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Managing Electronic Mail: Guidelines and Best Practices

Summary

- This document explains in great detail what Email as “Government Record” is, how it is to be retained and for how long, according to the requirements of the State of New Jersey.
- All Email that fits the definition of a "government record" must be available to the public upon request, unless it falls under specific exceptions as defined by OPRA.
- Non-Government Record Emails are transient personal messages, SPAM, etc. This group also includes non-government list publications. These messages *should not be saved* and can be deleted immediately, except where the publication is used to justify a purchase or business process - which then must be retained.
- Government Record Email is divided into three retention categories: Transient, Intermediate, and Permanent.
 - *Transient Documents* include Emails of limited administrative value beyond a specific time frame and information of temporary importance. Examples include meeting notifications and arrangements, drafts, etc. They should be retained until they are no longer of administrative value, and then destroyed (deleted).
 - *Intermediate Documents* are also of limited value, but have specific retention time frames depending on the type of document. Types of documents include, but are not limited to: general informative messages, reports, advisories, project status, internal correspondence, internal policy decisions, and minutes. Retention can be “until superseded”, for a period of 3 years, or permanent.
 - *Permanent Documents* are message of “significant administrative, legal and/or fiscal value.” Document types for this category include, but are not limited to correspondence regarding agency policies, programs, fiscal and personnel matters.”, departmental policies and procedures, minutes, etc. Retention can be “until superseded”, for a period of 3 years, or permanent.
- All policies that are retained for a specific length of time must be reviewed and re-evaluated before destruction. Some of these may, upon investigation, be re-classified for permanent retention.
- Non-“Government Record” Emails must not be retained.
- Personal Distribution lists must be retained along with the messages according to the retention policy of the message type.
- Record management responsibility generally falls to the person the Email was addressed (To: field). CC recipients may delete their copy. In some cases, the record copy is retained by the sender.

- Filing should be in a way that enhances accessibility by third party. This means appropriate Subject lines, and logical filing in subfolders according to business and retention policies.
- Permanent records should be stored in such a way that the information is always retrievable¹
- Personnel must follow state and federal “Rules of Evidence”.
- According to the “Rules of Evidence”² NJCU must show
 - Assurance that appropriate retention policy is followed;
 - Prove that emails are recoverable according to the guidelines; and
 - Prove that the retention system meets state/federal guidelines for reliability and disposition.
- “Employees must understand and carry out their role in managing email and agencies must ensure compliance with agency procedures and NJ law.”
- When employees separate from the agency, someone has to review the employees email account, collect, and archive Government Record email.

¹ Section 2.5.2, page 8 of the Guidelines

² Section 2.6, page 9 of the Guidelines