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Choo Choo Chatter

The Official Publication of the Greater Chattanooga Area Chapter



VOLUME 27, ISSUE 8

FEBRUARY 2015

March Meeting

Topic: EMAIL MANAGEMENT AND BEST PRACTICES WORKSHOP

Date: March 10, 2015

Presented by:
BILL MANAGO

Time: 10:00—1:00pm

Location: The Chattanooga Hotel & Conference Center
1201 South Broad Street, Chattanooga, TN



April Meeting

Topic: CHANGE MANAGEMENT AS IT RELATES TO RIM

Date: April 14, 2015

Presented by:
HELEN STRECK

Time: 11:30 – 1:00pm

Location: The Chattanooga Hotel & Conference Center
1201 South Broad Street, Chattanooga, TN

Debit/Credit, cash or checks are accepted and payable at the door. Make check payable to: ARMA-Greater Chattanooga Area Chapter or for your convenience use the PayPal button on the [website](http://www.chattanooga-arma.org).



Don't have time to leave work but still want to attend the meetings?



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www.chattanooga-arma.org



COMMITTEE CHAIRPERSONS

Chapter Foundation Champion – Susan Whitmire, CRM, FAI

Communications – Rhonda Hazlett

Education – Mary Haider, CRM

Hospitality – Rhonda Hazlett

ICRM Liaison – Mary Haider, CRM

Newsletter – Kela Wright

Publicity – Scottie Swafford

Webmaster – Victoria Marshall

Yearbook/Historian – TBD

The Greater Chattanooga Chapter promotes and recognizes the importance of participation by awarding points to those who support ARMA activities at both the local and the international level. Points are earned by attending meetings, bringing guests, and by serving the Chapter as an officer or committee member. At the June meeting accumulated points are rewarded. The more you participate, the more points you can earn!

Support the Chapter Points

- Attend Workshops 100
- Attend Luncheon Meetings 200
- Attend Dinner Meeting 300
- Bring a Guest 100
- Attend Regional Conf. 400
- Perfect Attendance (Sept-May) 500

Support ARMA International

- Attend Annual Conference 200

Get Creative

- Submit article for newsletter 200
(excludes routine notices, etc.)
- Teach a pre-meeting Education Session 200

Get Involved Locally

- Be a Committee Chair 150
- Be a Committee Member 100
- Attend a Board Meeting 100

What's in this issue

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Participation Station

MEMBER	TOTAL POINTS
	Calculated
Beene CRM, Phyllis	600
Bostwick, Leanne	0
Tina Campbell	1400
Elmore, Allison	1800
Grey, Sue	1000
Haider, Mary	2200
Hazlett, Rhonda	2000
Hazelwood, Josh	1200
Holocommbe, Pamela	0
Hooks, Shari	1850
Jackson, Dennis	0
Johnson, Linda	1400
Kologek, Ian	1000
LaFollette, Mary	350
Leonard, Glenn	600
Long, CRM, Gregg	2100
Marshall, Victoria	2550
McEvoy, Laura	0
Miller, CRM Lorraine	0
Mullins, Ron	800

MEMBER	TOTAL POINTS
	Calculated
Parris, Norma	1800
Patterson, Gail	0
Pettway, Robert	0
Powell, Annie	400
Ragland, Mary	0
Scoggins, Kelly	600
Shirley, Heather	1550
Stoddard, CRM, Catherine	0
Swafford, Scottie	2200
Tisdell, Kevin	2100
Veal, Susan	400
Whitmire, CRM, Susan	200
Wright, Kela	2200



NEWSLETTER ADVERTISING RATES

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\$5.00

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Full Page
\$40.00

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Kela Wright, Editor

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The Information contained in this newsletter does not necessarily reflect the views of the editor, the Chapter membership or ARMA and is offered solely as a source of information.

Please direct any inquiries or comments to:

Newsletter Editor

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Chattanooga, TN 37401-0341

Contributions or gifts to the Greater Chattanooga Area Chapter are NOT deductible contributions for U.S. Federal tax purposes. Membership dues and other payments may be deductible as ordinary business expenses.

