensure information is protected according to policy and client expectations. All of these undertakings have raised the firm's awareness of information availability and protection – and about the strength and relevance of the RIM team.

Case 2 IG Streamlines Processes

In the oil and gas industry, commodity pricing has diminished budgets and the ability to commit resources to new projects. Many exploration, production, and oilfield services companies have reduced head count, eliminated new hires, and delayed or cancelled technology purchases.

Forward-thinking RIM professionals have adapted to the boom and bust cycles of the industry by viewing the disruption as an opportunity to streamline enterprise policies and processes with a focus on efficiency gains and productivity improvements. Following are four examples of such thinking.

Consolidating Technology Platforms

Storing information in isolated platforms undermines an organization's ability to effectively mitigate risk, cut costs, and leverage the information value. To save money and reduce risk, RIM and IT collaborated to identify all platforms and then applied retention and security controls as applications and systems were consolidated and obsolete systems were decommissioned, eliminating

unnecessary licensing fees and maintenance costs.

Being Involved in Mergers, Acquisition, Divestitures

A downturn in the oil and gas industry creates merger, acquisition, and divestiture (MAD) activity as companies consolidate to manage scarce resources. Earlier MAD initiatives had created separate work teams of due diligence business analysts, legal counsel, internal business experts,

oil and gas industry seek opportunities to raise the visibility and priority of RIM. In this cycle's "bust," streamlining policies and processes, whether through consolidation of technology platforms, streamlined retention management, or collaboration on MAD teams, is proving to be successful.

Case 3 **IG Ensures Compliance**

Consulting firms are expected to meet and prove compliance with their

minimal centralized control, the RIM manager assembled regional records managers who agreed to put a plan in place to standardize and "globalize" their records retention schedule to answer the call for consistency.

In this example, the assertive actions of a seasoned RIM professional helped jump start his firm's IG program.

Case 4 **IG Controls Risk**

Financial services have been on the front line of strict regulatory control for years now, and there are more regulations on the horizon with the prospect of even heavier fines. According to the U.S. Securities and Exchange Commission's (SEC) "FY 2016 Congressional Budget Justification," the SEC is planning to hire 225 additional examiners this year, primarily to conduct additional examinations of investment advisers and other staff.

Given the intense scrutiny by regulators, shareholders, and customers, RIM managers at some of the major financial services institutions in the world have joined with their compliance and internal audit teams to create a set of "controls" for major RIM functional categories, such as disposition, vendor management, and privacy and security. Controls equate to RIM policy requirements, and each has a risk-rating system.

Lines of business are required to conduct a risk self-assessment to identify problem areas and, working with the RIM team, drive the implementation of corrective actions to prevent, resolve, or mitigate key operational, legal, compliance, and reputational risks and costs.

The RIM leaders in each establishment contributed their subject matter expertise in the creation of the risk framework; the compliance and internal audit teams did not have the depth of knowledge in RIM and IG to create the controls or determine their risk rankings.

...the assertive actions of a seasoned RIM professional helped jump start his firm's IG program.

and IT systems support, as well as "islands of information" that left information assets at risk of being orphaned or lost.

RIM leaders presented executive management with a strong business case for involvement in the earliest phase of the MAD life cycle to set realistic expectations in merging or divesting information assets. When MAD teams are formed now, RIM is part of the core team working in unison throughout the MAD life cycle.

Streamlining Retention

RIM professionals streamlined records retention schedules into fewer record series/categories and made sure legal research was up-to-date. If there was no policy on how long to retain the "not records," they engaged with audit, compliance, IT, legal, and the business units to establish organization-wide retention rules for temporary and work-in-progress information – i.e., an information life cycle.

Planning for the Turnaround

The recovery is inevitable, and RIM professionals are looking to the future and planning for the additional workload that is sure to come with the turnaround.

In boom or bust, RIM leaders in the

clients' increasingly rigorous requirements for protecting their information. And if the firm is global, clients also require a consistency of practice across all the locations in which business is transacted.

One firm's savvy RIM manager recognized that satisfying these client demands is crucial to the firm's ability to retain client business in a highly competitive environment. Armed with years of global RIM expertise, he reached out to the firm's compliance and audit teams to offer his services.

The RIM manager conducted workshops to describe how RIM best practices could help produce content for audits and ensure that proper processes for protection and management are in place. This involved discussions about taxonomy updates, content repository usage, and e-mail policy revisions.

Barriers to defensible disposition were explored and a new process adopted to enable more timely and compliant destruction of records. Lastly, refresher training was conducted to remind employees of their RIM responsibilities for both client and firm content.

Although the firm is essentially an aggregation of local practices with

Case 5 IG Protects Intellectual Assets

Within the pharmaceutical and life sciences industry, MAD can seem like a daily occurrence. To remove some RIM inefficiencies and inconsistencies during these complex transactions, the RIM group leader at a global pharmaceutical company made sure she had a place at the MAD table.

In addition to a company's talent, products, manufacturing facilities, and sales and distribution outlets, its records are valuable because they often contain intellectual property, such as research, formulations, clinical trials, and more; they are, in fact, business assets.

Armed with this knowledge, the RIM leader engaged the MAD team and created a process that supports the identification of records of value, paper and electronic, in order to ingest them into the receiving systems of record with the proper tags and security classification codes.

They also reviewed which information (including databases and records) can be disposed of based on a redundant, obsolete, and transitory – often referred to as ROT – analysis and records retention schedule rules, reducing the volume of information they take in from the acquisition.

The RIM team is now involved from the beginning due diligence phase of MAD through the integration of the assets and beyond, including training new employees on the company's RIM program.

Another tactic to extend a RIM leader's value to the bottom line is to collaborate with other companies to broaden and enhance each company's network of IG experts. The Pharmaceutical Records and Information Management Organization (PRIMO) is a membership consortium committed to developing and advancing RIM programs in the industry. Members have learning opportunities quarterly with roundtable meetings and board

meetings that include presentations by experts in the IG field.

PRIMO develops compliance tools, including a model records retention schedule focused on the records of biopharmaceutical companies with retention recommendations based on legal and regulatory considerations.

Lessons Learned: 3 Best Practices

The five case studies highlight that different triggers can be used to raise awareness of IG and different tactics can improve IG controls, even in lean times. Emerging from these case studies are three practices RIM professionals can use to identify opportunities for improving IG and supporting colleagues through disruptive times of change.

Leverage Business Disruptions

When significant snowfall disrupted a law firm's business, RIM staff seized the opportunity to shift attention to imaging client files and storing them in a secure but accessible and collaborative content management system. A downturn in the oil and gas industry refocused the RIM team on streamlining policies and processes.

External collaboration will broaden and enhance your organization's network of IG experts.

Collaborate Internally

Improve IG controls through internal collaboration. In financial services, the threat of increased regulatory scrutiny compelled RIM managers to engage their compliance and internal audit teams to create a set of RIM controls for major RIM functional categories.

At the consulting firm, the RIM manager assembled regional records managers to put a plan in place to standardize and "globalize" their records retention schedule.

The RIM leader at the pharmaceutical company engaged the MAD team and is now involved from the beginning due diligence phase of MAD through the integration of assets and beyond.

Collaborate Externally

External collaboration will broaden and enhance your organization's network of IG experts. The pharmaceutical industry has its PRIMO consortium. ARMA International and AIIM provide industry-focused networking opportunities to benchmark IG best practices and lessons learned.

RIM professionals in the utilities industry established URIM monthly telephone conference calls more than 15 years ago, according to Gail Ann McCreary, a retired Certified Records Manager. URIM members have contributed to more effective regulations and standards by communicating shared goals to regulatory and standard-setting bodies at the federal and state levels.

