

# The Case for Managing Electronic Records

It is tempting for people to fall into the trap of conveniently forgetting about virtual records due to their “hidden” qualities; however it is just as important to develop policies and procedures for managing electronic records as it is for paper records. If you need to build a case for proper electronic records management, here are some important elements to include.

## **Ohio offices are accountable to the public to manage its records**

That means ALL records, not just paper. State agencies are legally obligated not only to retain all of the electronic records they create but also to provide public access to them. Ohio law requires offices to manage and make records available “regardless of physical form,” and forbids removal, destruction, mutilation, transfer, damage or unlawful disposal of those records. Public records requests do not only apply to paper records, but to all records responsive to a request, including electronic records. Email is a particular target for both public records requests and discovery. A public office must be able to allow a requester to review a public record in its native format, if so desired, making electronic records management essential.

## **Information is a valuable asset that must be preserved**

Agency records represent valuable state assets. The return on investing in electronic records management will take various forms:

- Improved staff management, training and workflow due to better documentation of past activities.
- Decreased technological and human resource burden of staff developing their own individual record keeping systems because they do not trust or have easy access to agency record keeping systems and filing schemes.
- Increased ability to gain funding for new programs based on thorough documentation of past outcomes.
- Decreased technological and human resource burden of preserving records that no longer have retention value, as well as decreased potential for legal liabilities that can arise from records being kept too long.
- Lower resource burden when migrating records to new technology, due to the appropriate capture and maintenance of metadata and scheduled disposition of unnecessary records.
- Increased efficiency in meeting the access requirements of the public records law.
- Avoidance of lawsuits based on the unwarranted destruction of or inability to provide access to records.

## **Evolving technologies dictate best practices in electronic records management**

Since both the technologies used to generate records and the methods designed to deal with record keeping issues continue to evolve, adoption of current best practices enables agencies to benefit from the best advice available from both the public and private sectors, while providing flexibility for improvements as methods and technologies evolve. The OhioERC identifies best practices and develops resources concerning the creation, maintenance, long-term preservation, and access to the electronic records of Ohio’s public entities. Guidance documents can be found on the OhioERC’s website at <http://www.ohioerc.org>.

