

# Litigation Hold

*Exchange*  
*April 2019*

## Guidelines for handling @nebraska.gov mailboxes

This document is a guideline to agencies with legal hold requirements and how those apply to @nebraska.gov mailboxes. Exchange has the ability to enable "Litigation Hold" on user mailboxes which prevents users from deleting mailbox content that may be 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.

## Agencies may request a Litigation Hold via the Office of the CIO:

1. Each agency has an Authorized Agent(s) who is responsible for email requests. Once an agency determines that they have mailboxes which need Litigation Hold, the Authorized Agent can make the request to the Office of the CIO via email to [ocio.discovery@nebraska.gov](mailto:ocio.discovery@nebraska.gov).
2. Upon receipt, the Litigation Hold will be enabled on the specified mailbox(es).
3. The authorized agent will receive notice 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 the mailbox which are deleted will 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:
  - a. Discoverable by Exchange and are included in search results.
  - b. Not included in the total storage calculated and reported to the user.
  - c. Not recoverable by the end user.

## Handling mailboxes on Litigation Hold for employees leaving an agency:

1. Mailboxes that are on Litigation Hold will be disconnected if the Active Directory User Object is removed or deleted. The agencies are responsible to notify the Office of the CIO prior to deleting the Active Directory user object.
2. The contents of mailbox(es) that are 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.

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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:**

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

### **Removing a legal hold:**

When the requirement for the legal hold expires it is important to remove the Litigation Hold from the mailbox so that the storage this requires can be reclaimed. The hold will only be removed when the agency that requires the hold approves its removal.

**For further information, please contact:  
The Office of the CIO Service Desk**

**Request this Service: <https://serviceportal.ne.gov>**

**[cio.help@nebraska.gov](mailto:cio.help@nebraska.gov)**

**402-471-4636 or 800-982-2468**