



CALIFORNIA STATE UNIVERSITY, LONG BEACH

Subject: Preservation and Production of Records	
Department: Information Security Management and Compliance	Reference No.:
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I. Policy Statement

California State University, Long Beach recognizes its duty to preserve records and documents when the University has notice that the records or documents may be potentially relevant to litigation or when the University reasonably anticipates litigation. The University further recognizes its legal obligation to produce such records when compelled to do so.

This legal obligation extends to all faculty and staff members who are likely to possess records related to a legal action or request and who have been notified that a "litigation hold" has been placed on these records. Electronic records or documents may reside on university or personal computers. The intentional destruction of records to avoid disclosure may be punishable by civil or criminal penalties, and/or a finding by the court that any missing information is presumed to be harmful to the university's case.

II. Definition

"Records" of "documents" are broadly inclusive terms, referring to any and all written or other graphic matter, however produced or reproduced, of every kind and description, and to anything upon which sounds, pictures, or images are recorded, transferred, or depicted by any means whatsoever. "Records" and "documents" refer to originals, copies where originals are unavailable, copies of originals which differ in any manner from the originals, and all drafts prepared in connection with such matter.

The terms "records" and "documents" include but are not limited to, inventories, lists, transcripts, abstracts, tape recordings, sound reproductions, summaries, files, file jackets, file covers, paper correspondence, notes, microfilm, electronic mail messages and their attachments, minutes of meetings, memoranda, diaries, time sheets, logs, computer disks or computer program databases or printouts.

III. Procedures

When notified by counsel, the University Director, Safety and Risk Management or Risk Manager shall notify via email "key players" in the litigation (i.e., the persons identified in a party's initial disclosure and any subsequent supplementation thereto) that a "litigation hold" has been placed on records related to the litigation and that they may not destroy, delete or otherwise make inaccessible related records.

Should the production of documents be subsequently required, key players shall be notified and appropriate action to collect requested documents shall be initiated.

Upon conclusion of litigation, the Director, Safety and Risk Management or Risk Manager shall notify key players that the litigation hold has been lifted and that preserved documents may be destroyed or retained.

FORMS: NA