

**Question:**

Our organization's e-mail boxes are out of control, so we are thinking about setting them to auto-delete all e-mail that is older than 90 days. As long as we alert employees about this policy, will this be okay?

Answer:

Auto-deleting e-mail after a certain length of time is a common way for organizations to prevent e-mail messages from filling available server capacity, but this policy should be implemented *only* after training employees about what e-mail messages should be retained based on their content and where and how to retain them. For example, staff could be instructed to save e-mail messages into designated server folders with the corresponding appropriate length of retention. William Saffady explains this in his book *E-Mail Retention and Archiving: Issues and Guidance for Compliance and Discovery*:

While it can prevent excessive accumulation of messages in user mailboxes, automatic time-based purging of e-mail is an unacceptable retention policy. It does not recognize the record status of e-mail. Emphasizing destruction rather than preservation, automatic purging may delete messages that need to be kept. Typically driven by information technology concerns related to e-mail server performance and storage costs, it ignores legal, operational, and scholarly requirements for retention of recorded information. Similar concerns apply to mailbox capacity limits, which force mailbox

owners to remove messages from e-mail servers in order to continue sending and receiving e-mail. The quantity of saved messages remains at an acceptable level, but in the absence of retention rules, significant information may be irrevocably deleted.

Saffady recommends:

E-mail retention rules can be implemented using one of two methods:

- **Schedule-Based Retention** – This approach closely resembles record retention practices for other types of recorded information. Mailbox owners must consult their organization's records retention schedule to

E-mail Retention Rules

To satisfy records management requirements, e-mail retention rules – whether schedule-based or uniform rules-based – must:

- Be legally compliant with recordkeeping laws and regulations to which an organization is subject
- Provide assurance that messages and attachments will be available when needed
- Meet the duty to preserve messages that are relevant for pending or reasonably foreseeable litigation, investigations, audits, or other legal proceedings
- Be reasonable, clear, and practical
- Have broad applicability
- Cover both current and closed accounts

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

determine how long specific messages are to be kept. Few retention schedules list e-mail as a distinct record type, and some retention schedules do not even mention e-mail in descriptions of record series. Instead, e-mail is treated as a variant form of written communication. E-mail messages must be retained for time periods specified for written communications associated with the operations, activities, events, or other matters to which the e-mail messages relate. [Diane Carlisle notes, “In practical terms, it is most useful to store e-mail messages with the other documentation of the associated events. However, depending on the technology available, this is not always feasible.”] An exception is typically made for so-called “transitory” messages with limited administrative value, meaning that they do not document policy decisions, procedures, transactions, or other significant business matters. For such messages, e-mail retention rules typically specify deletion immediately after they are sent or read. Examples are sometimes cited in the retention schedule – such as a message that requests dates for a meeting or that reminds the recipient about

a task to be completed – but, in the absence of a comprehensive listing, determination of transitory status is necessarily subjective.

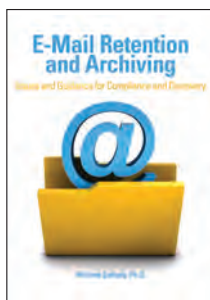
- **Uniform Retention Period** – Less commonly, e-mail is treated as a distinct record type with its own retention rules, which are delineated in a separate policy rather than in a retention schedule. With this approach, e-mail is subject to a uniform retention period with exceptions for messages that must be kept for longer or shorter amounts of time. While it may not expressly cover e-mail, an organization’s records retention schedule plays a role in determining the uniform retention period and in identifying messages for which exceptions are required. Superficially, this approach resembles the automatic purging policies described above. Messages will

be deleted after a predetermined period of time, but the uniform retention period is based on legal, operational, and scholarly considerations rather than a desire to remove messages from e-mail servers in order to reduce storage costs or improve performance. As an additional point of difference, the uniform retention period is typically measured in years rather than days, weeks, or months.

Each approach has advantages and limitations. The two approaches are not mutually exclusive. As explained below [in the full book *E-Mail Retention and Archiving*], the uniform retention approach relies on the schedule-based approach to determine retention periods for messages that must be kept longer than the uniform period. The schedule-based approach may utilize uniform retention rules for e-mail backlogs and closed e-mail accounts for which schedule-based decision-making is not practical.

Saffady goes on to write that compared to schedule-based retention, the uniform rule approach to e-mail retention is easier to understand, requires less decision-making and interpretation by mailbox owners, and can be implemented quickly with a minimum of employee training. Read an excerpt explaining this in the *Information Management* article “Taking Control of E-Mail with Uniform Retention Rules” at <http://imm.arma.org/publication/frame.php?i=191693&p=22&pn=&ver=flex>.

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