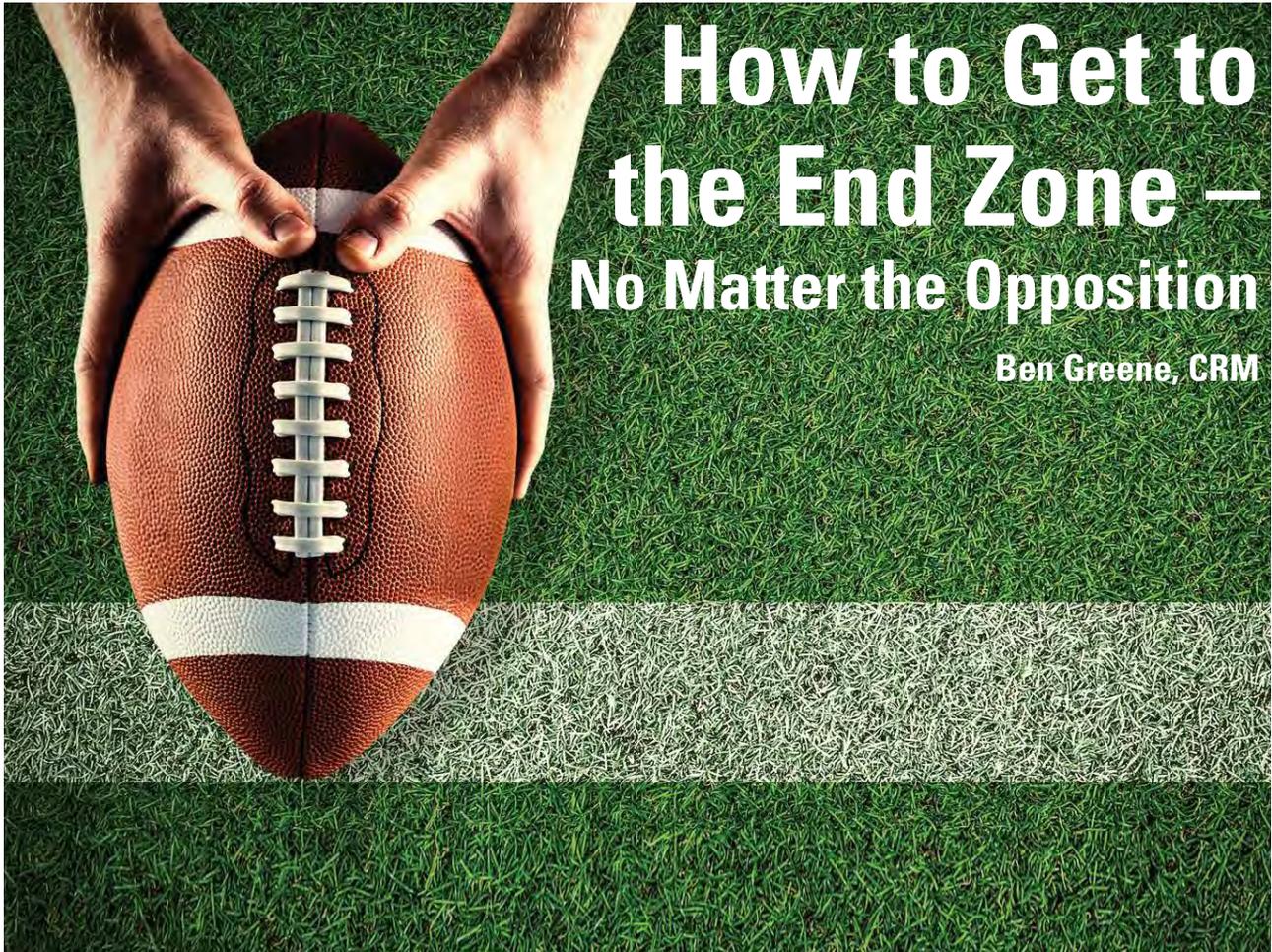
Seize Any Advantage

The moral of these stories is to seize any advantage that helps raise awareness of IG. Align with business priorities, in particular those that

relate to revenue generation. Take full advantage of the emerging best practices to breathe life into your own organization's IG journey. RIM professionals now know that IG is more than just hype; it's a necessity for organizations to retain their competitive edge. **END**

Susan Cisco, Ph.D., CRM, FAI, can be contacted at Susan.Cisco@gimml.com. Sue Trombley, IGP, FAI, can be contacted at sue.trombley@ironmountain.com. See their bios on page 47.

Quarterbacking a PST Reduction Project:



How to Get to the End Zone – No Matter the Opposition

Ben Greene, CRM

Microsoft Outlook's capability to store e-mail as personal storage table (PST) files on users' local drives has freed space in employees' e-mail boxes and has been widely used by many organizations. But managing PST files is difficult and expensive, and many records and information management professionals are looking to reduce PST use significantly. Learn how to take the lead in this reduction effort and ensure that your team makes it to the project's end zone.

For years, organizations eagerly adopted the Microsoft-provided capability that allows Outlook users to store their messages, calendar appointments, and other items as personal storage table (PST) files, or personal folders, on their local hard drives rather than in their mailboxes. While this helped alleviate mailbox space constraints and allowed users to store their content longer, many information technology (IT) and records and information management (RIM) professionals are now eager to rid their environments of PSTs. The reasons are numerous, but two large issues are:

1. PSTs are susceptible to loss or corruption if there is a hard drive crash or malfunction unless they are backed up, which can be expensive to manage.
2. PSTs contribute to the vast amount of stored e-mail, which is the most frequently requested data in litigation proceedings, making it more difficult and expensive to find the e-mails that are responsive to the legal matter.

While some organizations have already reduced their PST landscape through good planning and effective teamwork, many others have either just begun or have yet to begin what is a two-step process:

1. Block employees' ability to create new PSTs or save messages to existing ones.
2. Remove PSTs from the systems.

To borrow an analogy from American football, the RIM professional is the “quarterback,” or the most important player on the field, when an organization goes on the offensive to tackle the problem of reducing its PST environment by blocking PST file creation. Adopting some of the following strategies of successful quarterbacks can also help RIM professionals “win the game.”

Perform due diligence to identify any obstacles, determine how to manage those obstacles, and document what steps will be needed to be successful on game day.

Know When to Stay on the Bench

A quarterback who is not ready on game day shouldn't even step on the field. Neither should those that haven't identified an alternative location for employees to store e-mails. If the ability to create PSTs or save messages to existing ones is taken away without providing an acceptable location for saving e-mail, employees will save them in “out-of-bounds” locations, defeating the initiative.

Depending on the desired level of management over employee e-mails, an alternative location could be a records management system (RMS), a recently expanded e-mail system, or possibly even department shared drives.

Records Management Systems

Using a designated RMS may be the best choice from a records management perspective, but implementing it will surely have the most employee impact, possibly requiring lots of training and technology dollars. If an organization already has a designated RMS that has desktop integration and works well with its e-mail system, then by all means it should throw the ball long and go for the 80-yard touchdown.

Expanded E-mail System

With the advent of cloud storage and technologies and basic data storage costs overall being lower, employee mailboxes are becoming increasingly larger. This author's mailbox size is 400 times larger than it was just four years ago, and this is not uncommon. Organizations are paying for that space, so why not use it?

Department Shared Drive

While using a department shared drive would not be a RIM professional's preferred choice, an argument can be made for it being a better choice for e-mail storage

than creating PSTs, given PSTs' corruption issues and the real-life occurrences of employees losing important e-mails due to hard drive crashes. Another benefit of this approach is that the IT group is already backing up and managing the organization's network shared environment and would prefer not to have to back up personal space storage – if the group is even doing that at all.

RIM professionals should collaborate with their technology and desktop teams to identify which location is best for their organizations, as they will know what changes

are coming, which could save a lot of time. For example, if the IT team is going to double the size of mailboxes in two years, that would likely impact the plan for handling PSTs.

Remember, if a repository hasn't been identified that will replace PST storage, stay on the bench and “sit this one out.”

Prepare Properly for the Game

Remember the five Ps in the well-known adage “Proper preparation prevents poor performance.” Successful quarterbacks must prepare properly if they are to be successful on game day. There is a saying in football that “Games are won in the film room, not just on the field.”

The same is true for RIM professionals when it comes to a PST reduction project (or any project for that matter). Proper preparation puts them in the best position to win. Perform due diligence to identify any obstacles, determine how to manage those obstacles, and document what steps will be needed to be successful on game day, whether that is the day of pitching the PST project to a manager for approval or the day of communicating the plan to employees. Either way, preparation includes the following steps.

Define a Realistic End Objective

A quarterback's end objective is always the same – score points on offense. RIM professionals are not so lucky. It takes a little more effort to define objectives and ensure that they are realistic. The end objective should not be to *eliminate* PSTs from the environment, as there likely will be cases where some PSTs must remain, such as PSTs that are subject to legal hold. The objective, instead, may be to eliminate a certain percentage of PSTs or a certain category of PSTs (e.g., those with no known owner or those that have not been accessed for a certain period of time).

Evaluate the Opposition

When preparing for a game, quarterbacks spend more time evaluating the opposition than they do their own team. In the same way, RIM professionals must identify those individuals or teams that may have objections to the PST reduction effort and want to “sack” it. Pinpointing and meeting with these individuals to learn about their needs and address their concerns are as important to the project’s success as is having support from the legal or compliance teams.

Pinpointing and meeting with these individuals to learn about their needs and address their concerns are as important to the project’s success as having support from the legal or compliance teams.

This is where an interesting twist comes into play. Quarterbacks do not study film of the opposing team’s coaches, but rather the actions and tendencies of individual players. So, when evaluating the opposition, spend time understanding the baseline employees’ needs and not just their managers’ needs. Often, coaches will listen to and make decisions based on their players’ feedback, so gaining the support of individual contributors for the project makes it more likely that their managers also will support the project.

Get to Know the Project Team

How quarterbacks direct an offense depends on which players take the field alongside them on game day, as a successful offense requires them to effectively utilize their players’ talents.

In the same way, RIM professionals must develop their game plans based on the talent and resources they have available to them, not on an idealistic approach. For example, they must take time to understand the work habits and strengths of those on the communications and technology teams who will be helping them push the PST reduction effort forward. If they can’t get what they need from their teams, they may have to go to back-up players, but that is only as a last resort.

Assess Negative Impact

Quarterbacks must assess how certain decisions they make might impact their team in a negative way on game day. RIM professionals also must assess the potential negative impact when they begin blocking and ultimately removing PSTs from their environment.

Employee Impact. An entire article can be written on the various impacts blocking and removing PSTs could have on employees, but this article will focus on just the

emotional impact. Employees often will be upset when the way they deal with e-mail is affected, even if they are provided an acceptable alternative. RIM professionals should not underestimate the emotional impact this change may have on employees; they need to listen to employees’ concerns and be empathetic.

Technology Impact. Blocking PSTs by group policy will affect certain employees’ ability to do their jobs effectively, so there must be an exception process for certain functions, such as the following:

- Forensics – Employees who provide forensic and investigative data services must be able to continue to export data to PSTs for delivery to the requesting team.
- Legal/Human Resources/Audit – These teams are typically involved in discovery and other investigative actions that require their ability to open and view messages contained in PSTs.
- Desktop Support – The desktop support team will need to be able to export data into PSTs to perform services on employees’ computers.

