

Litigation Hold Checklist

A **litigation hold** is the process used to preserve documents and data that may be relevant to litigation. "One of the principal rules is that whenever litigation is reasonably anticipated, threatened or pending against an organization, that organization has a duty to preserve relevant information." (The Sedona Conference® Commentary on Legal Holds: The Trigger and the Process. 2007)

Step:		
1.	<input type="checkbox"/>	Upon receipt of notification of pending litigation, notify: <ul style="list-style-type: none"> <input type="checkbox"/> Supervisor <input type="checkbox"/> General Counsel
2.	<input type="checkbox"/>	Issue Pre-Litigation Hold memorandum to prepare those involved. This memo is sent out prior to litigation being filed in preparation of that event.
3.	<input type="checkbox"/>	Arrange meeting to determine if litigation hold is warranted. This meeting should include: <ul style="list-style-type: none"> <input type="checkbox"/> General Counsel <input type="checkbox"/> Any personnel involved with safeguarding or retrieving the data.
4.	<input type="checkbox"/>	Issue Destruction Hold Notice (SFN 52376).
5.	<input type="checkbox"/>	When litigation is filed, issue a memorandum of Post-Litigation Filing where further information on what material is to be preserved can be delineated.
6.	<input type="checkbox"/>	Materials being held for litigation: <div> <div> <input type="checkbox"/> Paper originals and copies. <input type="checkbox"/> Calendars and planners. <input type="checkbox"/> Graphics files. <input type="checkbox"/> Voicemail. <input type="checkbox"/> Information on website. <input type="checkbox"/> E-mail and e-mail attachments. </div> <div> <input type="checkbox"/> Word processing documents. <input type="checkbox"/> PowerPoint presentations. <input type="checkbox"/> Network logs. <input type="checkbox"/> Instant messages. <input type="checkbox"/> Spreadsheets and databases. <input type="checkbox"/> Other data: _____ </div> </div>
7.	<input type="checkbox"/>	Upon confirmation to implement a litigation hold, the following should be identified: <ul style="list-style-type: none"> <input type="checkbox"/> information relevant to the litigation; <input type="checkbox"/> person(s) with relevant materials; <input type="checkbox"/> location and storage of materials (laptops, email servers, drives, files, etc.); <input type="checkbox"/> best procedures to preserve the materials for litigation.
8.	<input type="checkbox"/>	Establish a method to ensure compliance of litigation and monitor the procedures.
9.	<input type="checkbox"/>	Upon completion of litigation, issue litigation hold release.