Contributions or gifts to ARMA are NOT tax deductible as charitable contributions for U.S. Federal Income Tax purposes.

MEETING & LUNCHEON RATES

Luncheon (members) \$18.00

Luncheon (guest) \$20.00

Webinar (members) \$9.00

Webinar (guest) \$10.00

President's Message



As we look forward to winding up our 2014-15 ARMA session I want to congratulate everyone on what has been in my opinion one of our most successful years ever. We have been responsive to our membership and provided a variety of programs this year which I hope has addressed the real topics we work on every day. We have taken a huge step forward in our serving our area and our membership with our online programming. I look forward with great anticipation to our workshop next month and our Earth Day shredding event in May. None of it happens without all of you.

Gregg M Long, JD CRM



Member of the Month



Heather Shirley

Heather has been with Iron Mountain for 11 years, and is currently a Business Development Executive for their Healthcare division. She is a participant in the Atlanta ARMA chapter as well as partners with the Greater Chattanooga ARMA Chapter serving as Vice President of Programs. An original native of Louisiana, Heather and her husband Dusty reside in Atlanta, Georgia. They have twin 4 year olds, Grayson Miller and Taylor Mae, whom keep them busy with soccer and dance and are their "little peaches". During her down time, she enjoys cooking, gardening and watching LSU football. Geaux Tigers!



Training Depot



Foundations of Information Management Certificate

If you're an entry-level information management professional, the ARMA International *Foundations of Information Management Certificate* is your opportunity to acquire a broad base of fundamental skills and knowledge.

The certificate program consists of a face-to-face, one-and-a-half-day seminar that focuses on the best practices in today's most important functional areas in RIM, such as managing electronic records, performing legally defensible e-discovery, developing a business continuity plan, reducing threats to privacy, and much more, as well as a [comprehensive computer-based exam](#) you can take on your own after completion of the course. In this classroom setting, you can ask the facilitator questions, learn from real-world exercises, and network with other professionals.

Learning Objectives:

Upon completion of this certificate program, you will be able to:

1. List the primary responsibilities of information management (IM)
2. Define an electronic record and a vital record
3. Describe why managing electronically stored information (ESI) is perhaps IM's greatest challenge today
4. Define retention and disposition
5. Describe how a legal hold can affect disposition
6. Define e-discovery
7. Define a data breach
8. List the common measures an organization can take to secure its data
9. List five components of risk management
10. List the five common risk management strategies
11. Define a business continuity plan
12. List the five steps to disaster recovery

Facilitator Biography:

Helen Streck is the president and CEO of Kaizen InfoSource LLC a RIM and IT consulting firm located in northern California. She has more than 28 years of experience in the field of records and information management (RIM). She has developed litigation hold protocol and served on discovery response teams, as well as designed all aspects of RIM programs for national and international companies. Before joining the firm, Streck was a consultant with the firm of Shook, Hardy & Bacon LLP.

Atlanta, GA March 3-4
 8:00 a.m.-5 p.m.
 Lunch provided on day 1
 8:00 a.m. - Noon Price \$399(PRO)/\$449*





.....
Shred Day

Mark your
calendars now!

Shred day will
be April 22,
2015.

The chapter is
working out the
details of this
years shred day!

Set this day
aside, get in-
volved and earn
your chapter
points!

Education Corner

Presented by Mary Haider

JANUARY - LEGACY RECORDS MANAGEMENT – Part 2

Long Term Preservation Strategies

At the December meeting we talked about Legacy Records in terms of those stashes of records that have not been identified, classified or assigned to a records retention category. However, we also realized that Legacy Records can refer to a collection of records that are identified and have a retention requirement of 10+ years.

Paper Records with a long-term retention requirement need to be reviewed to determine if keeping the records in paper format is appropriate, or if those records should be converted to a digital format. The answer to this question will be based on the actual retention time required, privacy issues, access/security requirements, volume estimates and available storage space.

A "permanent" retention requirement may suggest that converting to a digital format is useful because a duplication of records can provide some assurance in the event of a disaster that may destroy one set of the records. However, I would not consider converting to digital format as the only version available.