In addition, some temporary exceptions likely will be needed. For example, a manager who needs to access an old PST from a former employee will need access, and an employee who is on leave of absence and can’t perform necessary activities before PSTs are removed will need to be excluded from the process temporarily.

Playing the Game

Those who have properly prepared by taking the steps described above are ready for game day! Just like quarterbacks, RIM professionals have a number of responsibilities once the “game,” or project, has begun. They must:

Watch the Clock

Quarterbacks must constantly watch the game clock when the offense is on the field because they have only a certain amount of time to start each play. RIM professionals that are responsible for implementing PST changes need to be aware of how much time they need to give employees between announcing the changes and beginning the technology implementation.

Depending on their organizations’ culture, employees may need as little as a few weeks to as much as a year before the changes are enacted. In general, though, this author has found success by waiting 90-180 days after an-

nouncing the change before taking the first step of blocking PSTs and then waiting another 90-180 days before taking the second step of removing the PSTs.

Call Audibles

After an offensive play is set in the huddle, quarterbacks sometimes see from the way the opposing team lines up that they need to change the play at the line of scrimmage in what is called an *audible*. RIM professionals also may need to call an audible, adjusting the plan in response to

Whether it is having to adjust the style of communication or the implementation timeline, don't be afraid to quickly adjust the plan to get the project back on course toward the end zone.

how their organization is absorbing the impact of reducing PSTs. Whether it is having to adjust the style of communication or the implementation timeline, don't be afraid to quickly adjust the plan to get the project back on course toward the end zone. As in football, sometimes an audible is more successful than the original plan would have been.

Monitor Progress

No matter whether leading or trailing, quarterbacks and their coaches are constantly watching their electronic tablets while on the sideline. Quarterbacks are looking for things they may not be able to see while on the field and reviewing plays to determine if adjustments are needed.

Likewise, RIM professionals should continually monitor the progress of their PST reduction projects to ensure that they are keeping current with project activities, technology developments that could impact how group policies are pushed out, and the amount and type of calls the help desk is receiving from employees. This will allow them to adjust the plan quickly when warranted.

Serving as the 'Face of the Franchise'

Quarterbacks are often called the "face of the franchise." As the designated leaders, they are required to meet the media – win or lose – and they have off-the-field responsibilities that other players don't have. Similarly, RIM professionals need to be the face of their PST reduction projects by being visible in the following types of ways:

- Make presentations and conduct training for employees.
- Set up a table in a commons and be available to respond to employees' questions and concerns.
- Set up a designated e-mailbox for employees' questions and answer at least some of the inquiries – particularly the difficult ones – personally.

Counting on the Whole Team

While quarterbacks may be the most crucial player on their team, being successful requires the efforts of the entire team. Reducing PSTs also takes a full team. As an example, one organization that undertook this effort had the records manager as quarterback and had supporting players from the following functions: computer forensics, litigation, compliance, project management, desktop computing, corporate communications, SharePoint support, human resources, and IT infrastructure. Why so many players?

- The forensics team was asked to identify any impact that blocking PSTs would have on its investigation and e-discovery support capabilities.
- The litigation folks needed to approve the plan for blocking and reducing PSTs so there was no accidental deletion of matter-relevant information.
- A project manager was assigned to help with meeting schedules and other administrative tasks.
- The communications team drafted and disbursed employee communications.
- SharePoint support assisted with creating an effective exception request and approval workflow process.
- IT infrastructure and desktop computing teams played obvious roles in implementing the technology changes.
- Human resources assisted with communicating the changes to the non-employees who had company e-mail boxes.

The positive of having this many groups involved was that "no stone was left unturned," and valuable input and feedback were received. The challenging aspect was that each team or individual had its own priorities, and managing them within the scope of the project took much skill. Like quarterbacks, RIM professionals have to manage people as well as know their "Xs and Os."

Being Successful

Unlike quarterbacks, who have to be born with athletic ability to become star athletes, RIM professionals can become well-skilled in the strategies and tactics needed to ensure that their PST reduction efforts will be successful. They just need to prepare diligently, keep their head in the game, and adjust the plan when needed. **END**

Ben Greene, CRM, can be contacted at bgreene@landolakes.com. See his bio on page 47.



NOW SHOWING WEB SEMINARS

What's Your Type?



Regardless of how you define yourself, there's a web seminar series for you! Visit the ARMA Bookstore to catch up on what you missed at **ARMA Live! Conference 2015**.

Reg: \$479 Pro: \$349

View online now! **BOOKSTORE** ARMA INTERNATIONAL

www.ama.org/bookstore

Click on "Web Seminars" or search for ARMA 2015



Applying Archival Appraisal Concepts to **Information Lifecycle Management**

Information is the real currency of business today; without it, organizations cannot function. As the value of information transcends and exceeds the value of currencies, records and information management (RIM) professionals are poised to become the new chief financial officers. By integrating archival appraisal methods into their practice, RIM professionals can ensure their organizations are not bogged down with obsolete materials, have the best information, and get more value from it by using it for secondary purposes.

Stephen Cohen, CRM

There is much for records and information management (RIM) professionals to learn from their counterparts in archival administration. It is archivists' efforts to cull the 95%-98% of materials that are not of enduring value to get to their repositories' archival core that transcend their field. Identifying, analyzing, and selecting just those materials that fit the collecting scope are known as *archival appraisal*, or simply appraisal.

People traditionally think of appraisal as an expert assessing the market value of something of potential con-

siderable value, such as a diamond ring or a house. But, it happens in all facets of life; we are a culture of appraisers. Anytime we go to buy or sell something, we perform an appraisal at some level – whether it be measuring, assessing, and comparing brands of butter at the supermarket, shopping around for a car, or even clearing out the attic.

This last example – sifting through the accumulations of life to determine what can go away and what still has value and needs to be kept – is closest to the type of appraisal performed by archivists.

Building Blocks for Appraisal

Context is crucial to performing a sound appraisal. So, before appraisal can begin, the appraiser must first determine the material's "who, what, when, where, why, and how" to build the context for understanding the value and purpose of the information. In an archival setting, these questions are consolidated into a few foundational concepts, as follows.

Provenance is defined by the Society of American Archivists as "The origin or source of something." Provenance ties to appraisal as it authenticates the source and custodians, ensuring the veracity of the information. The term is often heard in auction houses and museums where artifacts are verified through their records of ownership and custodianship. *Provenance* answers the "who," "when," and "where."

As stated by Luciana Duranti in *Diplomatics: New Uses for an Old Science*, *provenance* also "leads us to evaluate records on the basis of the importance of the creator's mandate and functions, and fosters the use of a hierarchical method, a 'top-down' approach..."

Respect des fonds, literally "respecting the group," means that each group of records must be understood for what it is and not be conflated with other groups or subdivided. Each fond is a distinct group with its own distinct set(s) of records series and must be treated separately. *Respect des fonds* answers the "what."

Original order refers to the way in which the information was kept and used by its custodian. It aids in identifying information within a group, understanding decision-making and thought processes, and proving that the information is genuine. *Original order* answers the "how" and "why."

Using these conceptual building blocks to appraise

sets of information – determining what the information is, where it came from, how it was used, when it was created, who created it, and who benefits from it – enables RIM professionals to determine its value with respect to business needs and regulatory requirements and then to calculate how long it needs to be preserved before it starts to pose a risk.

In most instances, information's business value is exhausted before its legal value. Once both are exhausted, the information ceases to be useful to the organization and should then be appraised for permanent disposition – generally destroyed or transferred to the archives.

Archival appraisal concepts are readily transferrable to any environment where information is kept. Use the following steps.

Step 1: Identify the Fonds/Groups

The first step in appraising information is to understand the grouping of the set or series of information, or respect des fonds. In other words, determine the information's "what." The grouping into fonds is organic, representing how the business is organized and not how someone thinks it should be organized. It is not the role of RIM professionals to re-arrange information so it fits some other need, as this would disrespect the group.

Provenance and original order, with their traceable chain of custody, authenticate and verify the information within the fonds that is needed to perform appraisal.

The larger the organization, the greater the division of labor and the easier to see the different fonds and their records series. Ideally, the organization chart will match 1:1 to the fonds or at least be close to that ratio. Each fond corresponds to a distinct department or function, as shown in Table 1.

Fond/Function	Group/Department
Hire and Maintain Employees	Human resources, recruiting
Pay Employees	Payroll, benefits
Plan	Budget, executive leadership, steering committee, board of directors
Provide a Place to Work	Facilities, real estate
Ensure Employees Have What They Need to Perform Well	Procurement, IT, mail, training records/archives, library/research
Secure Assets	Security, legal, compliance
Track Profit and Loss	Accounting, accounts payable/accounts receivable, budget, investment, tax
Charity	Foundations, pro bono programs, outreach programs

Table 1: Relationship Between Fond/Function and Group/Department

The list of funds is somewhat flexible depending on the size and scope of the organization, but each fund needs to be at a high-enough level so it is easy to see the main functions/components of the whole organization.

Be mindful that some sub-groups may be embedded into another part of the business due to political and structural whims instead of with their logical group and, therefore, they will be out of synch with the fund in which they fit. For example, the chief operating officer often has a few distinct functional groups, such as human resources, security, and facilities.

Step 2: Identify Each Fond's Records Series and Sub-Series

With the funds identified, the next step is to understand the records series within each fund and their context with respect to the entire organization and within their functional area. This determines the information's "where, when, why, and how."

