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The ARMA Conference 2001 - **BOOK ONLINE NOW!**

Auckland, November 6th, 2001 at the Novotel Ellerslie Hotel, Auckland.

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Electronic Records: Gold Mine or Landmine?

Implications for Knowledge Management and Information Technology

Session One: 9.00am - 12.30pm

Using Quality Electronic Records Practices to Mine the Gold in Electronic Records

Presented by Dr Rich Lysakowski

Electronic records present major advantages and unique challenges to all types of organisations. Records are part of the foundation of any effective knowledge management programme that attempts to leverage "lessons learned" over many years by an organisation. However, to fully implement knowledge management we must complete a major paradigm shift - from paper as the only reliable storage medium for permanent recordkeeping - to paper simply being a convenience for human communication.



To become a "learning organisation" and access "lessons learnt" requires that knowledge is captured completely, is well-indexed and is accessible for longer periods of time than current information technology will be usable. Better approaches to designing, building, buying and managing information technology are needed to bridge the chasm between business requirements for recordkeeping and the current reality of information technology. We must apply state of the art techniques and metadata standards to capture, index, store and manage information.

In this workshop, the speaker will present current legal, regulatory and technological requirements that electronic records programmes and systems must meet to ensure legal admissibility and increase evidential weight of electronic records in court. You will learn how to combine state-of-the-art knowledge management practices with Quality Electronic Records Practices, to step over the landmines in order to mine the gold in your electronic records!

Attendees will learn:

- Basic concepts of integrity, authenticity, reliability, custodianship, domains of care and the use of contemporary archival diplomatics in establishing trustworthiness of electronic records.
- What you can do now to maximise admissibility and weight of electronic records in all kinds of litigation.
- The role of advanced technologies and services in both supporting and thwarting litigation defence and offence. For example: public key infrastructure (PKI), advanced multimedia record preservation formats (PDF, XML, etc), metadata standards, digital notary services, computers as witnesses or corroborators, trusted third party vaulting companies, etc.
- The "weak links" in advanced hot new electronics records product and service offerings.
- The undervalued, but absolutely critical role of records and archives management in knowledge management and intellectual capital utilisation.

Dr. Rich Lysakowski, from Boston, Massachusetts, is Director of the Global Electronic Records Association (GERA) and Executive Director of the Collaborative Electronic Notebook Systems Association (CENSA). His responsibilities for GERA include research and development and ensuring that the partnership between government and industry on standards for electronic records programmes, policies



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and procedures are fruitful. His CENSA responsibilities include organising and executing research and development programmes to develop healthy markets and products for advanced automation for R&D.

Dr. Lysakowski also chairs the InterPARES Project's Global Industry Team. Industry's focus in InterPARES has been on very high commercial value R&D and business records, including lab notebooks, research reports and complex scientific multimedia databases.

Dr. Lysakowski has 22 years experience working with automation systems and lab instruments in various scientific, software engineering, marketing and project management roles, in the private and public sectors.

Related Article: Titanic 2020 - A Call To Action (PDF)
By Rich Lysakowski and Zahava Leibowitz

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Session Two: 1.30pm - 5.00pm

Computer Data, Litigation Risk and Information Management; Today's Key Challenges for Records Managers and Corporations
Presented by Kenneth R. Shear, Esq.



Electronic Data Litigation Risk - Why Records Management is Needed.

This part of the presentation will look at the increasing role of computer data as evidence in legal proceedings, and the crucial features of computer data and systems in the litigation context. It will examine the impact of electronic discovery on companies and organisations, and the key differences between computer data and paper documents.

The speaker will cover lessons learned when responding to discovery, and the hot issues of preservation of evidence, forensics and civil liberties.

Applying Records Management to Electronic Data - How to Get Started

The speaker will look at the legal risks, the impetus for applying records management to electronic data, and the role of the records management professional in mitigating the risk. He will discuss strategies for common data types: email, backup tapes and distributed data.

The retention of electronic records is becoming an increasingly important topic, and the speaker will look at the need to apply retention to electronic data. The key to getting started and making real progress is incrementalism, and the speaker will present techniques for managing electronic data.

Attendees will learn:

- Why electronic data has become a particular target in litigation.
- The crucial features of electronic data that create litigation risk and must be managed.
- Techniques for getting started on a practical and defensible records management strategy.
- How to persuasively communicate the need for and benefits of electronic records management.

Kenneth R Shear has been the Vice President of Electronic Evidence Discovery, Inc of Seattle, USA, since September of 1993. He enjoys a worldwide reputation as the leading authority on electronic evidence. Mr Shear has published several articles on legal aspects of electronic evidence and delivered presentations to many groups, including the Electronic Mail Association, Harvard Law School, meetings of the ABA, American Corporate Counsel Association (ACCA) and the Association of Records Managers and Administrators (ARMA), among others.

Mr Shear moved to EED after twelve years of litigation practice. At EED he has done extensive work in assisting large and small corporations in dealing with the emerging issues involved with electronic evidence in litigation, particularly in the discovery phase. Mr Shear heads EED's Technology and Law Division, which develops and tests new automated proprietary discovery tools.

Mr Shear is originally from St Louis and spent some time clerking for Judge Theodore McMillian of the Eighth Circuit Court of appeals after graduating from Rutgers Law School with high honours.

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