According to the Saving the Digital World web site, "historic records can be retained on microfilm for 500 years and on paper for 50-100 years. But today no demonstrated nor affordable approaches can be certified to assure "digital continuity" beyond 10 or 20 years without significant information loss.

As I mentioned in the January Handout, "strategies will vary depending on the inventory/description for each collection.

Digital Records in this discussion are focused on 'legacy records' that are already in a digital format, so we must work with what we have. (A broader discussion of digital records needs to address how the records are created as well as retained.) In general terms we think of 'long-term' as those records that must be retained 10+ years up to permanent. The ISO 14721 standard defines long-term as "long enough to be concerned with the impact of changing technologies, including support for new media and data formats, or with a changing user community. Long Term may extend indefinitely".

According to Charles Dollar, long-term digital continuity "conveys notions of persistence, continuation of resources, efficiency and stability and mitigates against loss or destruction of digital assets or the unauthorized consumption of restricted information".

Digital records, whether born digital or converted, require a review of the same inventory and descriptive elements. But the process for retaining the digital records will involve a detailed and consistent review of the viability of the digital records throughout their retention life time. The COSCA Joint Technology Committee, Digital Preservation Working Paper, 6/2/14 DRAFT states:

"Compared to their paper and microfilm counterparts, electronic record keeping systems are generally more vulnerable to undetected alteration or loss. This vulnerability means that there is the need for more comprehensive and detailed planning to preserve digital records over time. The preservation of digital records also requires more intervention and expertise than is the case with paper records. Stored under the proper conditions, paper records have survived for centuries. Long-term digital preservation, on the other hand, involves regular monitoring, frequent intervention, and specialized technical capabilities. Finally, the longevity (market life) of digital records technology products and the vendor community providing systems and support services is volatile. Maintaining this long-term commitment to use digitally stored information requires a series of activities that maintain its retrievability, readability, and intelligibility." (Conference of State Court Administrators (COSCA))

I know that this all sounds a bit daunting. And that, I believe is why we have these piles of "legacy records". I encourage you to take the first step. Identify what these "legacy records" are – inventory/describe them. Develop policies, procedures and standards that work for your organization at this time. Then start the process of retaining them according to your organization's standards. Your knowledge and abilities will change over time, but the important thing is to "know what you have" and implement procedures to meet the goal – LONG TERM PRESERVATION.

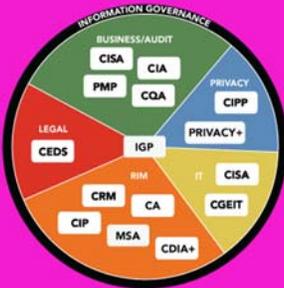
Electronic Records Management Handbook, State of California Department of General Services, 2002.



Information

Governance

Certifications



The ever-expanding field of information governance provides many opportunities for professionals to earn recognition for their skills and knowledge. ARMA International supports professionals in all aspects of information governance and encourages professionals to become recognized for their talents. Professionals may demonstrate their knowledge and skills by earning one or several recognized certifications.

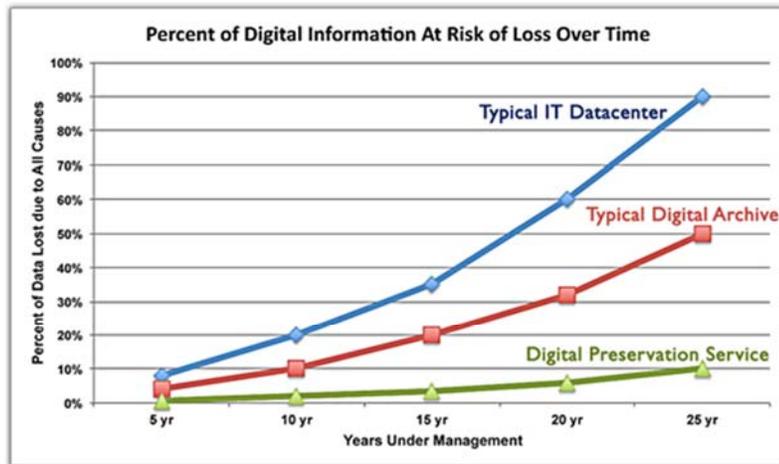
Whether you choose to focus in a specialty area (like privacy and e-discovery), become recognized for your general knowledge in information management, prove your expertise in records management as a CRM, or show that you can lead major information governance initiatives in an organization, ARMA International encourages you to quantify your skills through a quality certification program.

