ESTABLISHING THE BEST RECORD RETENTION POLICY FOR YOUR LAW PRACTICE
Managing Your Law Practice CLE
Special Events Program

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11:00 a.m. – 11:30 a.m.
Biographical Information

David J. Ferrell

Education:

United States Navy - 1966 - 1970
BS in Criminal Justice 1974, University of Texas at El Paso
J.D. Texas Tech School of Law, 1977

Professional Activities:

Assistant Attorney General of Texas
   Consumer Protection/Anti-Trust Division 1978-1981
Private Practice in El Paso Texas 1981-2010
Adjunct Professor - Webster University 1980-1993
Associate Municipal Judge-City of El Paso 1983-1990
Member of the Consumer Law Council-State Bar of Texas 1985-1994
Treasurer of the Consumer Law Section-State Bar of Texas 1988-1990
Chairman of the Consumer Law Section-State Bar of Texas 1991-1992
President of El Paso County Probate Bar Association 1999-2000
Chairman of the Board El Paso County Probate Bar Association 2000-2001
Chairman of the El Paso Bar Association Computer/Website Committee 1998-2001
Board of Directors El Paso Bar Association 2002-2005
Member of the Website Services Committee, State Bar of Texas 2008-2011
Member of the Law Practice Management Committee, State Bar of Texas 2008-2011
Publishes and maintains research website elpasolaw.com on the Internet
Created El Paso County's Probate Court website theprobatecourt.com
Created the El Paso Bar Association's website elpasobar.com
Technology and the Law Consultant
John Meredith

Current

• Business Director at Greenberg Traurig

Past

• President and General Counsel at Aspiring Youth
• Attorney at Woodard, Hall & Primm

Education

• Harvard University Kennedy School of Government
• Baylor University School of Law
• Georgia Institute of Technology - Georgia Tech College of Management

Presently the Business Director for Greenberg Traurig, LLP in the Houston Office. Previously worked as the President and General Counsel for Aspiring Youth of Houston.

Specialties:

Management, Marketing/Public Relations, At-Risk Youth

Experience

• Business Director

  Greenberg Traurig

  (Privately Held; Law Practice industry)

  October 2005 — Present (4 years 6 months)

• President and General Counsel

  Aspiring Youth

  (Non-Profit Organization Management industry)

  June 1997 — October 2005 (8 years 5 months)

• Attorney
Woodard, Hall & Primm

(Law Practice industry)

September 1988 — July 1996 (7 years 11 months)

Education

- Harvard University Kennedy School of Government
  MPA , 1996 — 1997

- Baylor University School of Law
  JD , 1985 — 1988

- Georgia Institute of Technology - Georgia Tech College of Management
  MBA , 1985 — 1985

- North Georgia College and State University
  BBA , 1982 — 1984
"Establishing the Best Record Retention Policy for Your Law Practice"

Below are excellent books/sites/articles addressing many aspects of "Document Management and Retention". Most are free some will cost you but all are good sources.
The core asset of every law firm and legal organization is information. Lawyers sift through enormous amounts of information on a daily basis -- everything from client files to printed contracts to the emails they receive on their smartphone. Making sense of all this information and ensuring that it's sufficiently protected and accessible is a daunting, but absolutely necessary, task.

Records management, often abbreviated "RM," is the strategy organizations employ to manage such information. RM is the process of identifying, organizing, maintaining, and accessing all of the records created or received by an organization in its day-to-day operations. These records can be electronic or paper and include virtually everything that passes through an organization's doors. There are many reasons a firm or individual might employ a particular RM strategy, but the most important reasons are the most practical: improving productivity, cutting costs, and complying with legislative, regulatory, and internal policy requirements.

Below is a listing of some helpful informational
resources regarding RM, as well as a listing of some of the major RM solutions currently available.

**Resources-Links**

**ABA Legal Technology Resource Center**

- **Herding Cats: Managing Electronic Data in a Law Firm (PDF)**
  Electronic data - email, forms, documents, spreadsheets, and databases - must be effectively managed to both tap into its true potential and for retention and compliance. I this presentation for the Chicago Bar Association, strategies for using technology, planning, and training to effectively manage electronic data were reviewed.

- **A Necessary Security Blanket: Document Retention Policies**
  This article explores the creation of document retention policy best practices and provides solutions for retention of electronic documents.

**American Bar Association**

- **Law Firm Document Retention Policies**
- **Electronic Document Retention Policies (And Why Your Clients Need Them)**
- **Old Docs, New Tricks: Knowledge Databases Mad Easy**
- **Record Retention And Destruction: Current Best Practices (PDF)**
- **The Lawyer's Guide to Records Management and Retention**
American Association of Law Libraries

- Records Retention in the Private Legal Environment: Annotated Bibliography and Program Implementation Tools (PDF)

ARMA International (Association of Records Managers and Administrators)

- Records Management in the Legal Environment
- Records Management Responsibility in Litigation Support
- Retention Management for Records and Information
- Requirements for Managing Electronic Messages and Records
- Managing Electronic Records, 3rd Ed.

Network Alternatives

- “Is Your Firm’s E-mail Disappearing Into a Black Hole?” (PDF)

Sedona Conference

- The Sedona Guidelines: Best Practice Guidelines & Commentary for Managing Information & Records in the Electronic Age (September 2005) (PDF)
- The Sedona Guidelines for Managing Information & Records in the Electronic Age (PDF)

IRS Statute of Limitations

Document Retention when the IRS is involved!!!
Mechanics - HOW TO DO IT!

Click on the LINKS BELOW

Fujitsu ScanSnap S510 For Fast Inexpensive Scanning

Fujitsu ScanSnap S300 SMALL and powered by USB2 Port

Fujitsu ScanSnap S1500 - the NEW Scanner

ScanSnap Community

ScanSnap Scanners VIDEOS etc.

NEW ScanSnap S1300 Portable Scanner

Adobe Acrobat 8 & 9 Professional Article by David J. Ferrell & Roy Greenberg

Adobe Acrobat Reader 9.0 FREE

The appendices files that follow are referenced in the above paper written by David J. Ferrell and Roy Greenberg for the Texas Bar "Perfecting Your
Practice" seminar, February 2009 (ADOBE ACROBAT 8 and 9 PROFESSIONAL A MAJOR UPGRADE FOR LAWYERS) and are to be viewed with Adobe Acrobat Reader 9.0; download it at the above link. Be patient for the files to download to your computer.

Big Dead Snake

Mexican Constitution (Short excerpt)

Imbedded Multimedia

Dynamic Demand Letter for Civil Damages

Example of Multimedia CLE Paper submitted for Texas Bar CLE in November 2009

Download Link for article above at "You Send It" 50 megabytes (expires 2-18-2010). Try this download to see how "You Send It" works and for an example of a Multimedia PDF Portfolio.

MORE concerning document retention.
SARBANES-OXLEY ACT

Enron What Really Happened

Seven Deadly Sins of Records Retention July 2006

Startup Kit for a Small Law Practice CLICK BELOW

Law Practice Management Handout