



Email Vortex

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Think Before You Write

- You're creating a public record
- Hard to convey tone
- It may be used in subsequent litigation or complaint investigation/resolution



Public Records Act

- Any member of the public can request
 - No limit on requests or breadth
 - No reason needed
- Required to “fully assist” in response
 - Must undertake complete search of all records
 - Even if considered confidential or privileged
 - Must provide even if it's a copy



Email Management

- File consistently and in a way that you can find documents easily
- Do not create documents/memos in response to records request
- File and save sent mail
- File and save Blackberry email



Privileged Emails

- Emails with attorneys, in which the attorney is giving advice, are privileged
 - Just having them copied on email doesn't make it privileged
 - Forwarding it to others will break the privilege
 - Privileged emails still must be retained and produced for public records requests



Records Retention

- Policies apply to email – know your schedule
- Policy under consideration for review