Education Corner

Presented by Mary Haider

FOOD FOR THOUGHT

The key question in digital preservation is "How much information are you willing to lose over what time period?" It is not a question of "Zero-Loss," but rather, "How much loss is tolerable and at what cost." www.Saving the Digital World.com



Source: The Long-Term Digital Preservation Reference Model, www.ltdprm.org 2012

Meetings in Review

The Chattanooga ARMA Chapter met at the Chattanooga Hotel & Conference Center in January. Rich Medina was the presenter. He is co-founder and a Principal Consultant at Doculabs. The session explained how to tackle the monster problem of over-retention of electronic information. He showed how to develop and execute the four most important steps in defensible disposition: the Defensible Disposition Policy, Assessment Plan, Technology Plan, and Disposition Plan. It outlines business case development and tool selection.

In February Michelle Kirk was the presenter. She currently a Program Manager and eRecords and Information Governance subject matter expert for Iron Mountain Incorporated. Michelle presented on Information Governance: A New Way of Doing Business or Just a Whole Lot of Hype? The question of what's in a name has been raised in relation to all of the publicity Information Governance (IG) has been receiving. Is it just a new label or is it really a new way of doing business? In this session she explored addressing the question of why change is called for now, applying strategies for gaining IG sponsorship and forming an IG Council, examining core oversight components and sample agenda and identifying weaknesses' in current RM programs

We look forward to having you join us for our upcoming meetings in person or on the webinar!



ARMA International is proud to partner with organizations that offer professional certification programs. And as the leader in information governance, ARMA International is pleased to introduce the newest certification in the profession, the [Information Governance Professional \(IGP\)](#) certification. The IGP is not tied to a specific ARMA International product or service and is separately incorporated under an independent governing board for the purposes of maintaining autonomy in all of its certification practices and decisions.

For more information visit

<http://www.arma.org/r1/professional-development/certification>

Education Corner

Presented by John Isaza

Ask a Law Expert

This is part of a syndicated column I have created for ARMA chapters. My column is devoted to answering information governance, records management, privacy and related legal questions from Chapter Members or sharing my thoughts on current hot topics. As you read my column, please note that although I am an attorney specializing in these areas of law, these are only my opinions. My opinions should not be construed as legal advice. Kindly consult with an attorney for more formal advice.

This month I did not receive questions from our readers, but I have noted some interesting developments regarding E-discovery, which continues to evolve at a faster pace than any other information governance issues.

Courts Beginning to Scrutinize Records Governance Issues More Closely

This past October, Judge Grewal of the Northern District of California issued a decision regarding the “as ordinarily maintained language,” a phrase also associated with “routine good faith business practices.” In *Venture Corporation v. Barrett*, Case No. 5:13-cv-03384-PSG (N.D. California, October 16, 2014), the court addressed a motion to compel a request for production of ESI (Electronically Stored Information) “in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.” Plaintiffs sought to produce the ESI on flash drive and by email, consisting of approximately 41,000 pages. The drive and email did not contain a custodial index, table, or other taxonomy information at all—just the folders of the files. The court found that this kind of production “did not square with the rules,” noting that “if documents are not organized and labeled to correspond to the categories in the request, they must be produced as they are kept in the usual course of business.” (Emphasis added.)

The court then noted that Plaintiff “submitted no evidence that in the ordinary course of business they keep documents and ESI in folders as they were produced... At a minimum, the court would expect to see the documents and ESI kept by the name of the employee from whom the documents were obtained or at least which Venture entity had produced the documents.” The court hence ordered Plaintiff to “produce the documents and ESI as they are kept in the ordinary course of business.”

