



eDiscovery and Information Governance (eDIG)

RIM: Continuous Evolution

Records and information management (RIM) challenges abound for organizations doing business in the Information Age. Companies are in the midst of a data explosion. Data storage costs continue to decrease, but the dramatic growth in data volume has undercut these cost savings. More significantly, exponential increases in data volume have resulted in higher document management and review costs for regulatory investigation and legal discovery. Organizations involved in litigation face the task of preserving and producing both paper records, and potentially voluminous amounts of electronically stored information (ESI). Compounding matters further, the sheer volume of information collected and stored by organizations is creating compliance implications with respect to data privacy and security compliance.

Organizations need clear guidance and practical solutions to negotiate the rapidly changing RIM landscape.

RIM Services

Seyfarth's eDIG practice group specializes in a variety of RIM services, including:

RIM Policy Review & Development

Thoughtful and coherent policies are the foundation of robust RIM. We collaborate with clients to develop or update existing policies and procedures supporting records management initiatives. These include records management, email use and retention, back-up processes, the issuance and management of litigation holds, secure record storage and data remediation. Policy review and development can be undertaken in connection with the development or revision of records retention schedules or as a stand-alone initiative.

Record Retention Schedule Review & Development

A comprehensive, legally sound record retention schedule is an indispensable tool of good records management. It enables an organization to meet its legal obligations to retain certain records as well as leverage information for operational decision making, institutional memory, and business continuity. We partner closely with clients to develop enterprise retention schedules that are relevant and realistic. We can also review and revise existing schedules for compliance with current laws in relevant jurisdictions. Finally, we have a variety of resources to assist clients with the implementation of retention schedules, including the development of employee training programs.

Remediation Initiatives

Physical media containing information deteriorates over time, becoming increasingly difficult to read as the years go by. Data becomes abandoned, corrupt, unsupported, or unreadable, and the actual business utility and purpose of maintaining the information becomes lost to the ages. Similarly, inactive paper files gather dust in storage rooms and warehouses, wasting space and resources. We can assist organizations with the development of a good faith, reasonable approach to retention, management and disposition of orphaned, legacy and inactive data and files, both retroactively and on a forward-looking basis.

Examples of Seyfarth RIM Engagements

- Created information management, incident response, and global data privacy policies for international biotechnology company.
- Developed bespoke and effective enterprise record retention schedules for:
 - Fortune 500 insurance company;
 - Leading US oil and natural gas producer;
 - Global building products manufacturer;
 - National foodservice distributor;
 - US supermarket chain with European presence.
- Devised and administered process to defensibly dispose of large volume of backup tapes in an insurance client's post-litigation remediation effort.
- Engaged in massive backup tape remediation project involving several petabytes of data.
- Developed comprehensive approach to remediation of warehouses of paper records beyond their intended retention periods.

Benefits of RIM

- Proactive, consistent and comprehensive records and information management offers organizations many benefits, including:
 - Protecting records essential to critical business operations.
 - Ensuring compliance with legal and regulatory recordkeeping requirements.
 - Reducing risks in litigations, government investigations, and the legal discovery process.
 - Providing business continuity in the event of disaster, theft, and other losses
 - Reducing administrative effort required for the creation, organization, retrieval and dissemination of information.
 - Minimizing records and information storage costs, including space, equipment, and supplies.

Our Qualifications

We have the focus. Seyfarth is one of the few law firms with a dedicated eDiscovery and Information Governance (eDIG) practice group. The management of information for compliance, litigation and security purposes is not our side business; it's business as usual.

We have the knowledge. Our attorneys have training and technical knowledge across a wide range of information technology and records related areas, including backup and archival systems; business continuity planning; network storage and architecture; email and messaging; scanning and physical document archival.

We have the experience. Our attorneys have extensive experience in the development and deployment of RIM programs. We have managed a wide variety RIM initiatives for clients of all sizes, operating in industries as diverse as insurance, manufacturing, pharmaceutical and energy.

As technically-minded attorneys, we can actively collaborate with our clients' legal, information technology and records management functions, to minimize risk and maximize efficacy and efficiency.