



# Email Vortex

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# Think Before You Write

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



# Public Records Act

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- 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

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- 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

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- 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

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