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CHECKLIST FOR DOCUMENT RETENTION POLICY AND COMPLIANCE PROGRAM

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Creating the policy

- Do you have a team that can address the legal objectives of the program, the document needs of each department and the technical elements of the company's document management, email and back up systems?
 - Does the team take adequate advantage of available internal and external resources?

The substance of the written policy

- Does it include a statement of purpose?
- Does it outline a retention and destruction framework for all documents?
 - Does it categorize all of the documents?
 - Does it assign retention responsibility for each category and prohibit others from destroying or duplicating documents within those categories?
 - Does it describe *how* each category of documents should be retained?
 - Does it describe how *long* each category of documents should be retained?
 - Does it describe how each category of documents should be destroyed?
- Does it outline the broader compliance program, with the training, reporting, auditing, enforcement and suspension elements outlined below?

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The substance of the compliance program

- Does it have a written policy statement including the elements listed above?
- Does it have a training program that covers both existing and new employees?
- Does it require annual certification of compliance with the retention policy?
- Does it involve both management and employees who understand the document needs of each group within the company?
- Does it have a clear reporting and accountability hierarchy?
- Does it have a means by which employees can report anonymously any concerns or questions they have with the program or the company's retention or destruction practices?
- Does it have a means of addressing the questions or concerns raised in these reports?
- Does it have a means of auditing the company?
- Does it have clear repercussions for noncompliance?
- Does it outline procedures for suspension of document destruction when required?