

Email Retention Policy

Legislative Council Staff

Effective January 1, 2024

A. APPLICABILITY

This Policy applies to each employee of the Legislative Council Staff.

B. SCOPE

This Policy applies to any email that an employee sends or receives, on or after January 1, 2024, in the course of performing the employee's job duties. This Policy applies to email in an employee's inbox, sent mail, and folders. Pursuant to section F of this Policy, the retention guidelines for email are also applicable to text messages and other forms of electronic communications.

C. DEFINITIONS

As used in this policy:

1. **Short-term email** means an email that serves a work-related purpose, but is also transitory or of time-limited value because it serves a time-defined administrative purpose.
2. **Employee** means an employee of the Legislative Council Staff.
3. **Intermediate email** means an email that is neither transient nor permanent and that has more significant administrative, legal, or fiscal value than a short-term email.
4. **Permanent email** means an email that is kept due to its significant administrative, legal, or fiscal value.
5. **Transient email** means an email that is personal in nature, of fleeting or no value, or otherwise not created or received in the course of state business.

D. CUSTODIAN

Pursuant to section II.B.1 of the Legislative Policies Related to Public Records and Email (Legislative Policies)¹, "[th]e Director or head of each staff agency is the custodian of public records under the custody and control of that staff agency." However, each employee is responsible for managing the employee's email in accordance with the Policy.

¹ The Legislative Policies may be found [here](#).

E. EMAIL RETENTION

1. An employee should delete a transient email immediately after reading or sending the email. If an employee does not delete a transient email immediately, the employee should delete it within thirty days of receiving or sending the email.
2. An employee may retain a short-term email until it is no longer of administrative value and then the employee should delete the email. In most cases, it should not be necessary to retain a short-term email for more than thirty days.
3. An employee may retain an intermediate email until it is no longer of administrative, legal, or fiscal value and then the employee should delete the email. In many cases, it may be necessary to retain an intermediate email for more than thirty days. Employees should review saved intermediate emails frequently and should delete an email when it is no longer of administrative, legal, or fiscal value.
4. An employee may retain a permanent email indefinitely or until the employee determines that the email is in a different category or that it should otherwise be deleted.
5. An employee may want to save intermediate and permanent emails in relevant folders.

F. RETENTION OF OTHER ELECTRONIC RECORDS

Employees should categorize, delete, and retain text messages and other electronic communications that the employee sends or receives in the course of performing the employee's job duties in the same manner as email is categorized, deleted, or retained pursuant to section E of this Policy.

G. EMAIL ARCHIVE

Although this Policy does not apply to email that an employee sent or received prior to January 1, 2024, employees are encouraged to delete or retain those emails in accordance with the categories specified in section E of this Policy as time allows.