

**CWBA  
JUDICIAL COMMITTEE  
PRIVACY/DOCUMENT RETENTION POLICY**

Because the Colorado Women's Bar Association Judicial Committee comes into contact with sensitive information, including the applications of candidates for judicial vacancies ("Judicial Candidates"), the Judicial Committee establishes the following privacy/document retention policy in order to create guidelines for the handling and storage of these sensitive materials. As used below, the term "destroy" means the shredding or ripping of documents into several pieces and includes recycling or disposal only after such shredding has occurred.

**GENERAL DUTY OF CONFIDENTIALITY**

Each Judicial Committee Member, Co-Chair, Board Member, Executive Committee Member, and President of the CWBA has a duty to safeguard the confidentiality of any materials, candidate applications, and verbal communications regarding Judicial Candidates that she or he may encounter in the course of performing work related to the Judicial Committee.

**CO-CHAIRS**

Each Judicial Committee Co-Chair has the following additional duties under this policy:

1. Stress the highly confidential nature of the materials, candidate applications, and verbal communications regarding Judicial Candidates to committee members.
2. Provide committee members with a sample memorandum as actually sent to the Governor's Office, but with all candidate names redacted.
3. As soon as the final documents have been sent to the Governor's Office, destroy all drafts received from committee members, with the exception of the final candidate commentary referenced below, and drafts of the memoranda and endorsement letters. In addition, delete all relevant "sent" and "incoming" emails, including those with draft or final documents or candidate applications attached, unless the Co-Chair believes that a particular email should be saved, as referenced in Paragraph 5 below.
4. Retain candidate applications, candidate commentary from committee members, endorsement letters, and final memorandums to the Governor for a period of two years.
5. Whenever possible, store the documents referenced in Paragraph 4 above electronically on a disc, thumb drive, or other external device and not on a hard drive located at an office, and then destroy any duplicate hard copies. If hard copies are retained, store them in a confidential location. If a Co-Chair believes that a particular email should be saved, s/he should save it to a disc, thumb drive, or other external device.

6. At the end of the CWBA year, transfer all electronically saved information and hard copies to the incoming Judicial Co-Chairs with instructions about when to destroy or delete particular materials. Instructions in the form of "DESTROY ON [DATE]" should be affixed to the hard copies or written directly on the disc, thumb drive, or other external device.

7. Destroy or delete the retained materials according to the timeline set by the previous Co-Chairs.

### **COMMITTEE MEMBERS**

Each Judicial Committee member has the following additional duties under this policy:

1. Draft candidate commentary to forward to the Co-Chairs in the format provided by the Co-Chairs. The candidate commentary should identify the name of the commentator above the corresponding paragraph of commentary, which should itself be drafted in order to protect the commentator's identity. The only information that may be included in each paragraph of commentary to identify the individual from whom comments or information has been gathered will be the individual's gender, practice area, and/or location, e.g., a female county court judge from Denver. In addition, if appropriate and not revealing of the individual's identity, the commentator's general relationship or length of history with the Judicial Candidate may be included, e.g., a female litigator who previously practiced at the District Attorney's Office with the Judicial Candidate.

2. After emailing candidate commentary to the Co-Chairs, destroy or delete all emails, candidate applications, and other documents containing candidate commentary, with the exception of the sample memorandum, whether received electronically or in hard copy format.

### **PRESIDENT OF THE CWBA**

The President of the CWBA has the following additional duties under this policy:

1. As soon as the final documents have been sent to the Governor's Office, destroy all drafts, candidate applications, and other documents, except as stated in Paragraph 2 below. In addition, delete all relevant "sent" and "incoming" emails, including those with draft or final documents or candidate applications attached. If the President believes that a particular email should be saved, she should save it to a disc, thumb drive, or other external device.

2. Retain copies of all final memorandums and endorsement letters sent to the Governor's Office. The President may choose to store such documents electronically so long as they are not stored on an unsecured hard drive located at an office. At the end of the President's term, she should destroy or delete the final memorandums in her possession and transfer the endorsement letters to the Executive Director of the CWBA for confidential retention according to the CWBA's general document retention policies and practices.

## **CWBA EXECUTIVE COMMITTEE AND BOARD MEMBERS**

Members of the Executive Committee and the Board, with the exception of the President and Judicial Co-Chairs, whose duties are addressed above, have the following additional duties under this policy:

1. Destroy or delete all candidate applications, memorandums, endorsement letters, and other documents and emails relating to any of the above within three (3) days after the relevant Executive Committee or Board decision has been made.

Adopted by the Board of Directors on September 16, 2015.