Since the fund identification effort made clear what the departments within a group do and the funds to which they belong, the series and sub-series within each fund will also be clear and logical. For example, as shown in Table 2, HR will typically have series for recruitment,

narrow buckets mired in item-level detail, which can result in information being overlooked – as can be the case with schedules created at the sub-series level.

Deciding at what level to create retention schedules is subjective and should be based on the breadth and complexity of the organization. Large, complex organizations are better suited to working at the series level, while smaller, simpler businesses could potentially develop schedules at the funds/group level.

Develop the schedule at the level of detail (i.e., fond/group, series, sub-series) that it will be the most useful and operable by the offices responsible for the information. The important thing is to be able to match records series to a distinct functional group that has ownership of them, so the same group has responsibility for both maintaining the series and managing the information through its disposition.

Determining the "who, what, when, where, why, and how" of each series will not only help in the primary goal of thinning the information volume, it may provide other opportunities. For example, it will be easier to see the types and flows of information and identify what information has value for reuse in other areas, such as for knowledge management.

Fond/Function	Group/Department	Records Series	Records Sub-series
Hire and Maintain Employees	Human resources, recruiting	Recruitment	Training
		New Hires/Employees	Evaluations
		Terminations	Compensation

Table 2: The Relationships Between a Fond/Function and Its Records Series and Sub-series

new hires/employees, and terminations. There also may be sub-series for training, evaluations, and compensation if these are not managed by separate and distinct departments within the HR group.

The complexity of the series level depends on business practices as well as the organization's legal/regulatory requirements. Large and multilayered organizations generally require a greater analysis of groups and sub-groups, each with its own series and sub-series, while smaller and simpler organizations are more readily suited to the fond more closely matching the CEO example given above with its few distinct functional groups, such as human resources, security, and facilities.

Establishing Retention

Retention rules can be established at the series level. This will result in neither overly broad buckets, which can become complicated and difficult to use – as can be the case with schedules created at the funds level – nor very

Step 3: Determine the Value for Each Series

Information can possess an array of values, and these values are not mutually exclusive. For organizations, all business records fit under the "administrative" value category, which is often further subdivided into "operational," "legal," "financial," and "historical." These are more nuanced subsets which often possess specific retention and disposition requirements set by regulatory bodies.

Defining Appraisal Values

According to Maygene Daniels, in the 1984 National Archives and Records Administration Glossary, the main appraisal values are administrative, intrinsic, research, and evidential, as explained below.

Administrative value is the value of records for the ongoing business or its successor in function (e.g., articles of incorporation, payroll records, project files, leases).

Intrinsic value refers to the qualities and characteristics of records in their original form (e.g., Abraham Lincoln's

own handwritten Gettysburg Address).

Information with intrinsic value in most organizations will generally be in the form of wet signature agreements, diplomas, and certificates. Depending on the business, there are other instances where the physical state of an item itself has informational value, such as a design firm's carpet and tile samples. Intrinsic value adds a dimension of knowledge that is necessary to understand the information/object. Historic and archival records are a subset of this value.

Research value is related to information on persons, places, subjects, and things other than the operation of the organization that created them (e.g., subject files, lab notebooks).

Research value is the value beyond the information's primary intent for existence, giving it a secondary value. Knowledge management comes into play here, which will affect the weight of the research value in an appraisal.

An organization that looks at its information from an appraisal perspective will see its inherent value and be able to make the most from it.

Evidential value refers to the documentation of the operations and activities of the organization.

Weighting Appraisal Values

Each of these values is considered independently, subjectively weighted, and then combined to establish the appraisal. There is no prescribed formula, but weighting these values is not as hard as it sounds. Just like people depend on the context of the materials found in the archaeological digs of their attics and basements to determine their value, RIM professionals depend on understanding the fonds and records series in their organizations and how they fit together to determine business information's value.

Nearly all corporate organizations use administrative and evidential value with risk analysis to produce their records retention schedules. They basically ask themselves, "What do we need to memorialize our decisions, stay out of trouble with regulators, keep off the front pages of newspapers, and make a profit?"

There's not much appraisal in this approach since it focuses more on risk than value. Appraisal emphasizes value and use. It looks at both the negative (risk and loss), as well as the positive (increased productivity and profits), and weighs it all in a big picture way to make the organization better.

Equally considering all information values to determine the correct retention for each records series is the nexus of appraisal. This is akin to the archives' collection policy,

which clearly states what the repository seeks to acquire – what is to be kept and how it should be maintained and made available – as well as what it does not want – what is not to be kept at all and what is to be kept for only a defined period of time and then disposed.

The clarity and transparency of the collection policy make the archives appropriately responsible for what it has, what it does not want, and how and when it can dispose of unwanted materials. RIM professionals can use this same approach, applying archival appraisal to corporate information.

Step 4: Incorporate Appraisal Analysis into Policy

The culmination of the values analysis sets the appraisal, which is then embedded into retention policy. Just stating what needs to be retained and for how long is simply not enough; the value of the information has to be

indicated, as well as the context for how the information is valuable to the organization. Explicitly documenting the value clarifies the purpose of the information.

Embedding the value analysis into the retention policy transforms the schedule into a corporate collection policy. It then does double duty by explaining what needs to be retained and for how long due to its value, as well as explaining what to destroy and when to destroy it.

This bakes the appraisal process into the retention schedule at the start, bringing transparency to the retention and disposition policy decisions and eliminating the need to make the same decisions over and over. When there are changes to the retention schedules, though, information may need to be reappraised in light of the policy update.

Value Gain from Appraisal

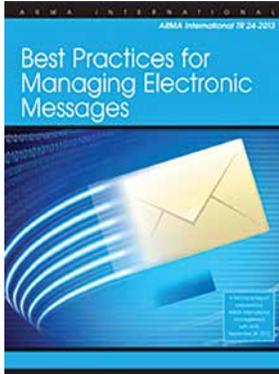
Archival appraisal is a methodology that can and should be applied in more than just the archival setting. An organization that looks at its information from an appraisal perspective will see its inherent value and be able to make the most from it.

For more information on appraisal, visit the Society of American Archivists online bookstore (<https://saa.archivists.org/store/>) or reach out to a nearby archive or historical society. **END**

Stephen Cohen, CRM, can be contacted at scohencrm@outlook.com. See his bio on page 47.



E-mail Management



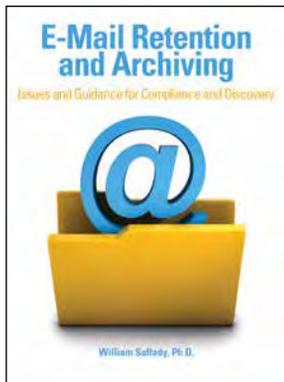
Best Practices for Managing Electronic Messages

(ARMA International TR 24-2013)

This technical report provides current information for managing all types of text-based electronic messages or communication, such as e-mail, instant messages, and text messages.

A4938 **\$55.00** Professional members: **\$35.00**

V4938 PDF **\$50.00** Professional members: **\$30.00**



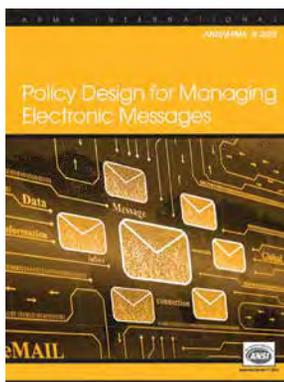
E-Mail Retention and Archiving: Issues and Guidance for Compliance and Discovery

William Saffady, Ph.D.

With its focus on the retention of e-mail to satisfy an organization's legal, operational, and historical requirements, this book will help organizations avoid over-retention problems and simplify the discovery process.

A4965 **\$55.00** Professional members: **\$35.00**

V4965 PDF **\$50.00** Professional members: **\$30.00**



Policy Design for Managing Electronic Messages

(ANSI/ARMA 19-2012)

This American National Standard sets forth the requirements for a policy guiding the management of electronic messages as records throughout their life cycle – from creation to final destruction or disposition.

A4930 **\$60.00** Professional members: **\$40.00**

V4930 PDF **\$55.00** Professional members: **\$30.00**

Order online today! **BOOKSTORE** ARMA INTERNATIONAL

www.arma.org/bookstore

Establishing a Duty to Document: The Foundation for Access to Information

Marc Koscieljew, Ph.D.

Access to information is a bedrock principle of democratic governments and their public agencies and entities. It helps ensure that democratic governments are, and remain, accessible, open, and transparent to their citizens, and it helps enable citizens to more fully engage with, monitor, and hold them to account. Access to information depends upon these public institutions to document their activities and decisions. When they do not, then the citizens' right of access is ultimately denied.

Public accountability and trust, in addition to institutional memory and the historical record, are undermined without the creation of appropriate records. Establishing and enforcing a duty to document promotes accountability, openness, transparency, good governance, and public trust in public institutions.

This article begins a discussion on the concept and practice of a duty to document. It presents a case study of Canada where various federal, provincial, and territorial information and privacy commissioners, along with other public officials, have recommended that a duty to document be enshrined in access-to-information legislation and related statutes and regulations.

The article's main aim is to help illuminate the importance and implications of a duty to document in both access laws and records and information management (RIM) policies to help ensure accountability, transparency, and trust for good governance practices.

A Growing Movement

Across Canada, calls are increasing for the inclusion and implementation of a duty to document in relevant access legislation. For example, since the early 1990s, federal information commissioners have recommended a legislated duty to document in di-

verse venues, including their offices' annual reports, Access to Information Act reviews, and presentations to the House of Commons Standing Committee on Access to Information, Privacy, and Ethics.

