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What Is A Record?

The most important definition in information management.

By Randolph Kahn

What is a record? Is a record different than data, information, document, or evidence. Further, does it even matter anyway? The exploration of this seemingly academic question should be taken seriously, because as we have all witnessed recently, the answer can have catastrophic consequences. Companies fall and employees get convicted for mismanaging records and destroying evidence.

What is a record anyway?

- Black's Law Dictionary defines record as a "written account of some act, court proceeding, transaction, or instrument, drawn up, under authority of law, by proper officer, and designed to remain as a memorial or permanent evidence of the matters to which it relates."
- The Random House College Dictionary defines record as "a commitment to writing, as authentic evidence, as something having legal importance."
- According to the Association of Records Managers and Administrators (ARMA) a record is "recorded information regardless of medium or characteristic, made or received that is useful in the operation of the organization."

By extracting the common elements of the three definitions we are able to craft a simple understanding, namely; a record is something tangible recorded on any medium (paper or electronic) that is evidence of business events or transactions that has legal or business value and that one intends to be memorialized. In the context of the digital world, therefore, various kinds of electronic documents, messages, notes, and various other kinds of digital "stuff" might also be considered a "record." Simply stated, a contract can be formed with email and be breached with an instant message. Thus, an email message or instant message could be a record requiring retention. It is the content that matters, not the computer on which it is stored or through which it passes.

Perhaps another way to explore the issue is by way of hypothetical. An accountant, say from a large accounting firm, does his job and in the context of performing his duties creates records and work papers that he keeps in working files. For argument's sake, assume that the accounting firm has a policy that all preliminary work papers are considered drafts and they do not need to be retained after the official or final version is completed. The accounting firm, like all prudent companies, has a retention policy that requires records documenting events, activities, and transactions that have on-going business, legal, compliance, operational, or historical value to be retained for specified periods of time.

What if the hypothetical accountant fails to know about, understand and/or follow the company records policies, however. On the eve of being subpoenaed in the context of an impending governmental investigation, the accountant realizes that the work papers that jeopardize the company's legal position still exist, though they should have and could have been destroyed long ago, pursuant to the company policy. Had the rules been followed, the accountant would not now be faced with a dilemma.