

Public Records & E-Documents

RWG's E-documents and public records lawyers, through the combined expertise of its Public Law and Litigation Departments, enables its clients to meet the challenges posed by Public Records Act requests and litigation document demands in this age of electronically-stored information.

RWG's E-Documents and Public Records Practice Group is available to work proactively with clients so they can meet their document disclosure obligations efficiently and economically, and in a manner designed to best position the client in the event of a lawsuit or other legal proceeding. The Practice Group also has a breadth of experience in handling unique and complex Public Records Act requests, for both e-documents and traditional documents, and is available to help public agencies handle a specific question, as well as provide advice on an ongoing basis.

Courts and administrative agencies expect parties to respond quickly and comprehensively to demands for electronic documents, and will impose sanctions when those responses are incomplete or behind schedule. The Public Records Act also imposes tight response times on public entities. However, many requests for electronically-stored data gives rise to complex issues, such as the format in which e-documents will be provided and who should bear the costs of retrieval from difficult-to-access locations such as backup tapes and legacy systems. To complicate matters even more, the unique structure of an organization's computer system, including remote devices such as cell phones and laptops, along with retention policies, the actual habits and training of its officials and employees, and the formats in which e-documents are stored, all affect how quickly and effectively an organization is able to respond to requests for e-documents.

An organization's document retention policies also may not be appropriate in the context of laws on electronic document production, and can result in major disruption and expense in the event of a large-scale document request.

In addition to assisting public agencies with responses to specific requests for public records, the E-Documents and Public Records Practice Group works with clients to create policies to deal strategically with both their Public Records Act and litigation discovery requests, with a particular emphasis on the challenges associated with electronic document production.

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