Over the past couple of years, moreover, federal, provincial, and



territorial information and privacy commissioners have made similar recommendations. In 2013, for instance, the federal information and privacy commissioners issued a joint statement urging Ottawa to establish a legislated duty to document for all public institutions to record their actions and decisions. In 2015 in British Columbia, the information commissioner's submission to the provincial special committee reviewing the province's access and privacy laws urged that government to impose a duty to document. Similarly, that same year, committees reviewing provincial access and privacy laws in Quebec and in Newfoundland and Labrador called on their respective governments to impose duty-to-document provisions.

A Documentary Obligation

The Canadian federal Access to Information Act establishes access rights to public records of the federal government and its agencies and a formal framework for making and processing access requests. This federal act relies on robust RIM practices to help ensure that Canadians' access rights are handled appropriately. But when public records are not created, let alone preserved, these access rights are undermined, thereby eroding accountability, transparency, and public confidence and trust.

According to the Office of the Information Commissioner of Canada, "access to information relies on good recordkeeping and information management practices. When records are not created or appropriately preserved to document decisions, rights under the Act are denied. This, in turn, prevents government accountability and transparency."

Presently in Canada there is no specific legislation or regulation that mandates a duty to document. There is no legal or procedural responsibility to create records describing

governmental activities, decisions, transactions, etc. The Office of the Information Commissioner argues that "without such a duty [to document], there is a risk that not all information related to the decision-making process is being recorded or appropriately preserved in [public institutions'] information holdings." In other words, without the creation of appropriate records, public institutions' work and results are compromised.

A recent joint resolution of some major actors in the field of Canadian access and privacy legislation expressed concern about a seemingly growing trend of irretrievable records

...when public records are not created, let alone preserved, these access rights are undermined, thereby eroding accountability, transparency, and public confidence and trust.

– that is, records not turning up in response to formal access requests from the public for various reasons, including that they were never created.

These public officials argue that this apparent lack of records presents serious problems. First, it weakens the Access to Information Act and its accountability framework. Second, it compromises public institutions' abilities to be accountable, make evidence-based decisions, conduct sound activities, comply with relevant laws, and preserve institutional memory and the historical record. Third, and arguably most important, it undermines Canadians' right of access to information.

These public officials therefore recommend that recording governmental activities and decisions becomes a legally enforceable obligation enshrined as a duty to document. It must be emphasized, however, that a duty to document does not mean creating *more* records; instead, it means creating and preserving *the right* records

– those that are or should already be a part of regular and routine practices of open, good governance. Further, a duty to document must be enforceable through full implementation, effective oversight, and sanctions for non-compliance.

The Current Patchwork of Requirements

In Canada there is now a patchwork of statutory requirements at different governmental levels to create specific kinds of records in particular circumstances. Indeed, at each governmental level, there are many sets of documentary requirements.

At the municipal level, for example, there are various duty-to-document provisions in municipal laws and regulations. Ontario's Municipal Act, for instance, mandates that local municipalities record their decisions, resolutions, and other proceedings.

At the federal level, there are duty-to-document provisions in various legislative and regulatory areas. For example, federal employment laws and regulations, including the Employment Equity Act and the Employment Insurance Act, oblige the federal government, as an employer, to create and maintain employment and pension records.

The federal Treasury Board's policy on RIM, for instance, requires that government institutions record their activities and decisions to account for their decision-making processes and operations, reconstruct policy and program developments, support workflow continuity, and help facilitate independent audit and review. Further, the Treasury Board has a policy requiring deputy

heads of governmental departments to ensure “that decisions and decision-making processes are documented to account for and support the continuity of departmental operations, permit the reconstruction of the evolution of policies and programs, and allow for independent evaluation, audit, and review.”

The Financial Administration Act imposes a duty to document the financial administration of the government. Specifically, this act prescribes obligations for account keeping of public money and property, and it imposes

Making this obligation [duty to document] a part of RIM helps ensure these records are accessible, reliable, retrievable, and usable for present and future purposes.

duties on various public servants to maintain financial records and prepare financial statements, annual reports, etc., regarding public accounts.

These related, but different, rules and regulations are steps in the right direction; however, they are only piecemeal approaches and less desirable than a comprehensive one.

The New Zealand Model

It is essential that a duty to document is enshrined in relevant federal legislation and further strengthened in sound IM policies and procedures to help ensure comprehensive application across jurisdictions and levels of the public sector.

New Zealand’s federal Public Records Act 2005 serves as a useful precedent for the Canadian case and elsewhere because it establishes a requirement to create and maintain records. It is helpful to present this codified requirement in its full form to show its detailed scope.

According to this act’s recordkeeping requirements, first, “every public office and local authority must create and maintain full and accurate re-

ords of its affairs, in accordance with normal, prudent business practice, including the records of any matter that is contracted out to an independent contractor.”

Second, “every public office must maintain in an accessible form, so as to be able to be used for subsequent reference, all public records that are in its control, until their disposal is authorised by or under this Act or required by or under another Act.”

And, third, “every local authority must maintain in an accessible form, so as to be able to be used for

subsequent reference, all protected records that are in its control, until their disposal is authorised by or under this Act.”

Arguably, this act would be strengthened if it included reasonable sanctions for non-compliance.

Duty to Document Components

A legislated duty to document should ultimately include four major components. First and foremost, it must oblige the creation of appropriate records with the aim of describing the “what” and “why” of public institutions’ activities and decisions.

Second, a duty to document requires practical RIM standards that help ensure these records are accurate, authentic, authoritative, and complete.

Third, a duty to document must be embedded within RIM practices to help routinize the creation, organization, and management of these records. Making this obligation a part of RIM helps ensure these records are accessible, reliable, retrievable, and usable for present and future purposes. Indeed, robust RIM is funda-

mental to any access-to-information framework because it helps establish and support clear workflows and operations, sound decision-making, strong program and service delivery, and accountability.

Fourth, a duty to document needs to be enforceable. There need to be reasonable sanctions for non-compliance and for instances of records being intentionally altered, falsified, mutilated, destroyed, or concealed.

Special Considerations

There are several implications of a legislated duty to document that require closer attention and clarification. This duty, for instance, must be clear and precise enough that public servants properly understand when, what, and how their activities and decisions need to be recorded. They must also understand when, what, and how their documentation efforts, or lack thereof, may contravene this duty.

This obligation must be clear enough that non-compliance sanctions are specific and commensurate with the particular contravention. To begin, there must be a clear distinction between generally poor recordkeeping practices and intentionally bad and/or criminal practices. The possible penalties for non-compliance include disciplinary measures and criminal charges.

Public servants who misunderstand this duty or unintentionally fail to document appropriately are not necessarily engaging in criminal practices; instead, it is more likely they are not meeting administrative standards. Thus, a sanction commensurate with their contravention should probably be disciplinary measures.

But public servants who deliberately fail to create – or who alter, falsify, mutilate, destroy, or conceal – a record would be engaging in criminal practices. Thus, a sanction commensurate with their contravention should probably be dismissal and appropriate criminal charges.

Going Forward

A duty to document does not need to be complicated or cumbersome. When it is incorporated into existing access-to-information legislation and RIM practices, it can become an effective and efficient routine – not to create *more* records, but to create the *right* records. Further, it needs to be enforceable with reasonable sanc-

tions for non-compliance and other contraventions.

This documentary obligation helps protect access rights by creating appropriate and necessary public records, facilitating more open and transparent governance, increasing accountability, fostering public confidence and trust, and contributing to institutional memory and historical

legacy of government activities and decisions. A duty to document, therefore, helps strengthen the business and operations of public institutions and, in so doing, the fundamental democratic principle and practice of access to information. **END**

Marc Kosciejew, Ph.D., can be contacted at mkosciej@gmail.com. See his bio on page 47.



For Your Information

ARMA LIVE! SAN ANTONIO

THE PREMIER EVENT FOR RECORDS MANAGERS & INFORMATION GOVERNANCE PROFESSIONALS

JOIN US!

DEEP IN THE HEART

SEPTEMBER 25-27
REGISTER NOW!



arma.org/conference

Systems Automation: A Way to Reduce RIM Risk

Joao Penha-Lopes, Ph.D.



With executive management's buy-in, information technology (IT) and records and information management (RIM) professionals can collaborate to execute systems automation solutions that mitigate risk. An organization's legal/regulatory requirements, based on its business mandates, can be synchronized with automated processes, which is a crucial benefit in our dynamic, global business environment.

Further, automation can transition paper-based RIM tasks to an efficient, digitally focused environment where activities require fewer personnel and less time to complete. The international case study presented

in this article offers an example of a manufacturing company's efforts to move from paper document processing to a web-based, digital platform using an automated systems solution.

Making the Case for Automation

RIM-related risks can take a variety of forms, including the following:

- Failure to preserve needed documents for litigation
- Incomplete or nonexistent procedures for the use of document archives
- Untimely or accidental destruction of documents
- Lost documents
- Inappropriately indexed documents
- Security breaches
- Obsolescence of document formats or media
- Outdated or incomplete retention schedules

Automated system solutions can improve document flows and enhance an organization's compliance with its RIM requirements and with industry-related legal and regulatory mandates. Risk is mitigated when proper systems and solutions are enacted.

When the manual, hands-on steps of a task are replaced by a systemized, automated process, streamlining can occur. Generally, more output can be achieved with less input. In a paper-based environment, the physical touchpoints where documents are

handled, duplicated, stacked, and stored can be numerous. Each touchpoint represents a potentially risk-laden event. For instance, a document can be ruined by careless handling, it can be misplaced in a disorganized cabinet, or its sensitive information can be revealed to prying eyes as it lays on a desktop. By reducing the number of touchpoints, the opportunities for mishaps decrease.

