

## E-DISCOVERY/DOCUMENT RETENTION

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### **ELECTRONIC DOCUMENTS AND WHAT YOU MUST DO TO COMPLY WITH NEW FEDERAL LAWS**

New federal rules of civil procedure mandate that litigants routinely preserve and produce electronically stored information. State courts will soon follow suit. This means that every potential litigant – every company – must be prepared to identify, preserve and timely produce all relevant information stored electronically or face serious consequences. The time to prepare is before litigation begins. Eckert Seamans attorneys will perform a “check up” for your company, at no charge, to ensure that policies and procedures are in place and potential legal risks are minimized.

Here are just a few of the things that we will address during the check up:

- Are your document retention policies unified across company divisions and departments?
- Are there any “informal” policies or practices regarding electronic information retention?
- Do policies comply with laws and regulations specific to your company or industry?
- Does company counsel understand the functionality and retention processes of each repository?
- Is there any aspect of the company system that might result in loss of electronically stored information without affirmative intervention?
- Has the company established a formal process and plan to issue a litigation hold notice?
- Do the company’s legal and information technology departments know what changes must be made to network processes to comply with litigation hold notice and prevent loss of data?

We can assist in developing the policies and procedures necessary to minimize risk of judicial sanctions or other adverse consequences either when your company becomes involved in litigation or served with government agency subpoenas. Eckert Seamans attorneys will come to your facility both to determine how your system and processes measure up against the law and to recommend any necessary steps to make sure you are prepared should litigation occur.

Please contact any of the attorneys listed below or the Eckert attorney with whom you have been working to receive a check up of your information technology processes.

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