

## A Falin to Manage Risk

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Sarah Palin

It's a little well kept secret. Top executives (corporate and political) use their personal emails to conduct company, State or Federal sensitive business. Can I prove it? No. Well, maybe!

I think this issue is pervasive throughout our leadership, or so it could be judged. If one notable, such as Sarah Palin is caught doing it, then how many others are? This is not an indictment of Ms. Palin. She is only representative of the carelessness that I would suggest every key leader and employee is guilty of at one time or another. So I am not pointing fingers, but rather raising one.

To her embarrassment, I am sure, a judge in the State of Alaska has ordered that Yahoo preserve any emails Governor Palin may have sent through her personal email account(s) that were government related. This all came to light as the result of a lawsuit brought against Ms. Palin and the discovery that someone had hacked into her personal Yahoo email account.

In essence, this is eDiscovery at it's deadliest. The Judge ordered the State Attorney General to notify Yahoo and any other "private carriers to preserve any emails sent and received on those accounts." This scenario is a time bomb ticking in just about every company across America.

It also raises other questions. If you outsource your email service to a private vendor, who owns the information and what controls do you have over that information? Just as important, every employee should be made aware to be very careful of what they put in emails. Though you may protect it from wanting eyes through encryption, it does not protect you from the courts in the discovery process.

So, make sure your senior leaders and all employees are aware that using personal email accounts to conduct any form of business communications is a major "No, No!" Especially when the information is sensitive or otherwise perceived a risk to the organization or its customers. And, at all costs, Never allow sensitive information to appear in writing where it ultimately could be used in a lawsuit against the company and thereby affects the stakeholders of that company.