Exploring the Benefits of Automation

Benefits of document management via automated systems include the following:

- A comprehensive audit trail that includes essential metadata capture; reports can be ordered on an ad hoc or regular basis
- Automatic archiving and indexing of documents following the creation of each scanned, digital image
- Automated version control
- Digital conversion and migration to maintain file accessibility and usability despite evolving technologies
- Improved document security through the use of digital safeguards on a system-wide basis (e.g., encryption and virtual private networks (VPN) for remote access)
- Faster turnaround time for process-related revisions to accommodate changes in the legal and regulatory climates
- More robust lifecycle management with the inclusion of retention schedules as part of the systems platform design
- Fewer human errors due to less physical handling of documents
- Time savings from faster document processing due to less physical handling of documents
- Fewer staff members needed to perform document processing tasks due to less physical handling of documents

- Quality enhancements related to the use of a consistent, standardized process, regardless of staff changes
- Greater options for scheduling flexibility offered by a web-based solution so that telecommuting is feasible
- Cost savings in the long term as document processing requires less labor and time and fewer employees

Today, external storage for backup materials is often in the cloud, providing a risk-tolerable, scalable option for many organizations.

Other Helpful Aspects of Systems Automation

Organizations can use systems automation to track operational metrics. Because many metadata elements are routinely captured in these systems, it's possible to investigate specific components of an operational procedure by selecting unique elements for report generation.

For example, in a post-reorganization scenario, it might be helpful for an organization to examine metadata associated with documents managed by a newly staffed contracts department. It would be possible to determine the amount of time spent on each document by each responsible individual, revealing the efficiency of the process flow from start to finish.

Often, metrics-related reports can be regularly scheduled for creation (i.e., automatically generated by the system) or can be programmed on an ad hoc basis. Careful analysis of these reports can uncover quality improvement areas that lead to cost savings.

While an effective RIM program includes policies related to backups, disaster recovery, and business con-

tinuity, an automated systems solution for document management can bolster these essential components and reduce risk in these areas.

Collaborating with IT, RIM can integrate digital file backups into a solution that recurs consistently within a unified platform. Today, external storage for backup materials is often in the cloud, providing a risk-tolerable, scalable option for many organizations.

In addition, disaster recovery and business continuity can be aided by an automated systems solution that incorporates parallel processing capabilities in an offsite location, far removed from the organization's main base. Mirroring or shadowing techniques also may be deployed to aid with the speedy resumption of business activities in case of disaster.

Potential Drawbacks

For most organizations, the benefits of systems automation (especially in controlling risk) outweigh the downsides. But there are several issues to consider before embarking on such a project. This list has examples of project-related variables that could have a negative impact if care is not taken during planning:

- Cost, such as for consultant fees, vendor fees, and hardware
- Inadequate planning that results in a disappointing outcome
- Disruption to the business while the project is designed, finalized, and implemented
- Insufficient executive management buy-in for the project
- Inadequate training to educate staff at project completion

Case Study from a Global Manufacturer

A corporation in Asia with a large manufacturing hub in western Europe designed and implemented a customized systems automation solution to reduce RIM risk. The corporation wanted the solution to re-engineer a paper-based invoice processing procedure.

The handling of thousands of paper invoices each year had become a drain on time and labor resources. In addition, the antiquated “paper shuffle” brought with it a level of RIM-related risk deemed unacceptable. Executive management approved the project. An external consultant provided design expertise and project management.

Front-end planning was crucial. Stakeholders from many departments were consulted: accounting, executive management, IT, legal, and RIM. It was particularly important for the solution to be compatible with the organization’s enterprise resource planning (ERP) tool. It was decided the solution would be a customized, add-on application for the ERP tool.

Stakeholders examined the steps of the invoice processing procedure:

- Receipt of paper invoices by the accounting department
- Routing of each paper invoice to the appropriate group where cost center and general ledger account numbers are assigned and the receipt of the product or service (associated with the invoice) is confirmed
- Approval by management for release of payment
- Entry of invoice payment data into the ERP tool

Several areas of risk were identified. Most of the risky behaviors concerned the deployment of paper copies during processing. The security of invoices on desks or in briefcases was at risk. Documents could be lost or misfiled. Ink stamping sometimes rendered data illegible. Confidential information could be disclosed

through negligence or carelessness. Further, the timely processing of such a large volume of invoices was another concern, as late payment could result in extra fees.

Result: Reduced Risk, Streamlined Processing

Many automated features to reduce RIM-related risk were incorporated. A high-level summary of those features provides insight into the solution’s design:

- Time was saved and entry errors were minimized because data was scanned (digitized) instead of typed into the ERP.
- Invoices were scanned to PDF and archived at initial receipt, eliminating the need to physically circulate them to internal departments. All paper copies were retained in a single, secure location within the organization.
- To guard against duplication, invoices were validated upon being archived to ensure there was no other document with the same type, name, date, and so on.
- Password-protected access was controlled by employee role or function. Some individuals could *view only*, while others could *view and modify*, for instance.
- Authorized individuals could use a digital signature to approve invoice payment. Captured metadata included the approver’s name, date, and time, effecting non-repudiation of the approval action.
- To incorporate the data into the ERP system efficiently, the automated tool read the PDF and

converted it to an XML file.

- VPN access to the web-enabled system allowed secure, round-the-clock processing; remote staff could work flexible schedules in response to the organization’s needs.
- An audit trail was maintained such that metadata remained linked to the appropriate document and included an access log. With that log, it would be possible to know *when* and *by whom*

VPN access to the web-enabled system allowed secure, round-the-clock processing; remote staff could work flexible schedules...

a document was worked at each stage of the processing procedure.

- Relevant staff were automatically alerted by e-mail when documents were in queue. Special notifications were issued when due dates approached, allowing continual monitoring of on-time processing goals.
- Management was able to gather and analyze metrics and to calculate the total time to process (from invoice receipt to payment issuance). As a result, management could more easily measure performance goals on a monthly, quarterly, or annual basis.

Summary

The case study suggests that systems automation can offer a technologically sound opportunity to control RIM-related risk. It can foster efficiency throughout the organization, decrease reliance on physical media, and help conserve limited natural resources. **END**

Joao Penha-Lopes, Ph.D., can be contacted at joao.penalopes@gmail.com. See his bio on page 47.

IS INFORMATION YOUR ALLY OR YOUR ENEMY?

**NEXT
LEVEL™**

**> information
governance
assessment**

Your business data is doubling by the year. And all this new data can either help you or hurt you. Find out what it's doing for your company with the Next Level Information Governance Assessment. You'll discover areas of strength and opportunities for improvement. In the end, you will be empowered to increase organizational transparency and data integrity while decreasing risk.

Start turning information into an asset by visiting arma.org/nextlevel.

50, 25, 10 Years Looking Back...

Remembering William Benedon, CRM, FAI



William Benedon, CRM, FAI,
circa 1969

Just before this magazine was to go to press, we learned of the April 14 passing of its founder and long-time editor, William Benedon, CRM, FAI, at the age of 92.

Although we acknowledged Bill's 18-year contribution to *Records Management Quarterly* (1967-1984) in the initial "Looking Back" section in January, he made

so many more contributions to the records and information management (RIM) profession and this association for which he should be recognized. ARMA International President Peter Kurilecz, IGP, CRM, CA, highlighted a few of these in a message sent to ARMA members after learning of Bill's passing:

Bill was a trailblazer for our association and profession, serving for two decades as founder and editor of our first periodical, *Records Review*, and its successor, *Records Management Quarterly*; writing the first definitive textbook for the profession – aptly entitled *Records Management*; serving as the association's president in its earliest years and later as the president of the Institute of Certified Records Managers; and being the first person inducted into ARMA International's Company of Fellows.

Through more than 50 years of writing, speaking, training, and mentoring, Bill had a significant impact on the career growth of countless records management professionals and on the development of the records management principles and practices we all use daily. I, personally, saw him as a visionary and a respected voice in records management.

He is remembered on the ARMA International Educational Foundation's website as "one of the founding fathers" of the profession; as the second recipient of the Emmett Leahy Award for his achievements as an analyst and consultant with the National Records Management Council,

and – as supervisor of public records for New Jersey – for writing one of the first records management legislative acts and implementing one of the first state-wide records management programs; and as the originator of ARMA's records management correspondence course.

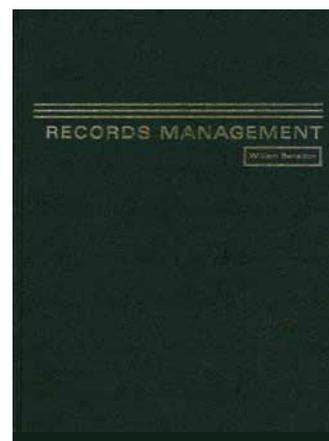
Bill was widely esteemed by those who knew about and benefitted from his life's work. Upon hearing of his passing, several people posted their thoughts about him on the records management listserv, referring to him as "an icon," "one of the GIANTS of our profession," "the best and most influential early RIM mover and shaker in our profession; one of those who truly defined the profession," and "a true pioneer."

In Bill's final editor's message in the April 1984 issue of *Records Management Quarterly*, he said he was stepping down to devote his time and energy to other activities, having satisfied one of his key objectives when he started: "To provide a continuing chronicle of our profession's growth and acceptance as a meaningful approach to information management."

