American Conference Institute's Advanced Forum on

Insurance Enterprise Content Management

Records Management, Retention and Destruction Strategies for the Insurance Industry

December 3-4, 2008 ■ Downtown Conference Center, New York, NY

Gain practical insight and network with key industry leaders from:

- Nationwide
- Marsh & McLennan Companies
- TIAA-CREF
- Zasio Enterprises, Inc.

Hear Regulatory and Enforcement perspectives from:

- Federal Trade Commission
- U.S. Securities Exchange Commission
- Florida Office of Insurance Regulation

Leading executives, senior regulators, and private practice attorneys specializing in information management will share legal, tactical and operational strategies on how to:

- Assess your company's records management requirements in order to develop an effective records management program
- Integrate retention requirements for departments with competing policies and priorities
- Implement safeguards designed to ensure privacy and security of personally identifiable information throughout your program
- Overcome employee resistance through training and monitoring to ensure compliance on email and other retention policies

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American Conference Institute

As a target for a significant amount of litigation and the owner of a voluminous amount of paper and electronic information, insurance companies face five times the number of lawsuits and have more personal information than any other industry.

As regulatory requirements and litigation pressures continue to mount, insurance companies are under enormous pressure to develop and maintain an effective records management program. Violations can result in significant fines, decreased market value and harm to your company's reputation. However, statistics show that a majority of insurers are significantly deficient in their records keeping practices especially in relation to electronically stored information such as email and instant messages.

Can you afford to have an ineffective records management program in place?

At **American Conference Institute's Advanced Forum on Insurance Enterprise Content Management**, you will gain proactive strategies to tackle the overwhelming task of implementing a successful records management program. Our exceptional faculty of experienced in-house professionals and private practice attorneys specializing in information management will share their expertise and unique perspectives on:

- Establishing and empowering an appropriate records management team to get the job done
- Ensuring compliance with various regulations affecting records retention and disposal requirements
- Categorizing and classifying your records to ensure consistency
- Applying an effective records retention schedule to electronic records
- Creating a culture of responsible records management throughout your organization

Don't miss this opportunity to get practical "real life" strategies to deal with this complicated and continuously evolving issue. Register now by calling **1-888-ACI-2480**, faxing your registration form to **1-877-927-1563**, or register online at **www.americanconference/insurancedoc**.

Global Sponsorship Opportunities

ACI, along with our sister organization based in London, **C5** Conferences, works closely with sponsors in order to create the perfect business development solution catered exclusively to the needs of any practice group, business line or corporation. With over 350 conferences in the United States, Europe, the Commonwealth of Independent States (CIS) and China, **ACI/C5** Conferences provide a diverse portfolio of first-class events tailored to the senior level executive spanning multiple industries and geographies.

For more information about this program or our global portfolio of events, please contact:

Wendy Tyler
Group Leader & Business Development Executive, American Conference Institute

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AMERICAN CONFERENCE INSTITUTE

ALUMNI

Expand Your Network

The complimentary **ACI Alumni Program** is designed to provide returning delegates with unique networking and learning opportunities beyond the scope of their conference experience.

Highlights include:

- Search for and contact fellow Alumni
- Post a question or look for answers in our Industry Forums
- Join a live Industry Chat in progress
- Build your own community
- Earn Forum points towards free conferences & workshops

Expand your Network at www.my-aci.com

8:00 Registration Opens and Continental Breakfast

9:00 Chairs' Opening Remarks

John Jablonski
Partner
Goldberg Segalla LLP

9:15 Separating the Forest from the Trees: A Step by Step Approach to Assessing Your Company's Records Management Requirements

Jon A. Neiditz
Partner
Nelson Mullins Riley & Scarborough LLP

Alan Winchester
Member
Harris Beach, PLLC

- Industry standards: what are others doing across the insurance industry and how do you compare?
- Analyzing your current practices to determine what works and what doesn't
  - Who are the players involved: where to look and who to recruit for your team
  - What type of involvement should they have
- Combining existing records management practices with new developments
- Building on existing strengths: what can be upgraded v. thrown away
- Auditing: processes and procedures that require streamlining
- Strategies for successfully obtaining company "buy in": selling the value of an effective records management program

10:30 Coffee Break

10:45 Ensuring Compliance with State and Federal Regulations Governing Records Management

Robin E. Eichen
Attorney, Northeast Region
Federal Trade Commission

Bob Prentiss
Assistant General Counsel
Florida Office of Insurance Regulation

Brice D. Prince (Invited)
Special Counsel, Division of Trading and Markets
U.S. Securities and Exchange Commission

During this interactive panel, senior regulators from leading federal and state agencies will weigh in on the latest regulatory developments impacting your records management, retention and destruction policies and procedures. With ample time for questioning, this discussion will focus on the various laws governing the retention and disposal of the vast amount of information collected and distributed by insurance companies on daily basis.

