

Document Retention: The 800 lb. Gorilla

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Document retention is a matter of growing importance for both lawyers and clients, but could be characterized as an 800 lb gorilla in the corner of the room that no one wants to talk about. Lawyers and clients perceive document retention as time-consuming, expensive, and most importantly, difficult to understand. Not so much because the subject itself is too complex, but because it involves computers and servers which are as much a mystery to most people as the inner-workings of their car.

For this reason they avoid it, ignore it, and focus on more easily resolved problems. Unfortunately, however, ignoring the problem can have serious consequences. If lawyer and client refuse to face the issue until receiving a request for electronic data that is really important to the outcome of a case, they won't even hear the gorilla coming before it clobbers them.

The <u>Document Retention Guide</u> provides a step by step approach to help avoid the problem. It offers guidance for creating document retention policies, but also explains instituting litigation holds, and avoiding bad data. The <u>Litigation Hold Quick Reference Guide</u> which is also linked below is a two page, information-packed, hot-list of points to follow when implementing a litigation hold.