

Georgia State University

Legal Hold Policy and Procedures

I. Purpose

There are circumstances where the normal and routine destruction of records must be suspended, pursuant to federal and state requirements and University record retention and disposition schedules. Present and future records that are involved in litigation, or reasonably anticipated in foreseeable legal action, must be preserved until the legal hold is released by the Office of Legal Affairs.

The purpose of this document is to set forth the authority and process for initiating, implementing, monitoring, and releasing legal holds.

II. Scope

This policy and procedures applies to all University personnel and covers all records, regardless of form, made or received in the transaction of University business.

III. Definitions and Authority

As used herein, these terms shall have the following designated meanings.

"Affected University Personnel" means all University personnel who are in possession or control of records, which are the subject of a legal hold.

A "legal hold" is an order to cease destruction and preserve all records, regardless of form, related to the nature or subject of the legal hold.

"Evidence" includes all records, whether in electronic or paper form, created, received, or maintained in the transaction of University business, whether conducted at home or work. Such evidence may include, but is not limited to, paper records and electronic records stored on servers, desktop or laptop hard drives, tapes, flash drives, memory sticks, DVDs, or CD-ROMs.

"Electronic records" includes all forms of electronic communications, including, but not limited to, e-mail, word processing documents, spreadsheets, databases, instant messages, calendars, voice messages, videotapes, audio recordings, photographs, SharePoint files, Wiki materials, telephone or meeting logs, contact manager information, Internet usage files, and information stored in PDAs, Blackberry devices, or removable media (e.g., CDs, DVDs, thumb drives, etc.).

"University personnel" includes all employees, whether permanent, temporary, full-time or part-time, faculty, and student employees.

The authority to place a legal hold is vested in the Office of the Legal Affairs.

IV. Procedures

A. Any University personnel who become aware of any litigation, threat of litigation, other legal action, or an investigation by any administrative, civil or criminal authority, through

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Lingsheng Yao



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