

Litigation Hold

April 2019

Guidelines for handling @nebraska.gov mailboxes

This document was prepared as a guideline to agencies with legal hold requirements and how it applies to @nebraska.gov mailboxes. Exchange has the capability to enable "Litigation Hold" on user mailboxes which will prevent users from advertently or inadvertently deleting mailbox content that is possibly needed for a future legal discovery. When a mailbox is placed on "Litigation Hold", all current and future mailbox items are preserved in the mailbox while Litigation Hold is enabled on the mailbox.

Agencies may request mailboxes be placed on Litigation Hold via request to the Office of the CIO:

1. Each agency has an Authorized Agent(s) identified for e-mail requests. Once an agency has determined that they have mailboxes that need to be on Litigation Hold, a request can be submitted by the Authorized Agent to the Office of the CIO, an e-mail to Ed Toner and Jayne Scofield or a Helpdesk ticket can be created via cio.help@nebraska.gov.
2. When the request is received from an Authorized Agent, it is approved and assigned to an Exchange Administrator and Litigation Hold will be enabled on the specified mailbox(es).
3. The authorized agent will be notified when the request is complete. Legal Hold can take roughly 60 minutes to activate on a mailbox.

Mailboxes that are on Litigation Hold:

1. While Litigation Hold is enabled on a mailbox, all items within that mailbox that are deleted will still be preserved in folders within the Recoverable Items folder structure of the mailbox. These folders are not visible to the end user.
2. Items retained by litigation hold are discoverable by Exchange and are included in search results.
3. Items retained by litigation hold are not included in the total storage calculated and reported to the user.
4. Items retained by litigation hold are not recoverable by the end user.

Handling mailboxes on Litigation Hold for employees leaving an agency:

Network Services Open Systems:

Guidelines for agencies in handling legal hold requirements for @nebraska.gov mailboxes

1. Mailboxes that are on Litigation Hold will be disconnected if the Active Directory User Object is removed or deleted. It is the agencies responsibility to notify the Office of the CIO prior to deleting the Active Directory user object.
2. The contents of the mailbox(es) on litigation hold will be exported to another specified mailbox within the agency prior to deleting the Active Directory user object. The contents can be imported into an existing or new mailbox that has litigation hold enabled.
3. Mailboxes for employees no longer working for an agency must follow the "[Guidelines for Handling Mailboxes for Employees Leaving an Agency](#)" document.

Requesting a mailbox search ran against mailboxes:

1. Searches for mailboxes on litigation hold are requested/performed the same way as mailboxes not on Litigation Hold.

Removing a legal hold:

1. When the requirement for the legal hold has expired, it is important to remove the Litigation Hold from the mailbox so that the storage required can be reclaimed. The hold will only be removed when the agency requiring the hold has approved the removal.

For further information, please contact:

Office of the CIO Help Desk
cio.help@nebraska.gov
402-471-4636 or 800-982-2468