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Am Law 100 Firm Achieves Compliance and Savings by Implementing Formal Information Governance Program

This Am Law 100 firm with over 900 attorneys and 27 offices coast to coast, recently made BTT's Honor Roll as "Most Feared Law Firms in Litigation." While all firms face a client-driven information governance mandate, this is even more true for a litigation firm that handles voluminous amounts of extremely sensitive client materials.

Implementing an information governance program for both paper and electronic records, therefore, was both mission critical and a daunting task. Historically, company-wide standard practices had not always been adhered to, nor was the integrated use of company systems – thus, the firm's leadership knew from the outset that compliance within the given timeframe would be problematic without outside help.

The firm decided to leverage the expertise of Mattern. Mattern consultants had previously delivered demonstrable success improving the value and efficiency of the firm's outsourcing, offsite records, and office supplies contracts.

With the firm having completed a record policy with retention schedules, they were now faced with the monumental task of compliance. The successful implementation of retention schedules would first require discerning the location of all information assets - email, network shares, archives, DMS, RMS, physical media, and 3rd party sharing tools.

Additionally, Mattern's comprehensive diagnostic also revealed that the firm's off-site storage contract did not allow for cost-effective destruction of physical records (a necessity now that retention schedules were deployed). Further, a complicating issue with the off-site boxes was a lack of precise knowledge as to their contents – a common issue with firms which often lack the proper tracking systems, have gone through multiple system migrations, or have blended disparate systems as a result of mergers and acquisitions.

Mattern's experts assisted the firm in devising a defensible plan for gaining insight into box contents in advance of destroying those contents per retention schedules. The consultants utilized their industry-wide expertise to negotiate a new off-site storage contract that allowed the firm to have the selected service provider review the contents of the boxes, and then, if allowed per the retention schedule, destroy. Mattern projects that the firm will be able to conduct this review-and-destroy, and still realize savings of approximately \$450K over the next 10 years (versus simply storing all materials indefinitely as had been the firm's practice).

Mattern then recommended the standardization of tool sets, alignment of proper user behavior, and the enforcement of methods for purging all ancillary electronic data stores. The Document Management System was identified as the repository of record where official retention would be managed, with all other locations treated as temporary working locations. A roadmap with milestones was put in place for cleaning up data locations such as email and network shares, with a coordinated effort with IT and end-users to get electronic records relocated properly into the DMS. Thus, Mattern assisted the firm with an extensive change management program to address user behavior, workflow, and the integrated use of systems to facilitate proper management of the firm's information assets that would allow for compliant disposition per policy.

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In the end, the firm implemented an information governance program that allowed for defensible management of all information assets regardless of media or location. This ushered in uniform user behavior integrated with the firm's technology systems to create less paper, and send minimal paper off-site in the future.

The firm will continue to draw down on physical off-site records in a cost-effective manner, with the ultimate goal to be out of the off-site storage business in the next 10 years (bar a subset of documents – Estate Planning, Family Law, etc. - subject to longer retention periods). Mattern's thorough monitoring and maintenance program will ensure that this becomes a reality and the firm will solidify its reputation for nimble, resourceful efficiency.

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