Guidelines for Managing Records Created by Financial and Securities Regulators in the Investigative and Litigation Process

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Research Problem
• No standards to guide financial and securities regulators in the management of their investigative records.

Objectives
• Emphasize the importance of properly managing investigative records (i.e., evidence collected & created by investigators and litigators);
• Understand the management practices of different financial and securities regulators;
• Recommend best case management practices to financial and securities regulators.

Methodology
• Review legal & records management standards, best practices, guidelines, case law, and statutes & regulations;
• Questionnaire for financial & securities regulators;
• Follow-up interviews with financial & securities regulators.

Findings
• Large amounts of evidence, in all forms and formats, are placing strains on financial and securities organizations;
• Difficult to manage & track disparate pieces of evidence;
• Staff, particularly enforcement officers and lawyers, need to be properly educated and trained in identifying materials that are at high risk for degradation;
• Regulatory bodies need to create preservation policies to ensure long-term access to electronically stored information (ESI).

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References


Proposed Guidelines may be found on CIFER’s website: http://www.ciferresearch.org/products_service/products