

# Document Management and Retention System

## Why Have A Document Management and Retention System?

Information is a critical asset of all organizations, and proper management and retention systems allow organizations to facilitate operations, comply with legal requirements and avoid adverse consequences during litigation and investigations. The only effective way to meet these needs is to have a system composed of policies, procedures, document management tools, retention schedules and destruction methods.

Document destruction, when done improperly, can lead to severe consequences both for individuals and organizations. The Sarbanes-Oxley Act provides for imprisonment up to 20 years for improperly tampering with records. Arthur Andersen went out of business primarily because of legal problems associated with its destruction of records in the Enron matter. Improper document destruction is the new “hook” for federal prosecutors.

## Why Adopt the Holland & Hart System?

Our approach is based on coordinated compliance with the myriad of statutes and regulations, including:

- Sarbanes-Oxley Act
- Federal Rules of Evidence
- Organizational Sentencing Guidelines
- DOJ Corporate Prosecution Principles
- Substantive legal requirements (federal, state, local, international)

In addition, as lawyers we are equipped to work with you on privilege and confidentiality issues concerning your documents, as well as the procedures necessary in the event of litigation, governmental investigations or audits.

## How Does Holland & Hart Approach Document Management?

Our document retention team is comprised of a cross-disciplinary group of attorneys who have substantial experience in document management and retention requirements for all areas, including accounting, tax, legal, human resources, marketing, environmental and many others. We are information and document experts. Our firm has acted as national coordinating counsel in multiple complex class action lawsuits. Our affiliate, CaseShare ([www.caseshare.com](http://www.caseshare.com)) specializes in document management systems.

Following a needs assessment, we work with your team to deliver a cost-effective solution. We adapt our retention policies and procedures and other tools to work with your existing document management system, or can work with you to put in place a new comprehensive document management system.

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## What Are the Components of the Holland & Hart Approach?

### Assessment

First, we meet with your team to develop an assessment of your existing document management system, including existing policies and procedures, paper systems and electronic and email systems.

### Development

Following the assessment, we develop recommendations and meet with you to tailor a system to your needs. The components of the program will include policies and procedures, retention schedules, destruction and communication methods and training materials.

### Implementation

Executive management adoption and support of the system is crucial, and we work with you both at the assessment phase and implementation phase to achieve this. You are now armed with the tools to implement the system, and our experts can provide training sessions and implementation support to supplement your resources as necessary. In addition, our web-based implementation and training tools will soon be available.

### Monitoring/Auditing

Statutes and regulations governing records retention change constantly, and we have the electronic tools to keep your system up to date. New compliance standards also dictate that an effective system requires monitoring and auditing. We will provide you the tools for monitoring

compliance with your document management and retention system, and can provide expert resources as necessary. In addition, we recommend an annual review of your system, and are available to perform more in-depth audits on a periodic basis to assure proper operation of your system.

By working with Holland & Hart, your organization will have peace of mind, ensuring that you comply with all legal requirements while at the same time making the most out of your critical information assets and being prepared for all eventualities including litigation, investigations and audit.

For more information on Holland & Hart's Corporate Governance and Compliance offerings, visit [www.hollandhart.com/compliance](http://www.hollandhart.com/compliance).