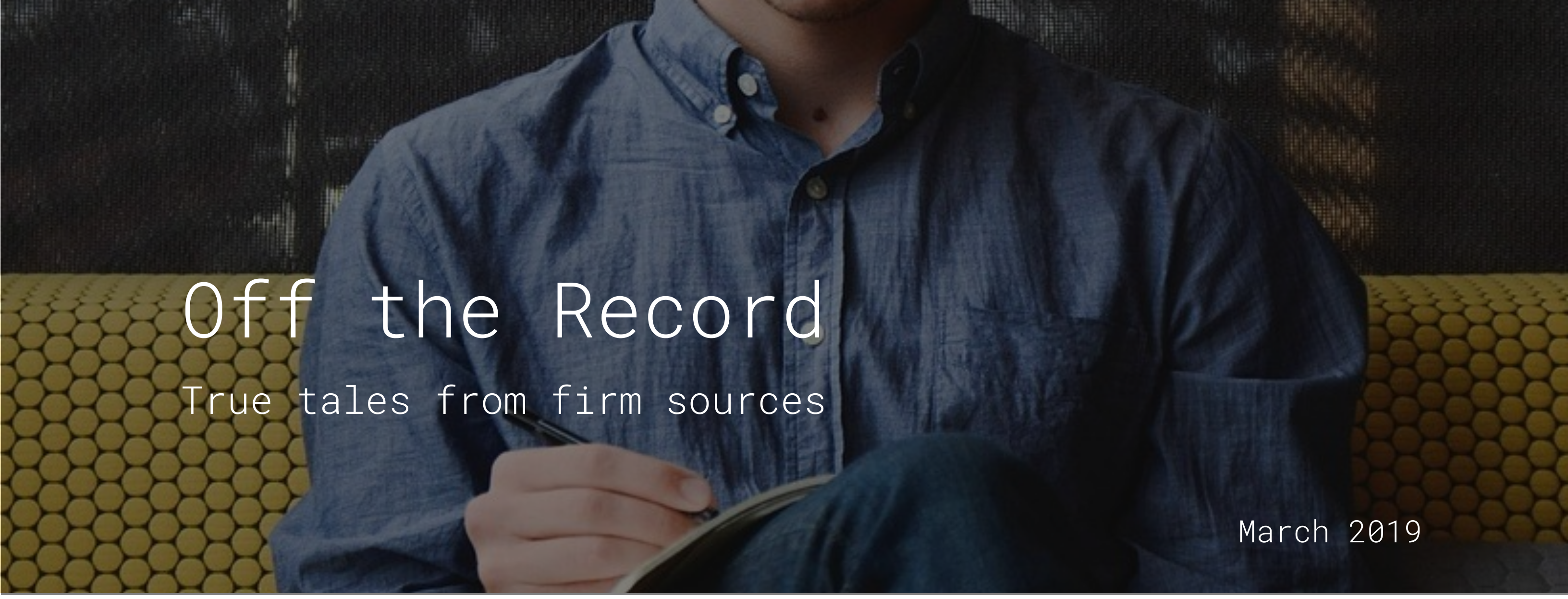


Off the Record

True tales from firm sources

March 2019

Interview with:

John Churchill, Records Department Manager, Nelson Mullins

Nelson Mullins is an Am Law 100 firm with headquarters in Columbia, South Carolina, where John Churchill has served as Records Department Manager since 2007.

"I manage a department of 30 people, including a team of five supervisors on the ground, four of whom have responsibility across our 25 offices and are constantly traveling. The fifth supervisor is based at the Records Administration Center, and is the systems administrator for FileTrail. We have ten employees in our two offsite warehouse facilities, so two-thirds of our staff is office-based. We have offices in 11 states including Washington, D.C."

On RFPs,Information Governance and Records Management

Clients and prospects are increasingly requesting more detailed information in RFPs about information governance policies and procedures, including records management

"RFPs come in to our IT Security team. There are usually questions about how the Records Department is run, how we manage compliance, proof of policies and procedures, and how we manage retention, destruction and chain of custody.

"As a result, the role of Records Management has become more prominent. The attorneys, Risk and General Counsel all value what we do now. Similarly, the CIO and the Security team also value our input and are trying to ensure that we're more integrated with Security."