12:00 Networking Luncheon for Attendees and Speakers

1:15 Developing and Implementing a Comprehensive Records Management Program

Stephen Ferguson
AVP, Corporate Records Officer
Nationwide

Vivian L. Polak
Partner
Dewey & LeBoeuf LLP

- Mandatory elements for an efficient and cost-effective records management policy
- Successfully integrating different retention requirements for different departments into one universal policy
- Defining "business records" and "documents" covered under your policy
  - Paper v. electronic files
  - Graphs and data compilations
  - Photographs, audio/video and other mediums used
- Categorizing and classifying information:
  - Determining who has what
  - Identifying the departments and outlining how they should operate
- Implementing an appropriate records retention schedule:
  - What gets kept and what gets destroyed
  - Required timelines for keeping business records
  - Determining how and where records should be stored
  - Mandatory obligations for destruction
- Applying your records management policy to legacy systems

2:30 Coffee Break

2:45 Maintaining Privacy and Security of Information throughout Your Program

Carolyn Mitchell
Chief Privacy Officer
TIAA-CREF

- Balancing your records management requirements with state and federal privacy laws
- How the regulations affect what you keep and in which state you keep it
- Back-ups: what is required
- Working with the privacy department and harmonizing compliance goals with privacy goals
- Implementing safeguards designed to ensure the privacy and security of personally identifiable information during disposal of records
- Structuring and negotiating content management agreements with third parties and vendors that keep your information safe while also preserving your records management restrictions

3:45 Conference Adjourns to Day Two

7:30 Continental Breakfast

8:00 Chairs' Recap and Remarks

8:30 Beyond the Smoke & Mirrors: Choosing the Best Vendor to Achieve Your Records Management Goals

Thomas M. Jones
Vice Chair, National Insurance Department and Chair Electronic Discovery Practice Area
Cozen O'Connor

David O. Stephens
Vice President of Records Management Consulting
Zasio Enterprises, Inc.

- Determining which specific functions should be outsourced and to what type of vendors
- What must be considered when choosing an appropriate vendor
  - Realistic timelines
  - Flexibility
  - Cost
- Distinguishing between vendors that promise the world and enlisting those that can actually do what they say
- Document automation vendors: are they necessary to keep up in today's environment
- Effectively managing and monitoring vendors across different lines

9:30 Pushing Your Policy to the Ground: Best Practices for Training and Monitoring Employee Conduct

Allison L. Brecher
Senior Litigation Counsel and E-Discovery Coordinator
Marsh & McLennan Companies

- Effectively communicating new policies and procedures to your employees
  - KISS: Drafting language employees can understand and follow
  - Avoiding confusion: ensuring conflicting information is not sent out to employees by various departments
  - Effectively eliminating "turf" battles
- Implementing training programs that will make employees sit up and pay attention
  - New and unique methods to raise awareness that have proven successful
  - Creating a culture of responsible records management
  - Establishing a roll-out of your training program to maintain compliance
  - Appropriate consequences for employee non-compliance
- Ensuring consistent policy applications across the entire organization and business units
  - Overcoming the challenge of training 40,000+ employees
  - Methods to handle different departments with different needs: from Human Resources to the Claims Department
- Managing information held by off-site employees:
  - Permitting remote access: what restrictions should apply
  - Obtaining records from off-site employees in a timely manner
- Procedures going forward: How to ensure employees to let go of past practices
- Effective techniques for monitoring employees to ensure compliance
  - When and how often should audits occur
  - Who is responsible for policing the policy

10: 30 Coffee Break

10:45 Strategies for ESI Management: Technological Challenges and Solutions

Joshua B. Fine
IT Manager, Law Department
TIAA-CREF

- What's ESI and how do we know
- Why can't we keep it forever: the significance of records management policies in light of e-discovery
- Overcoming challenges in policy enforcement
  - Unstructured data
  - Production obligations and access
  - Shred parties and other bedtime stories
  - Lessons from the Qualcomm case
- E-mail makes the world go round:
  - E-mail retention technologies
  - E-mail oversight – Purposes, rules and outcomes
  - Implementing an automated E-mail warning system
- Effective methods for decreasing IT costs related to E-mail retention
- New considerations for IM's, Blogs, Wiki's, and multi-media files

11:45 Legal Holds: Getting a Handle on an Integral Part of the RIM Puzzle

Martin Susec
Associate General Counsel
Nationwide

John Jablonski
Partner
Goldberg Segalla LLP

- Interrelationship between good records management and legal holds
  - RIM best practices and legal requirements
  - Legal holds as part of a RIM: policy, procedures and education
- Understanding the duty to preserve
- Courts' focus on legal holds: What's the big deal?
  - Standard needed for imposing sanctions or other penalties

- Effectively steering your legal holds into the safe harbour
- Trigger Events, tips and strategies
  - What is a trigger event
  - Organizational knowledge
  - Educating your organization
  - Creating a feedback loop
- Seven steps to a defensible legal hold business process
- Now the hard part: Lifting legal holds and resuming the RIM process
- Auditing: Ensuring your I's are dotted and your T's are crossed

12:45 Conference Adjourns

Continuing Legal Education Credits

CLE CREDITS

Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as **nontransitional** for the purposes of CLE accreditation.

