

Ease the Pain of Public Records Requests with eDiscovery Best Practices



Municipal governments typically field hundreds of public records requests each year. Fulfilling those requests can cost public agencies hundreds of thousands of dollars, in addition to substantial time and frustration. But approaching public records requests with eDiscovery technology streamlines the process and greatly eases the burden.

Public Records Laws and eDiscovery

Public records requests and eDiscovery refer to two distinct but related processes. Large organizations have dealt with eDiscovery requests for decades. Many of the best practices used by these organizations easily apply to public records requests, as well. In fact, the U.S. Attorney General advised using modern technology to facilitate the timely response to these requests.

Definitions of a few key terms can help provide a foundational understanding:

- Discovery – In the discovery phase of a litigation process, all parties must provide evidence and disclose information relevant to the case. Examination of this information informs the decision to proceed to trial or negotiate a settlement outside of court.
- eDiscovery – [eDiscovery](#) refers specifically to the process of finding, gathering, analyzing and presenting electronic data relevant to a case.

- FOIA – The Freedom of Information Act (FOIA) secures the right of the public to request public records from federal agencies. While this law applies only to agencies of the federal government, all 50 states have instituted laws modeled to some degree on FOIA.
- Sunshine laws – Each state has one or more Public Records Acts in place designed to promote government transparency, or put “government in the sunshine.” While not identical to FOIA, many state public records laws contain similarities to the federal law.
- Public records requests – Members of the public can request access to public records through FOIA and state public records laws. Typically, government agencies have a specified timeframe to respond to these requests. Failure to respond in a timely manner or with adequate information can result in costly lawsuits.



Challenges Create Bottlenecks

Government agencies and large organizations face many of the same challenges when responding to requests for electronic information. Requests can necessitate searching through millions of records in a tight timeframe. And in many cases, the data resides in various platforms and formats, across multiple departments.

Municipalities also deal with burdens unique to the public sector. They juggle limited budgets and personnel while balancing a duty to transparency with a responsibility to protect privacy. Records requests can result in weeks or months spent finding data and packaging the results. Unfortunately, these requests often come with deadlines of just a few short weeks.

Remove Bottlenecks to Public Records Requests with eDiscovery

Without the internal tools to deal with complicated records requests, many state and local government agencies find the requests stalled by overworked IT staff. However, by addressing public records requests with eDiscovery technology, they can cut response time and maintain public trust.

For years, businesses have harnessed the power of eDiscovery tools such as NetGovern to gather and review the right data in the right timeframe. A robust search engine covers both cloud and local repositories. Within minutes, the case manager can view comprehensive results and assign subsets of the data to various reviewers with a seamless chain of custody.

Combining eDiscovery best practices with solid [information governance](#) simply makes sense for government agencies. Begin with defensible ePolicies that both reduce data storage costs and limit liability. Consider an [email migration](#) to Microsoft Exchange to tap into powerful archiving options and automate ePolicies. Leverage the power of technology.



Powerful Solutions for Municipalities

Municipalities and small local governments typically lack the resources of state agencies. Yet, they are still held accountable to the same legislation. Consequently, they need to deploy efficient, technology-driven strategies to respond to records requests.

In Messaging Architects, municipalities have the partner they need to handle public records requests with eDiscovery tools and expertise. From [email migrations](#) to ePolicy review and eDiscovery, our experts will help you use resources more effectively, gather information more quickly and get back to serving the public.