MENDOCINO COUNTY POLICY #59	IT POLICY EMAIL RETENTION
ADOPTED:	ADOPTED BY:

1. **Overview:**

This policy establishes guidelines for the retention and disposal of emails generated or received by County personnel in the course of their official duties.

2. **Purpose:**

This policy establishes a consistent email retention schedule for County personnel to follow and aims to ensure that all email records are retained in accordance with legal and regulatory requirements. It aims to improve record-keeping practices and promote transparency and accountability in County operations.

3. **Scope:**

This policy applies to all County personnel who use County email as part of their official duties, including elected officials, appointed officials, and employees. This policy applies to all email messages and attachments sent or received using County email accounts, regardless of the device used for access, unless otherwise stated in this policy.

4. **Authority and Effective Date:**

Execution and implementation of this policy is subject to the authority of the Chief Executive Officer. CEO is authorized to implement on a rolling basis and set appropriate deadlines for compliance.

5. **Policy:**

5.1 **Retention Schedule**

5.1.1 All email will be retained in the County email system for a period of six (6) months.

5.1.2 After this time, emails will be disposed of unless they are specifically archived in accordance with the retention periods outlined in the subfolders described below.

5.1.3 It is the responsibility of each employee to determine whether an email constitutes a record to retain, and to save any such record as necessary.

5.1.4 Where applicable, County IT will use technology resources to programmatically identify and retain email in accordance with this policy.

5.1.5 To assist employees with email retention, subfolders and retention policy labels are made available to each employee. These subfolders and policy labels should be used to retain emails that contain important information and are subject to longer retention periods. Subfolder examples are as follows:

- 1 Year Retention: Emails that need to be retained for one (1) year.
- 3 Year Retention: Emails that need to be retained for three (3) years.
- 7 Year Retention: Emails that need to be retained for seven (7) years.
- 10 Year Retention: Emails that need to be retained for ten (10) years.
- Permanent Retention: Emails that must be retained indefinitely.
- Additional subfolders may be created to comply with varying retention period requirements.

5.1.6 Emails stored in these subfolders will be disposed of automatically based on the date and time of filing, according to the schedule set for each folder.

5.1.7 Automatic disposal of email messages is managed through County IT and set in accordance with this policy.

5.1.8 County personnel should regularly review the contents of these subfolders to determine whether any emails can be deleted or disposed of in accordance with this policy.

5.2 Litigation Holds

In the event that the County becomes involved in any actual or potential legal proceedings or investigations, the County Counsel's Office may issue a litigation hold. The purpose of the litigation hold is to ensure that potentially relevant documents, including emails, are preserved for the duration of the legal proceedings or investigation.

5.2.1 If County personnel receive a litigation hold notice, they must immediately suspend all routine destruction of emails in accordance with this policy and take all necessary steps to preserve any relevant emails.

5.2.2 County personnel should consult with the County Counsel's Office for guidance on how to comply with a litigation hold and which emails should be retained.

5.2.3 The retention periods outlined in this policy may be extended or modified as required by a litigation hold.

6.   Policy Maintenance:

This policy will be reviewed periodically by the County of Mendocino Executive Office – Information Technology Division and updated as necessary to ensure it remains relevant and effective.

7.   Policy Compliance:

7.1   The County Executive Office – Information Technology Division will regularly monitor compliance with this policy.

7.2   Exceptions to this policy may be granted on a case-by-case basis by the County Executive Office – Information Technology Division Manager or designee, such as when legal or regulatory requirements mandate a longer retention period.

7.3   County personnel found to have violated this policy may be subject to disciplinary action, up to and including termination of employment or contract.

8.   Definitions:

8.1   County Email: Email system administered and maintained by the Executive Office – Information Technology Division.

8.2   Email: A digital message transmitted between computers or other devices over the internet or other network.

8.3   Litigation Hold: A notice issued by the County Counsel's Office to preserve potentially relevant emails and other documents in the event of actual or potential legal proceedings or investigations. A

litigation hold suspends routine email destruction in accordance with this policy and requires employees to take all necessary steps to preserve any relevant emails.

8.4   Subfolder: A folder within an email account or designated electronic folder used for organizing and storing specific categories of email messages and attachments. Subfolders may be created and maintained by individual users or by County IT to manage email messages and attachments in accordance with this policy.

8.5   Retention Policy Label: Retention Policy labels within Office 365 allow for customized retention settings for a single folder, subfolder, document, file, and email. Retention labels can be applied both automatically and manually.

9.   Revision History:

Date	Responsible Party	Summary of Change
05-01-2023	IT Division	Initial policy creation