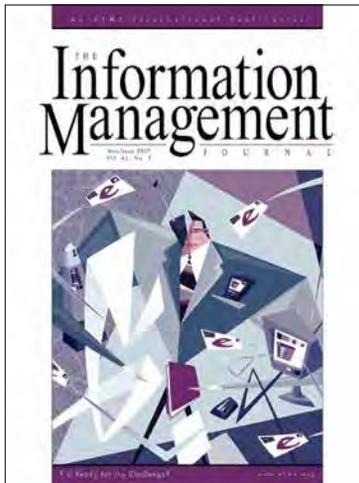
He said he wanted to continue to "be of service to an organization which I hold in such high esteem" – and he did – fulfilling until near the end of his life what he felt to be his professional duty, as described by the quote from Francis Bacon's *Maxims of the Law*, with which he closed his message:

I hold every man a debtor to his profession; from the which as men of course do seek to receive countenance and profit, so ought they of duty to endeavor themselves by way of amends to be a help and ornament there unto.

What a "help and ornament" he was. As was so aptly expressed by one of his many admirers, with Bill's passing, "We lost a great one."



Records Management by
William Benedon



May/June 2007

The Information Management Journal

Association News

- The newly elected president of ARMA International is Carol Choksy, Ph.D., CRM, PMP.
- Former U.S. Rep. Michael Oxley (R-Ohio) is to speak on “Sarbanes-Oxley – What’s Next?” in the keynote address for ARMA International’s 52nd Annual Conference & Expo.

Articles

- “R U Ready for IM?,” by Jesse Wilkins, CDIA+
- “Cost/Benefit Analysis for Implementing ECM, BPM Systems,” by Doug Allen, CRM, CDIA+
- “Evolving the Records Management Culture: From *Ad Hoc* to Adherence,” by Patricia Daum, CRM
- “Freedom of Information in the U.K., U.S., and Canada,” by Sarah Holsen
- “Protecting Personal Privacy in the Global Business Environment,” by David O. Stephens, CRM, CMC, FAI
- *Domesticating Information: Managing Documents Inside the Organization* by Carol E.B. Choksy was reviewed by Theresa R. Snyder.
- This issue included a special section for ARMA International’s 52nd Annual Conference & Expo, with a theme of “Where the Business & Technology of Managing Records & Information Come Together” to be held Oct. 7-10 in Baltimore, Md.

Advertising

- AIIM – Learn how to implement electronic records management (ERM)
- Allegheny Paper Shredders – “Double your security at the touch of a button!”
- BELFOR Property Restoration – “We listen. Clean and simple.”
- DACS Design Assistance Construction Systems, Inc. – “You’re one in a 60 million.”
- DHS Worldwide Software – “Experience the most flexible and comprehensive records management software in the world.”
- Fujitsu – “Fujitsu scanners. You’ll see productivity everywhere you look.”
- Greater Los Angeles Chapter of ARMA – “William Benedon, CRM, FAI. The First 50 Years!”
- IDC– “2nd Annual IDC IT Forum & Expo”
- MBM Corp. – “If You’re Using a Shredding Service... You’re Gambling.”
- O’Neil Software – “Scan. Store. Manage. Deliver.™
- OmniRIM – “Take Control of Your Records Management”
- Smead Software – “Records management that sounds good to everyone.”
- Tower Software – “Knowledge...where it needs to be.”
- Visioneer – “THESE PATRIOTS ARE ON DUTY. TEN-HUT!”
- Zasio – “When it comes to managing your electronic records, you’d be happy if Point-Click-Save were all it took. With Zasio, it is!” **END**



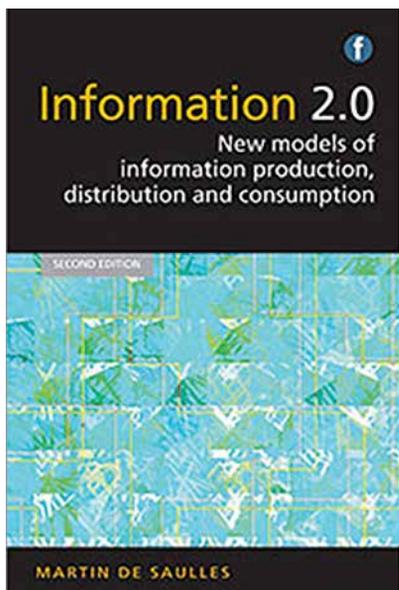
Fujitsu in May/June 2007 issue.



Fujitsu in this issue.

Information Lifecycle Considered in Context of the Electronic Ecosystem

Meg Scofield



Right away, a sense of humor distinguishes *Information 2.0, Second Edition: New Models of Information Production, Distribution and Consumption* by Martin De Saullés. In this updated textbook, three years after his first edition, De Saullés notes, "...[I]t is doubly ironic that this second edition is still being printed on dead trees." His good nature guides readers through an introduction and conclusion supported by four core chapters.

With a focus on information production, storage, distribution, and consumption, an important theme is how platforms and devices (as well as the organizations behind them) keep expanding to accommodate an ever-increasing digital deluge.

While the book will appeal to students engaged in information science programs, De Saullés takes special care to accommodate more seasoned information practitioners, too. With

signature enthusiasm, he regularly points out opportunities in emerging technological arenas.

Digital Information Transforms, Intimidates

Each chapter starts with an introduction that provides an overview, assuming no advanced, high-tech knowledge on the part of readers. Throughout his chapters, De Saullés breaks down difficult concepts into manageable segments.

He also freshens the text with numerous case studies selected to daylight challenges to the information community. Readers will recognize in the case studies names like BuzzFeed, Netflix, Amazon, and Spotify, along with companies less well known, although no less interesting. Concluding comments at the end of each chapter synthesize the array of ideas and underscore the importance to information professionals.

A particular strength of this book is the author's ability to acknowledge and encourage readers who may not whole-heartedly embrace all things digital. Despite technology's pervasiveness in personal and work lives, there are still plenty of people who write paper checks; who admit they either don't use a computer or aren't proficient; and who wonder, "What's a blog?" Some technology-averse folks may even work in the information management profession.

There Are No Stupid Questions

With readers less confident in technology, especially, De Saullés wants to share his optimistic outlook about the digital landscape. First, he looks backward several decades to

Information 2.0, Second Edition: New Models of Information Production, Distribution and Consumption

Authors: :Martin De Saullés

Publisher: Facet Publishing

Publication Date: 2015

Length: 163 pages

Price: \$95

ISBN: 978-1-78330-009-9

Source: www.ala.org; www.facetpublishing.co.uk

explore the drivers of technology and then ponders the present and future, emphasizing the hows and whys of our digital evolution.

De Saullés gives easy-to-understand explanations. For example, he starts the book with a baseline point of reference: "What is information?" Then he moves into more advanced topics, like privacy: "Does Google know too much?"

Soon readers will find themselves getting comfortable with complexities in U.S. and international information laws; open government and the public's right to information access; and even coding and apps that work with search engines to ensure we find information rapidly and with minimal fuss.

Brevity Is the Soul of This Book

With such a brief book, an inevitable weakness is space constraints. Topics like big data, including a discussion about structured and unstructured data, fly by in a few pages. Data preservation is covered in an equally brief section.

Sometimes, the basic explanations feel a little too simplified. The section on cloud storage, for example, touches on cost and security decisions that private individuals face when thinking about how to keep cherished music or photo collections; however, De Saulles raises more questions than he answers.

To the author's credit, though, rather than omit any key topics, he's chosen to ensure that readers get at least get a tiny taste of how each issue relates to information management. With his shorter sections, a list

of extensive and current references found at the end of the book proves as valuable as the writing. The sources, including online and offline material, lend themselves to independent exploration.

Mind the Knowledge Gap

De Saulles' technique of clear explanations makes the book a helpful tool. For instance, information professionals might be thinking about traditional responsibilities like records management within the larger framework of information governance. Hav-

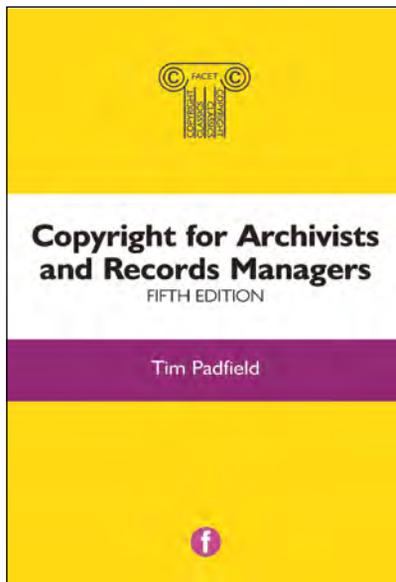
ing *Information 2.0* on hand when partnering with colleagues from areas like legal, privacy, and especially information technology will provide background and familiarity with common terms.

If this kind of collaboration is the key to the future, De Saulles illustrates how information professionals are well positioned to understand and embrace both the changes and possibilities that technology presents. **END**

Meg Scofield can be contacted at meg@twocoffeecups.com. See her bio on page 47.

UK Copyright Law Made Clear for Information Professionals

Sarah R. Demb



It's no secret that Tim Padfield has been the go-to copyright guru in the United Kingdom (UK) for many years. After 30 years in the sector, he retired from the UK National Archives in 2013 to many well-wishes from colleagues valiantly suppressing a chorus of "to whom will we direct our copyright questions from now on?"

From 2005 to 2014, while working in museum archives in London, I was one of the many who benefitted directly from his expertise and willingness to share it. Anyone who deals with records created in Britain, no matter where they are now located, will benefit from his understanding of the UK legalities that govern copyrighted materials.

