



Presents

## INFO XXVIII

Thursday, March 25, 2010

at the

**Hilton Christiana/Newark**  
100 Continental Drive  
Newark, DE 19713

### *Legal Issues Affecting Records/Information Management and The Bottom Line*



## **Session 1 – Court Cases Affecting Records and Information Management**

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Although statutes and regulations are the familiar sources of law for most records and information professionals, court decisions are equally important. Case decisions are equally binding upon entities in the jurisdiction where handed down. Case decisions often interpret statutes and regulations, but also provide a real-life window into how courts look at and respond to actual records management issue, including many records and information management issues, including:

- Imposition of legal holds;
- Records retention schedules; and
- Adequacy of discovery.

The study of these decisions allows the records management professional to understand how the law has been applied in past situations, and predict how it will be applied in future situations. This information can be invaluable, since deficiencies in an information management program can be anticipated and remedied prior to the advent of some adverse legal consequence. This session is designed to familiarize the attendee with the major cases in a variety of areas, and to examine the facts and outcomes in each case which implicate records management.

## **Session 2 – Implementing and Managing Litigation Holds**

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Litigation holds are an increasingly important part of the records and information management landscape. Important questions such as when to impose one, who

to inform and how to manage and enforce the hold are key to avoiding the increasingly common situation where litigation opponents claim spoliation, or where an organization is simply having difficulties with the administrative aspects of putting a hold in place and making sure that it accomplishes its job. This session will discuss:

- When the imposition of a legal hold is required by the courts;
- The administrative aspects of a legal hold: who to notify, how to notify them, what they should do;
- What to do when the matter underlying the hold is over.

This session will look at legal holds and their imposition, considering both the administrative management of them and the legal issues and questions surrounding them.

## **Session 3 – Dollar Costs of Poor Records Management**

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Records management is often justified in terms of cost savings, but often those savings are "soft" -- actually quantifying them and turning them into a hard number is challenging, and not often done. As a result, RIM professionals often find it difficult to cost-justify RIM projects to management. This session will look at some of the costs of records management, and how poor records management or litigation response increases those costs. The emphasis will be on hard metrics and examples that will enable the RIM professional to accurately quantify some of the actual costs and actual savings from improvement of records management practices.

## Schedule

- 7:30 – 8:30 Registration and Continental Breakfast
- 8:30 – 10:00 Introduction/ **Session I** – Court Cases Affecting Records Management
- 10:00 – 10:30 Break/Vendor Exhibits
- 10:30 – 12:00 **Session II** - Implementing and Managing Legal Holds
- 12:00 – 1:30 Luncheon, Door Prizes, Vendor Exhibits, Networking
- 1:30 – 3:00 **Session III** - Dollar Costs of Poor Records Management
- 3:00 Seminar Adjournment

## Vendor Expo

Included with your ARMA Diamond State Chapter seminar registration fee is admittance to the Vendor Expo. The Expo will feature products and services for managing both traditional and electronic records systems. During breaks, be sure to view the product demonstrations and enter your name at the many vendor booths for valuable prize drawings.

## Diamond State Chapter Board

Lynda Martinez	President	Access Group Inc.
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## Speaker Bio



John Montaña is a principal of the PelliGroup, formerly Cunningham and Montaña, Inc., a records and information management consulting firm based in Reston, Virginia. In this capacity he advises corporations, law firms and non-profit organizations on records and information management. He is widely recognized as one of the foremost records management experts in the country.

Mr. Montaña has published three books on records management issues, as well as dozens of articles for magazines and professional journals, and is an active seminar speaker on records management topics.

He holds a Juris Doctor from the University of Denver.

## What is ARMA

**ARMA International** is a not-for-profit association and the leading authority on managing records and information – paper and electronic. Established in 1956, its 10,000 members include records managers, archivists, corporate librarians, imaging specialists, legal professionals, IT managers, consultants and educators, all of whom work in a wide variety of industries including government, manufacturing, legal, healthcare, financial, services and energy in the United States, Canada and 30+ other countries. For information, contact ARMA International at [www.arma.org](http://www.arma.org).



## Seminar Info

**Cancellation Policy:** For a complete refund, cancellation must be received by **March 15, 2010**. Unable to attend? Send a substitute. No shows will be billed.

**Continuing Education:** Completion certificates will be issued upon request for attendees wishing to apply for continuing education credits including the ICRM.



**Hutch Johnson**  
hjohnson@ycst.com  
302-571-4754

## Seminar Location

### Hilton Christiana/Newark

100 Continental Drive  
Newark, DE 19713

## Directions

### From the North: Philadelphia/NY/NJ

Follow I-95 South into Delaware. Take Delaware exit #4B (Churchman's Road/Route 58). Bear right at the top of the exit ramp and proceed on Churchman's Road to the fourth traffic light. Make a left onto Continental Drive. The Hilton Wilmington/Christiana will be the first driveway on the left.

### From the South: Baltimore/Washington D.C.

Follow I-95 North into Delaware. Take Delaware exit #4B (Route 7 North). Stay in the right-hand lane and proceed to exit #166 (Churchman's Road/Churchman's Crossing/Route 58). Turn right at the bottom of the exit ramp, yielding onto Churchman's Road. Follow to the second traffic light, and make a left onto Continental Drive. The Hilton Wilmington/Christiana is the first driveway on the left.



## Registration

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Registration Fee:**  
**\$140 per person**  
**Federal ID No. is 48-0993520**

### Credit Cards and Checks Accepted

#### Make checks payable to:

ARMA – Diamond State Chapter

#### Credit Card Type (circle one):

Visa    MasterCard    Discover    Amex

Card Number \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_

Registration includes exhibits, continental breakfast, buffet lunch and exciting door prize drawings.

Free parking available!

**Return form with payment by**  
**March 05, 2010**

To: ARMA International  
Wilmington-Diamond State Chapter  
P.O. Box 687  
Wilmington, DE 19899