"The requests definitely have increased. Most requirements are in the range of what we expect. Occasionally there are far-reaching requirements which are beyond the scope of what we would normally provide. Sometimes we push back, but in general we try to be as compliant as possible. Records Management has some standard answers which we can reuse, so we don't need to get directly involved in every RFP response."

On Managing Client Requirements

"Our compliance requirements are centralized. The IT Security team is managing those requirements in a centralized database.

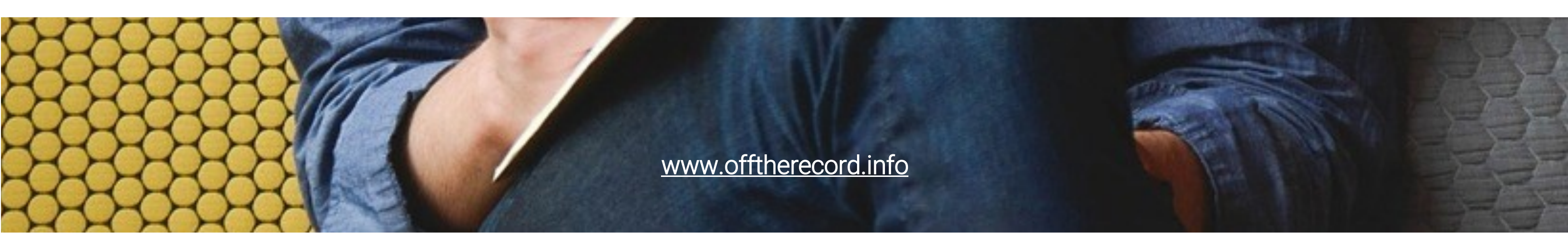
"Maintaining client-specific rules about the retention of physical and electronic files is separate. That would generally come through our General Counsel to Security and Records Management. Client-specific records requirements are entered into an Access database. In the future, we'll put it all in a centralized repository through FileTrail. We see that as a positive next step."

How the Role of the Records Manager Is Changing

"Legal technology is changing the role of the records manager. We're expected to have a more well-rounded view. Records staff are now expected to be more technically savvy. It's offering growth opportunities, including re-training. Most of the team is really up for the transition.

"With the paper-based model, records managers were viewed as 'good stewards of information' — code for managing storage facilities and filing schedules. As we move toward becoming more paperless, IT has come to appreciate the role of Records Management in ensuring that our records retention policies, procedures and schedules are actually being followed.

"We're moving toward being 'paper light' — the firm is committed to going more electronic, but is taking a gradual hybrid approach. Moving to NetDocuments was a huge step. We're also expanding beyond the DMS in our move to manage digital files. For example, scanning physical files more permanently in NetDocs so you don't have to maintain them in paper form, and taking unstructured data in our shared drives and making sure it's classified with the right client/matter numbers."



"Our records staff is getting more ingrained in the practice teams, getting users to standardize certain things like naming conventions, how to code titles and dates, and making sure there is only one instance of a document in the DMS. The practice team would go to the records staff member for support on these types of issues. It also means that our records staff have had to go through refreshment training on NetDocuments.

"Following our recent merger with Broad and Cassell, I assigned one of our records supervisors to join the fact-finding visits to our new Florida offices along with members of our Operations, Administration and IT/Security teams. Everyone has a stake in making sure the integration is successful. Our records supervisor is working hard to reach out to the new group and driving the effort to review their data, and indexing it properly with the right client/matter numbers."

On Managing Information Governance

"We don't have a formal Information Governance committee, but we tackle information governance issues under the direction of our CIO under the IT umbrella together with Security, Applications, Litigation Support, Paralegals — and of course, Records Management.

"For the last several years we've also had an Information Management Group that meets on a quarterly basis, including all managers and directors in IT, Records, Paralegals, Operations and Accounting. We share information, identify common issues and formalize how we can best collaborate on projects. As an ISO compliant firm, we take security very seriously and security is certainly a big component of the discussion."

Offering "True tales from firm sources," **Off the Record** provides fresh perspective on information governance and information management trends and challenges facing the legal industry.

It's a site for the important ideas, anecdotes, trends, insights, lessons and stories about law firm information technology and governance that everyone should hear, but no one is talking about. At least, not on the record…

(If you have a compelling story to tell or an idea to share, feel free to [get in touch].)