



Memo

Date: August 26, 2019
To: Clergy and Parishes, Missions, Schools and Chancery Staff
From: Deacon Dennis Dorner Sr., Chancellor
Re: REMINDER—Notification of Litigation Hold—CONFIDENTIAL

As a **reminder**, we are still under the USCCB Litigation Hold relating to the sexual abuse of minors. Please see below for what is and is not covered under the existing USCCB Litigation Hold (last updated February 6, 2019).

Record/Non-Record types, electronic and paper drafts, versions, copies, and final documents, which **are covered** by the Litigation Hold include the following:

- All email and correspondence
- All information relating to Sexual Abuse of Minors
- All Child and Youth Protection/Safe Environment information
- All Clergy Personnel files (includes Seminarians, Deacons, Priests, Bishops, Religious, etc.)
- All Human Resources information, including Personnel files and Benefits files
- All Volunteer files
- All Payroll information
- Any financial information relating to settlements for cases of Sexual Abuse of Minors

Some examples of records/non-records **not** covered by the Litigation Hold (unless specifically mentioning Sexual Abuse of Minors) include, but are not limited to the following: **

- Surplus Church Bulletins, editions of The Georgia Bulletin Newspaper, or other AOA Publications
- Collection Envelopes
- Student-produced work such as homework or exams
- Accounts Payable/Accounts Receivable information such as vendor invoices or utility bills
- Junk mail/Spam email
- Voicemails

***While these records/non-records are not covered under the Litigation Hold, many of these do still fall under the Archdiocesan Retention Schedule. As always, all records past retention require approval for destruction. Please see our website for more information at <https://archatl.com/offices/archives/records-management/>.*

Please also see the Litigation Hold FAQs and Guidelines attached with this Memo.

If you need assistance in managing your records or information for the duration of this preservation request or if you are unsure if your records are covered by the Litigation Hold, please contact the Office of Archives and Records at records@archatl.com or 404-920-7690.

USCCB LITIGATION HOLD FAQs

Contact the Office of Archives and Records with questions:

records@archatl.com

1. How long will this Litigation Hold last?

A: *We do not know. Litigation Holds may last for weeks, months, or years. We will keep everyone posted when we have updates. You will receive a Memo as soon as the Litigation Hold is lifted that will then allow for normal disposition of records to continue.*

2. 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, in any capacity, who handles records or information. This includes but is not limited to full-time employees, part-time employees, volunteers, contractors, interns, women religious, priests, deacons, and bishops. *Please note, if your volunteer does not actually deal with records or information relating to your parish/school/mission/Archdiocese, then the Litigation Hold will not apply to them.*

3. Are independent schools, Catholic Charities, GRACE Scholars, or other AOA-related entities required to follow the Litigation Hold?

A: *Technically, no they are not. However, our diocesan attorneys think it would be in the entity's best interest to follow the Litigation Hold, or at the very least consider implementing a similar one within their organization.*

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

A: *Maybe. Please see the Litigation Hold Memo for information on which records/non-records are included in the Litigation Hold and for examples of the types of records not included in the Litigation Hold. If you are unsure if your records fall under the Hold, please contact records@archatl.com and we can assist you in determining that.*

5. 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: *Maybe. Please see the Litigation Hold Memo for information on which records/non-records are included in the Litigation Hold. Notes, drafts, version, working files and other transitory materials that relate to record groups under the Litigation Hold must not be destroyed. Please contact records@archatl.com if you need assistance in determining this.*

6. Do I have to keep all these 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. Spam email or junk mail (i.e. catalogs or vendor solicitations) or vendor voicemails can be thrown out as they do not fall under the Litigation Hold.*

7. What about text messages or voicemails on my cell phone? Do they fall under the Litigation Hold?

A: *Maybe. Voicemail and text messages on Archdiocesan or Parish/School provided equipment fall under the Litigation Hold if they relate to Personnel issues or to Sexual Abuse of Minors. If you have your office phone forwarded to a personal cell phone, those relevant voicemails also fall under the Hold. If the voicemails/text messages do not relate to Personnel issues or to Sexual Abuse of Minors, then they do not fall under the Litigation Hold and may be purged through regular disposition.*

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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: All Archdiocesan files included under the Litigation Hold, no matter their location, fall under the parameters of the Litigation Hold. 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 computer is preferred.

9. What if I run out of storage space?

A: We recommend utilizing as much storage space, physically or digitally, available to you on-site at your location before contacting us for information about alternative storage solutions. The Office of Archives and Records and the Office of Information Technology are both available to assist in making physical or digital storage recommendations.