This case shows how courts are inching towards more scrutiny over how records and data are actually maintained in the ordinary course of business, including a look at key metadata fields such as filing systems and custodian data. According to the court, “this mean[s] that the disclosing party should provide information... [that] would include, in some fashion, the identity of the custodian or person from whom the documents were obtained, an indication of whether they are retained in hard copy or digital format, assurance that the documents have been produced in the order in which they are maintained, and a general description of the filing system from which they were recovered.” (Emphasis added.) Accordingly, the data has to be organized well before litigation is in the horizon. Otherwise, production of disorganized data

Cont. on next page....



Education Corner

Presented by John Isaza

Ask a Law Expert

may make the courts suspicious of what you are producing, and thus lean harder on you to produce even more data.

Duty to Preserve Information on Personal Non-Employer Devices The court in *Alter v. Rocky Point Sch. Dist.*, 2014 WL 4966119, at *10 (E.D.N.Y. Sept. 30, 2014) succinctly stated that personal non-employer devices are fair game, if they contain data relevant to the case at hand. Specifically, the court said, "Defendants claim that they were not obliged to preserve work-related ESI which employees... utilized on their personal computers. However, to the extent that the School District employees had documents related to this matter, the information should have been preserved on whatever devices contained the information (e.g. laptops, cellphones, and any personal digital devices capable of ESI storage)." (Emphasis added.)

Some Words of Caution on Electronic Signatures

At least one court has illustrated a way that electronically signed document can be invalidated. In *Ruiz v. Moss Bros. Auto Group, Inc.*, Case No. E057529 (Cal.App. 4th 2014, Dec. 23, 2014), the Court refused to enforce an employer's electronically executed arbitration agreement. The court found that the employer did not present sufficient evidence to prove that the electronic signature on the arbitration agreement was "the act" of the employee. The Court confirmed that an electronic signature has the same legal effect as a handwritten signature; however, any writing must still be authenticated. Here, the employee argued that 1) he did not recall signing the arbitration agreement and 2) that the employer failed to show that the electronic signature was an "act attributable" to the employee. The Court found that the employer did not provide details on how to verify that the employee electronically signed the agreement in question. Although the employer did explain how each employee is required to log into the HR system with a unique login ID and password in order to review and electronically sign the agreement, the Court found that the employer did not explain how such an electronic signature could only be placed by the employee in this case.

This decision signals a new way for counsel to seek invalidation of arbitration agreements, and by extension other kinds of electronic agreements. At minimum, when it comes to arbitration clauses, parties should evaluate the manner and means by which they obtain electronic signatures, including assurances that such signatures can be uniquely verified and attributable to the signer if ever questioned in Court.

John Isaza is a California-based attorney, CEO of Information Governance Solutions, LLC and law Partner at RIMON, PC, a twenty-first century law firm that includes specialty in electronic information governance, records management and overall corporate compliance. He may be reached at John.Isaza@InfoGovSolutions.com or John.Isaza@RimonLaw.com. You can also follow him on Twitter and LinkedIn.



Greater
Chattanooga
Area Chapter
ARMA Board of
Directors

Previous and
Upcoming Board
Meetings

February 17th, 2015

March 17th, 2015

Webinar

Did you miss

the last meeting and
want to be up to date
on the education
provided for the
Chattanooga
Chapter?

Check out the record-
ing of our webinar
from the previous
meeting!

[Previous Webinar Link](#)

Greater Chattanooga Area Chapter Treasury Report



ARMA - Greater Chattanooga Area Chapter - Treasurer's Report			
January 2015			
Balance (01/31/2015)			
Money Market	Interest \$.12		\$2,728.23
Savings			\$25.19
Checking			\$2,301.52
			\$5,054.94
Beginning Checking Balance			
			\$2,117.08
Deposits:			
	Monthly Meeting		
1/14/2015		192.00	
1/16/2015	PayPal	180.99	
1/22/2015	ARMA Intl	35.00	
Total Deposits			407.99
Disbursements:			
1/16/2015	POS - Chattanooga	223.55	
Total Disbursements			223.55
Balance	1/31/2015		\$2,301.52
	Library fund balance \$216.00		
Respectfully Submitted,			
Victoria Marshall, Treasurer			