As noted by Alison Cullingford in an entry in her 2013 blog "The Special Collections Handbook," Padfield has played a vital role in helping us manage and influence changes in copyright law. In the fifth edition of *Copyright for Archivists and Records Managers* he continues to explain the complexities of the legal context, enabling archivists to make effective and informed decisions and better manage risk.

Padfield has lobbied for legislative change, delivered workshop training, kept us informed via social media, and extended individual solutions when we asked for his help. We owe him a great debt and are thankful that he decided to continue to offer advice by

Copyright for Archivists and Records Managers

Editor: Tim Padfield

Publisher: Facet Publishing

Publication Date: 2015

Length: 360 pages

Price: \$85

ISBN: 978-1-85604-929-0

Source: www.ala.org; www.facetpublishing.co.uk

updating his seminal text in light of the changes made to the law the year he retired. As he says, "If in doubt, consult a lawyer," but this volume can reasonably be considered very sound advice and guidance.

Updates in This Edition

Padfield has made a review easy by using the preface to summarize the updates to the fifth edition. Among the many summaries are: an outline of major changes to the law, especially as they apply to libraries and archives; an explanation of the new approach-

es to orphan works; a description of the changes relating to performers' rights, quotation, caricature, parody and pastiche, text and data mining, disability, and private copying; analysis of Channel Islands and British overseas territories law; updates on acknowledgments, assignments, and liability; an explanation of how UK courts determine jurisdiction over copyright infringement on the Internet; changes to Crown copyright and licensing of public sector information; consideration of the copyright cases that have been brought to UK and European Union courts since the last edition of the book in 2010, including the use of copyright works in libraries, archives and museums; and links to recent useful websites.

He has also included a late-breaking erratum on one section that relates to legislation that was overturned

while the book was in press – the advice on private copying is not relevant.

The Book's Organization

This edition is laid out in much the same way as previous editions, but the content has been comprehensively updated.

His book begins with a summary of key points – or basic assumptions – about the way copyright in the UK works. He then builds on these tenets by explaining any relevant exceptions and case law, and he also provides checklists of questions to use as decision-trees for application to the records you manage. He provides enough information so you can make your own decisions based on careful consideration of the precedents and experiences he interprets.

Padfield defines copyright, outlines its development, relates it to records,

and discusses it in relation to protection; ownership; publication, exhibition and performance; use; the electronic environment; special records (often related to their formats) and contexts; and the framework of other related intellectual property rights.

His appendixes include helpful copyright duration charts, declarations, and model licenses. The book also contains a bibliography and related legal authorities. These authorities comprise a list of laws and cases, and refer the reader to related websites for their full texts.

A Recommended Resource

The beauty of Padfield's work is that it is both a practical guide and a philosophical exploration of the implications and impact of legislative change, best practice, and case law. He is sensitive to what may seem like unrealistic burdens on records managers and archivists and the best way to navigate towards workable solutions.

The only drawback to the work is probably due to the publisher's house style, as the checklists are in the same bullet point format as any other list in the book, and as such are not as readily apparent as they would be if included as appendices. In contrast, sections such as the duration of copyright chart appendices are in table style and easy to read and easier to use. Similarly, the index points the reader to sections rather than the expected page numbers.

But these are quibbles. It is hard to imagine a more useful and clearly written guide to what can seem a convoluted topic that is easily overwhelming to practitioners trying their best to successfully implement the law. I hope that Padfield continues his leading role throughout his retirement as copyright evolves over the years to come. **END**

Sarah R. Demb can be contacted at sarah_demb@harvard.edu. See her bio on page 47.



Twice as Hot

Double your professional development with ARMA International's

**Free
Mini
Web-
Seminars**



Our **HotTopic** series is now available and includes three to five 20-minute web seminars brought to you by the industry's best and brightest. Sign up just once, and come back again and again to take advantage of this fantastic education.

www.arma.org/rl/professional-development



CISCO



COHEN



DEMB



GREENE



KOSCIEJEW



PENHA-LOPES



SCOFIELD



TROMBLEY

Innovative Ideas for Making IG Happen! Page 20

Susan Cisco, Ph.D., CRM, FAI, is a director at Gimmel. She has 30 years' experience as a records and information management practitioner, educator, and consultant. Cisco's seminal work in the application of big bucket theory to the classification and retention of records has led to the enhanced usability of enterprise content management systems, simplified deployment strategies, and optimized user adoption globally. A Certified Records Manager and a Fellow of ARMA International, Cisco holds a master of library science degree and a doctorate degree in library and information science from the University of Texas at Austin. She can be contacted at Susan.Cisco@gimmel.com.

Sue Trombley, IGP, FAI, is managing director of thought leadership at Iron Mountain. With more than 25 years of information governance consulting experience, she has led Iron Mountain's consulting group, managing a team of subject matter experts and running large engagements. A frequent blogger, speaker at events, and Fellow of ARMA International, she sits on the University of Texas at Austin iSchool Advisory Council and is a past AIIM board member. Trombley can be contacted at sue.trombley@ironmountain.com.

Quarterbacking a PST Reduction Project: How to Get to the End Zone – No Matter the Opposition Page 24

Ben Greene, CRM, is the corporate records manager for Land O'Lakes Inc., based in Minneapolis, Minn. It is the nation's second-largest member cooperative and the leading marketer of dairy-based food products for consumers, foodservice professionals, and food manufacturers. A Certified Records Manager who has been in the information management field more than 10 years, he earned his bachelor's degree from Western Connecticut State University. Green can be contacted at bgreene@landolakes.com.

Applying Archival Appraisal Concepts to Information Lifecycle Management Page 29

Stephen Cohen, CRM, is a Certified Records Manager with more than 15 years of extensive experience in archives, records and information management, and visual materials management. He has a master's degree in information science from The University of Texas at Austin and has delivered many presentations on the values of appraisal. He can be contacted at scohenCRM@outlook.com.

Establishing a Duty to Document: The Foundation for Access to Information Page 34

Marc Kosciejew, Ph.D., is head of department and lecturer in library, information, and archive sciences in the University of Malta's faculty of media and knowledge sciences. He has been published in scholarly and professional journals, contributed to leading national newspapers, lectured in Europe and North America, conducted research in Africa and Asia, and presented at conferences worldwide. He is also the recipient of ARMA International's 2014 Britt Literary Award for his article on personal data rights. He can be contacted at mkosciej@gmail.com.

Systems Automation: A Way to Reduce RIM Risk Page 38

Joao Penha-Lopes, Ph.D., is an advisor on critical information flows in Europe, Africa, and South America. He post-graduated in information and document sciences from University Lusofona in Lisbon, Portugal; received an integrated master's degree in electronic and telecoms engineering from Instituto Superior Tecnico at Lisbon, and earned a doctoral degree from Universidad de Alcala de Henares in Madrid with a thesis related to the economic benefits of electronic document management. He can be contacted at joao.penh Lopes@gmail.com.

Information Lifecycle Considered in Context of the Electronic Ecosystem Page 44

Meg Scofield is a records management specialist in Washington, D.C. Her business, Two Coffee Cups Consulting, provides records and information management support for federal agencies, businesses, and nonprofits. She received master's degrees in writing from Johns Hopkins University and in library science from University of Maryland. She can be contacted at meg@twocoffeecups.com.

UK Copyright Law Made Clear for Information Professionals Page 45

Sarah R. Demb is senior records manager/archivist for Harvard University and has been a records professional for about 20 years. Formerly the museum archivist and records manager for the Museum of London and records management advisor for the London Museums Hub, she holds a master's degree in library and information science from the University of Texas at Austin. She is co-author of *Records Management for Museums and Galleries: An Introduction* (Chandos Publications, 2012). Demb can be contacted at sarah_demb@harvard.edu.



ADVERTISE IN *IM* MAGAZINE

Information Management magazine is **the** resource for information governance professionals.

With a circulation of over 27,000 (print and online), this audience reads and refers to *IM* much longer than the month of distribution.

Talk to Jennifer about making a splash.

Advertise today!



Jennifer Millett
Sales Account Manager
+1 888.279.7378
+1 913.217.6022
Fax: +1 913.341.6823
jennifer.millett@armaintl.org

ADINDEX CONTACT INFORMATION

- 5 **Fujitsu**
www.fcpa.com
- IBC **NAID**
<http://directory.naidonline.org>
- 3 **Institute of Certified Records Managers**
518.694.5362 – www.ICRM.org
- BC **OPEX Corp.**
www.opex.com/falcon-capabilities
- 9 **PRISM**
www.prismintl.org, 1.800.336.9793
- IFC,41 **Next Level**
www.arma.org/nextlevel



www.arma.org

Is Your Resumé Ready?



ARMA International's **CareerLink** is the only job bank specifically targeting records and information governance professionals. Post your resume today and search a database of available positions.

It makes job hunting easy!



KEEP CALM AND DUE DILIGENCE

Data protection laws require due diligence when
selecting service providers.

NAID's Services Selection Dashboard helps you achieve compliance.

<http://directory.naidonline.org>



Are Doc Prep
Labor Costs
**STACKED
AGAINST
YOU?**



OPEX universal document scanning workstations handle the widest range of media and offer the most secure way to capture documents in the most timely manner. This enhances your ability to go after messier jobs, highly sensitive documents, and recurring transactional work – all with the greatest level of labor savings on doc prep in the industry.

opex.com/falcon-capabilities

OPEX[®]
CORPORATION