ACI certifies that the activity has been approved for CLE credit by the New York State Continuing Legal Education Board in the amount of 10.5 hours. An additional 3.5 credit hours will apply to workshop A or B.

ACI certifies that this activity has been approved for CLE credit by the State Bar of California in the amount of 8.75 hours. An additional 3.0 credit hours will apply to workshop A or B.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and **ACI** will make every effort to process your request.

A Post-Conference Workshop
December 4, 2008
2:00 – 5:00 p.m.

A Practical Approach to Successfully Auditing Your Records Management Program

In today's litigious and highly regulated environment, it is imperative for an insurance company's records management program to do more than just provide long-term management of record content. It also must retain a significant amount of information pertaining to the lifecycle of records, the author or authors of records, the approval of records, as well as signatures and publication information. During this interactive workshop, industry leaders will provide you with the tools necessary to investigate your company's current policies and procedures to ensure an effective records management program is in place that complies with industry standards as well as federal regulations. Topics will include:

- Integrating your records management program into your company's internal auditing process
- Essential steps to conducting an annual corporate-wide review
- Preserving "audit trails" for essential business documents
- Tips and techniques for simplifying auditing processes
- Key components of the program that must be audited
- Getting the IT department involved to effectively audit email retention and destruction policies

B Post-Conference Workshop
December 5, 2008
9:00 – 12:00 p.m.

Becoming Paperless: A Comprehensive Guide to Successfully Transitioning to a Digital World

Jon A. Neiditz
Partner
Nelson Mullins Riley & Scarborough LLP

Amanda Witt
Of Counsel
Nelson Mullins Riley & Scarborough LLP

The idea of operating in a paperless environment is a desirable goal for all insurance companies, no matter their size. However, the technological expense and the overwhelming task of implementation usually seems too much to bear especially for smaller companies. During this interactive session, workshop leaders will provide you with cost-effective and efficient solutions in order to successfully integrate a paperless system into your world and enjoy the significant rewards that come with it.

- Overcoming the challenge of developing a company-wide system
- Deploying sufficient technology to transform day to day business operations:
  - Underwriting
  - Customer service
  - Claims
- Significant reducing paper mailing by incorporating electronic mailings
- Implementing electronic transfer of essential documents
- Effectively controlling paper flow that is distributed out of the office as well as what comes into the office
- Technology tools available and their limitations: what will help you get to a paperless system

Who You Will Meet

- Records & Information Management professionals
- In-House Counsel
- Compliance Officers
- Privacy Officers
- Operations Managers
- Private Practice Attorneys specializing in:
  - Insurance
  - Information Management
  - Data Security
  - E-Discovery
  - Regulatory Compliance

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9:00 – 12:00 p.m.

Becoming Paperless: A Comprehensive Guide to Successfully Transitioning to a Digital World

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Corporate Counsel and IT/IS Professionals	❑ $1395	❑ $1895	❑ $2395
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American Conference Institute is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. Please contact the hotel directly and mention the "Insurance Enterprise Content Management" conference to receive this rate:

ACCOMMODATION: Best Western Seaport Inn Downtown
33 Peck Slip, New York, NY 10028
(212) 766-6600 and Reference "ACI"

Venue

VENUE: Downtown Conference Center
ADDRESS: 157 Williams Street, New York, NY 10038
TELEPHONE: (212) 618-6990

Registration Fee

The fee includes the conference, all program materials, continental breakfasts, lunches, refreshments and complimentary membership of the ACI Alumni program

Payment Policy

Payment must be received in full by the conference date. All discounts will be applied to the Conference Only fee (excluding add–ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organization.

Cancellation and Refund Policy

You must notify us by email at least 48 hrs in advance if you wish to send a substitute participant. Delegates may not "share" a pass between multiple attendees without prior authorization. If you are unable to find a substitute, please notify **American Conference Institute (ACI)** in writing up to 10 days prior to the conference date and a credit voucher valid for 1 year will be issued to you for the full amount paid, redeemable against any other **ACI** conference. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the conference date. **ACI** reserves the right to cancel any conference it deems necessary or remove/restrict access to the **ACI** Alumni program and will not be responsible for airfare, hotel or other costs incurred by registrants. No liability is assumed by **ACI** for changes in program date, content, speakers, venue or arising from the use or unavailability of the **ACI** Alumni program

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