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Records Creation, Retention, and Destruction Policies

Modern business operations generate reams of documents and terabytes of data. Often, the creation, retention, and destruction of such documents and data become the focus of lawsuits. Sometimes a plaintiff with a weak case on the merits may try to buttress his claims by attacking the corporate defendant's retention and production of documents during the discovery process. Businesses which neglect to establish, review, and update their records policies may inadvertently place themselves at a crucial disadvantage during later litigation.

Our lawyers are experienced in assisting clients in evaluating their records management needs, assessing the substance of their policies, and understanding their legal obligations when litigation arises. We regularly assist clients in devising, drafting, and implementing records policies and in addressing issues such as how long e-mail should be retained, how consistent application and enforcement of the policies may be ensured, and how long back-up data should be stored. We help clients to prepare policies that meet their specific business needs, that are integrated with their information technology systems, and that can be regularly updated to keep pace with the constant changes and advances in IT systems.