



Memo

Date: January 14, 2019
To: Priests, Deacons, Parish and Mission Staff, School and Chancery Staff
From: Angelique Richardson, Director, Office of Archives & Records
Re: Litigation Hold FAQs and Guidelines for Managing Records

Since the litigation hold notification was sent out on Friday, December 21, **suspending ALL destruction of records and information for the entire Archdiocese of Atlanta**, we have received many questions and wanted to share answers.

Please see the attached document that includes FAQs and guidelines covering the most frequently asked questions so far and some ideas of how to manage the excess records for the duration of the litigation hold.

Please keep in mind that **this litigation hold stops destruction on all records and information** for the Archdiocese of Atlanta, including all drafts, copies, versions, etc. That means everything, not just records related to sexual abuse of minors.

This litigation hold also applies to every single person, no matter their level within the archdiocese, including bishops, priests, deacons, employees and volunteers.

If you have questions related to the litigation hold or need assistance in managing your records or information for the duration, please contact the Office of Archives and Records at records@archatl.com or 404-920-7694. We will do our best to provide updates as we receive them.

USCCB LEGAL HOLD FAQs

Contact the Office of Archives and Records with questions:

records@archatl.com

1. Who must follow the Litigation Hold? Is it only directors? Only full-time employees?

A: *The Litigation Hold must be followed by anyone working in the Archdiocese of Atlanta (AOA), in any capacity. This includes, but is not limited to full-time employees, part-time employees, volunteers, contractors, interns, women religious, priests, deacons and bishops.*

2. Can we destroy documents that we regularly shred, such as old invoices, collection envelopes and worksheets, payroll worksheets, etc.?

A: *No. The Litigation Hold applies to all records and non-records produced by the Archdiocese of Atlanta and its employees, including Chancery, parishes, missions, schools, clergy, etc.*

3. Can we destroy transitory information (scratch notes – either paper or digital, lists, project records, programmatic files, etc.), working files, or non-records (stock copies)?

A: *No. The Litigation Hold applies to all records and non-records produced by the Archdiocese of Atlanta and its employees, including Chancery, parishes, missions, schools, clergy, etc.*

4. Are you saying I cannot delete any files from the server until this litigation hold has been lifted?

A: *Yes. That is exactly what we are saying. Per our attorneys, no destruction, including deletion, is to be performed for the duration of the Litigation Hold.*

5. What do you mean by copies can't be destroyed? What about surplus church bulletins or large amounts of identically printed materials?

A: *Even if the materials are identical, they cannot be destroyed per our attorneys. Please think twice before printing materials.*

6. Do I have to keep all pamphlets or printed materials I ordered from an outside company (i.e. non-AOA produced)?

A: *No. If the materials are not AOA-produced, such as USCCB pamphlets or materials from National Organizations, then they do not fall under the Litigation Hold.*

7. What about text messages or voicemails on my cell phone?

A: *Yes, voice mail and text messages on Archdiocesan or Parish/School provided equipment fall under the Litigation Hold as well. If you have your office phone forwarded to a personal cell phone, those voicemails also all under the hold.*

8. If I work remotely and have files at home, either on a personal computer or printed in my home office, do those fall under the Litigation Hold?

A: *Yes, any Archdiocesan files fall under the Litigation Hold, no matter their location. As a matter of practice, we do not recommend storing files, especially confidential files, related to AOA business in a home office or on a personal computer. Our recommendation is to arrange for remote access to your AOA work computer instead and do your work remotely that way, keeping your home printing to an absolute minimum. Printing to PDF or to a digital file and saving it on your work desktop is preferred.*

9. What if I run out of storage space?

A: *The Office of Archives and Records is currently researching storage options for paper records. We are also working with our Office of Information Technology to find solutions for digital storage. We will have these recommendations at a later date.*

USCCB LEGAL HOLD GUIDELINES FOR MANAGING RECORDS

Contact the Office of Archives and Records with questions:

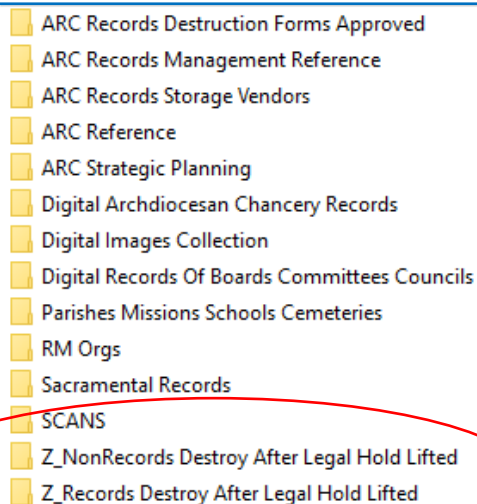
records@archatl.com

On December 21, 2018, the Archdiocese of Atlanta communicated to all clergy, parishes, missions and schools that we have initiated a total stop on destruction of materials. The stop on destruction applies to official records, as well as non-records such as drafts, copies, outdated versions, etc. The stop applies to all materials created for the Archdiocese of Atlanta.

