

# Exchange Journaling, E-discovery and Legal Holds

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## How is PoliteMail compliant with legal hold and e-discovery requirements?

When a litigation begins or is reasonably anticipated, a company must suspend its routine document retention/destruction process to preserve all documents and digital files. Often, this is systematically controlled, and often a company will also send a legal hold notice to affected employees to prevent them from deleting documents. E-discovery is the process and tools used to find and collect relevant documents related to such litigation.

Often, email messages are part of the legal hold. With Exchange journaling enabled, Exchange is essentially logging what users send and receive, such that when its legal hold gets issues, those copies are able to be locked down, and also found during the e-discovery process.

With PoliteMail, there will still be a send item record stored in the user's Outlook OST file. Generally, Exchange will synchronize these OST's at least on a nightly basis, often faster, and at such time the send item will be logged as a journal entry. When sending PoliteMail via the PoliteMail Server, Exchange does not immediately receive the message, nor does it perform the sending and replication, so this event will not be logged in the journal. The resulting messages sent to employees however, which PoliteMail pass to Exchange, will be logged.

Often, this is satisfactory, however, in cases where the gap between the sent item and the journaling is too long (potentially enabling a person to manually delete the item), then PoliteMail can be configured to do the following.

- Write an x-header in the email message which shows the original send account. This is in addition to the envelope information regarding the sent from address, which might be different. This provides evidence related to the actual sender, Outlook users, and is a gap generally missed by standard Outlook email, when a user sends as or from a shared mailbox.
  - Write an x-header into the email message which shows the distribution list name. Because PoliteMail replicates email to each member of the list, the list name is not in the envelope data, but the x-header provides, which would be found using e-discovery.
  - Auto-send a copy of the email to the sender. This forces a copy into the Exchange journal at send-time, preventing the ability for the user to remove/delete a sent item prior to it being journaled. In this case, even if they do delete the sent item, you will still have a record.
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