Email – Consider Your Exposure

Email is a standard for business communications. According to a study by the Radicati Group, the average corporate email user sends and receives about 112 email messages each day. Because email as a business tool is here to stay, companies need to take the time to recognize and manage the risks that electronic communications present.

Today, emails are some of the most important records recovered in discovery requests during litigation. With the false privacy email messages provide, people send and receive lots of information that they wouldn't want others to know about. They don't realize that information in emails is easily recovered as evidence during litigation, even if the email message was deleted, indicating who received what information and when.

To equip your organization with the right tools to prevent and protect against these risks, a group of employees should be assigned to develop guidelines and procedures regarding emails and other electronically stored information (ESI), such as instant message logs and electronic files. At least one member from the management, legal, information technology and human resources teams should be involved in this process to make sure that the best interests of the entire organization are met.

First, the organization's perceived threats and weaknesses regarding ESI need to be evaluated. With these considerations, an electronic information retention policy can be drafted outlining exactly how electronic information will be handled and stored and for how long each type of information will be kept.

And since the best defence is a great offence, organizations should consider using training to emphasize the rules and best practices of email communications to prevent employees from using email inappropriately.

We all have to remind ourselves that email is a form of communication that, once sent, cannot be controlled or contained. An email intended for one person's eyes can end up on the computer screens of an unlimited amount of people. Before sending, your employees should stop and think, "Would I like this email to be seen on the front page of my morning newspaper?"