

Document Security

How the modern law office is keeping documents more secure, meeting space restrictions, and budget requirements



Many veteran legal administrators can probably quote the rule by heart. According to the American Bar Association, Model Rules of Professional Conduct 1.6, “A lawyer shall make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client.”*

As a legal administrator, you don’t need the ABA to tell you document security is paramount. Your attorneys and your firm’s clients are counting on it. It’s not only good business practice — it’s good common sense.

Today, many law offices are confronting document storage challenges by going “paperless” by digitizing files. And even then, most law offices may still have some archival records, legacy files, and mandatory hard copy files — all requiring the utmost care and security.

The consequence of a security breach can be devastating. The last two years have seen the first legal malpractice suit to allege gross negligence over a law firm’s security protocols, and even the notorious “Panama Papers” data breach which started with a law firm’s security leak. Today, more than ever, you need a document security plan — and a professional document security supplier.

Ideally, your supplier will be a document security partner who can address the three main elements of a document security plan:

- Secure document destruction
- Secure digital archiving
- Secure records storage (for files that can’t be digitized)

In this white paper, we review these elements in detail, particularly as they relate to the security requirements of law firms.

Secure Document Destruction

Document destruction (shredding) is ultimately the single best way to ensure the security of your written information. The benefits of document destruction include:

- Reduced storage costs
- Absolute safeguards against information leaks
- Assured compliance with state and federal document destruction regulations.

In addition, by working with a supplier that recycles shredded files, you’re doing your part to support ecological sustainability.



Legal administrators, however, need to insist on document destruction protocols that adhere to a higher standard than many other businesses. Just hiring a shredder isn't enough. Those "big blue bins" that are commonly seen at other professional workplaces, for example, don't provide any real peace of mind for you or meaningful security for your firm — because until they are taken away, anyone can reach in and pull out potentially sensitive documents.

As you interview a potential document security supplier, consider asking these questions:

- Are your employees background-checked and vetted?
- Do you offer locking 40-gallon executive consoles and locking 64-gallon bins?
- Can you provide scheduled weekly, monthly, and on-call document destruction?
- Do you offer the most secure cross-hatch shredding technique (which is more secure than a desktop shredder)?
- Do you offer destruction of other media such as CDs, DVDs, VHS tapes, and hard drives?
- Can you provide a Certificate of Destruction that can be provided as proof that destruction was carried out?

Once these criteria are satisfied and you've selected a document destruction supplier, you can feel confident in safely destroying paper files as needed. Keep in mind, however, there is a reason you were storing hard copy documents in the first place. It's frightening to imagine the moment a law partner or valued client requests a file from 10 years ago ... and you can't produce it.

To address this concern, savvy legal administrators use a document security protocol that combines document destruction with secure digital archiving.

Secure Digital Archiving

This comprehensive solution is the choice of a growing number of law firms that value document security and access. With 24/7 online access to your records, you can easily access, share and collaborate instantly. You can also control access to your records by designating who should, and should not, have access to which files). Your archiving supplier may even offer an indexing process which will allow more rapid searches of your digitally archived content.

Despite all the benefits, digital storage can present a culture and process shift for law firms accustomed to "doing things the old way." One way to break down those barriers is to ensure your digital archiving supplier meets these security criteria:

- Trained and vetted employees: including background checks, pre-employment drug screenings, post-hire random drug screenings, and e-verify validation
- A dual-layer quality control process
- Accurate, high-speed production scanning equipment and indexing
- Document management procedures and protocols
- Proprietary indexing to eliminate mix-matches

After determining that a prospective digital archiving vendor meets your security criteria, review the files you have, how often you'll want access, and how you'll want access controlled. You may find that digital archiving offers you a cost-saving solution that provides higher security, lower cost, and faster access to documents than paper files ever could.

Still, most law firms will always have some paper files. The same document security supplier you use for document destruction and digital archiving should also be able to provide secure records storage of your hard copy files.

Secure Records Storage

As a cost-savings measure, some small and medium-sized law firms rent self-storage lockers for paper files. While the monthly cost may be low, so is the security of self-storage facilities. Self-storage facilities may be ideal for storing patio furniture, but they are completely inadequate for legal records.

Consider a secure records storage facility as an extension of your law firm — but at a lower cost than using onsite storage. The people caring for your files are trained security specialists. The property is guarded and monitored, and the facility is protected from floods and fires. You have access to your records when you need them — but no one else does.

Best of all, as a legal administrator, a secure records storage supplier makes your life easier. You can reduce your costs by up to 50% compared to onsite storage — while still offering your attorneys and clients the guarantee of 24/7 access.

What to look for in a secure records storage provider:

- **Vetted employees:** Select a provider with fully vetted employees who are background-checked, drug-tested, and trained in the proper handling of sensitive information and chain-of-custody protocols. For added security, choose a supplier who is a good standing member of PRISM (Professional Records and Information Systems Management).
- **Controlled access:** Insist that your documents are in a secure environment with no unauthorized access, with video security monitoring, and written policies and procedures governing who has access to files (and who does not).
- **Disaster protection:** Choose an archive storage solution that provides full fire suppression systems, internal video surveillance, and alarmed systems.
- **Records storage and verification:** Use of barcodes and triple verification ensure that each document is securely tracked from your office to the archive facility and back, every time.
- **Retention scheduling and management:** Setting a review and destruction schedule saves money and ensures you never pay storage for documents you no longer need.

Document security is a big responsibility. That's why your ideal document security partner will deliver an integrated suite of security services; including document destruction, digital archiving, and secure records storage in state-of-the-art secure facilities.

If you're ready to consider a supplier who can offer your law firm turnkey document security services — for lower cost, faster access, and greater peace of mind — we'd appreciate the chance to be considered. Contact JK Moving at 703.260.4282.

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