While this hold may be unprecedented in scope, *we will continue to manage our records*. We will not leave our files in disarray to be dealt with once this hold is lifted. We will file materials in a designated place for destruction once the hold is lifted.

I. Electronic Files

- a. **Create a folder for past-retention records that will require permission for destruction once the hold is lifted.** EX: past-retention financial records, personnel records, project files, and other records listed on the Archdiocese of Atlanta [Records Retention Schedule](#).
- b. **Create a folder for past-retention documents that will NOT require permission for destruction once the hold is lifted.** EX: mistaken scans, drafts, convenience copies, duplicates, versions, scratch notes, lists, surplus bulletins, large amounts of identical prints, and other materials that are considered unofficial or non-records.
- c. Create these folders on both your local machine and under your departmental folders.
- d. Continually file past-retention records in your past-retention folder. Continually file non-records in your past-retention non-records folder, rather than trashing or deleting. *Remember that all work-related materials should live on the network, and not on your desktop, in the documents or local folders, home computers or other electronic devices and cloud storage spaces.*
- e. Keep an ongoing Records Destruction Form for electronic records that will require permission to delete once the hold is lifted.
- f. See example below of the Office of Archives and Records departmental folders:



- ARC Records Destruction Forms Approved
- ARC Records Management Reference
- ARC Records Storage Vendors
- ARC Reference
- ARC Strategic Planning
- Digital Archdiocesan Chancery Records
- Digital Images Collection
- Digital Records Of Boards Committees Councils
- Parishes Missions Schools Cemeteries
- RM Orgs
- Sacramental Records
- SCANS
- Z_NonRecords Destroy After Legal Hold Lifted
- Z_Records Destroy After Legal Hold Lifted

We have included a "Z_" in our filename so these folders will be easy to find.

USCCB LEGAL HOLD GUIDELINES FOR MANAGING RECORDS

Contact the Office of Archives and Records with questions:

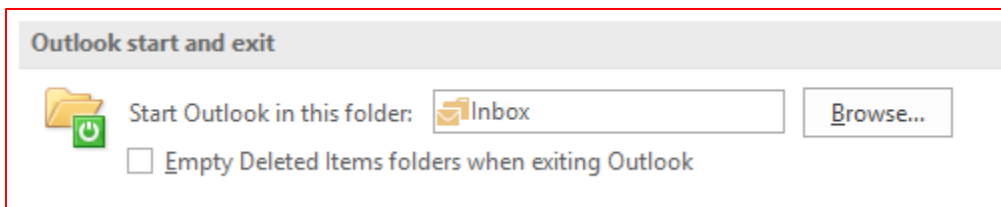
records@archatl.com

II. Paper Files

- a. **Keep a box in your office and/or individual space for past-retention records that will require permission for destruction once the hold is lifted.** Clearly label and/or keep a [Records Destruction Form](#) taped to the outside of the box to keep a tally of what you will be destroying when the hold is lifted. You will submit the form as normal once the hold is lifted.
- b. **Keep a second box in your office and/or individual space for materials that will NOT require permission for destruction once the hold is lifted.** Use this box rather than trash/recycling.
- c. As boxes fill up, dedicate a space for boxes of records to destroy upon permission, and a separate space for boxes of non-records. *Confirm the boxes are clearly labeled.*

III. Email

- a. **IT departments must halt any system-wide auto-deletion of email.**
- b. **Individuals must turn off any auto-delete setting that you might have on your individual Outlook account.**
 - i. The setting to automatically empty your “Deleted Items” folder when exiting Outlook is under Options> Advanced > “Empty Deleted Items folders when exiting Outlook.”
 - ii. Confirm the box is *unchecked*:



- c. If you prefer, you can also create separate folders in Outlook using the same method described under the Electronic Files section of this document.
- d. Continue to manage email:
 - i. File attachments to appropriate work folders on your network drives.
 - ii. Keep important information in an FAQ document, spreadsheet, project folder, etc., rather than saving emails for reference.
 - iii. You may send emails to the Deleted Items folder as needed, but **DO NOT** “empty” this folder.
 - iv. Do not delete your Sent Items folder.

IV. Think Before You Print

- a. Be extremely mindful of how much you print. Remember that what you print cannot be thrown out or shredded, but must be saved indefinitely.