

Email Tips

Here are some things to consider when you wonder whether or not to save e-mail, particularly in light of the federal Sarbanes-Oxley Act of 2002, which imposes more requirements on mostly public companies to preserve records. Obviously, if you still have questions, talk to a lawyer.

1. Save important records. But e-mail is not always considered a record. Companies should save records of business transactions. If you sign a contract, save that contract. If you receive the contract as an attachment to an e-mail, and the other party says in the e-mail, "We accept the contract," save the e-mail too. That constitutes a record.

So if you would keep it as a paper document, keep the e-mail. Otherwise, pitch it. That includes e-mails generated during the contract process. This is work-in-progress material, and does not reflect the thinking of an organization. Rather, they are the thoughts of individuals.

2. When you do keep something, store it formally. Don't leave it in your e-mail program where no one can find it. You might be best off to print it and put it in a folder.

Sometimes, keep more. There are certain times in which you cannot discard things. For instance, if you are part of a legal process, you can't delete anything that is relevant. I'd err on the side of caution. Better yet, follow your lawyer's advice.

Even if you are not currently in a legal process, there are two other important words: imminent and foreseeable. If you're on notice that you'll be indicted, things are imminent. Now is not a good time to clean out your e-mails. If you make a big boo-boo and somebody gets hurt, a lawsuit is foreseeable. Again, be careful. Talk to your lawyer. According to Skupsky, only the securities industry is required to keep all of its e-mails. But the Sarbanes-Oxley Act has added considerably to the record-keeping burden of some companies — mostly public companies or companies who do business with public companies. (For more on Sarbanes-Oxley's effect on private companies, see this article.)

3. Again, if you think you may be affected by Sarbanes-Oxley, see your lawyer. But don't keep everything. Most likely, those e-mails piling up probably won't hurt anything (except your server space). Most of us get into business because we see an unanswered need. We want to help our customers. We've never been sued, and never expect to be.

However, it could very well happen. Let's say that, after exercising superhuman patience, you fire Joe Screwup. You could not have treated Screwup better, but, of course, he doesn't see it that way. So Screwup sues.

You're not worried. But then you get a subpoena, ordering you to submit any e-mail from the past three years that bears on the case. There's nothing in the e-mail that would affect the case, and Screwup knows it. But you'll have to dig up everything you have, and your lawyer will go through it, looking for relevant material. How many hours, at \$200 per hour, will it take her to do that? So you swallow hard and give Screwup \$15,000 to go away. You may never have thought about this, but you can bet that the plaintiffs' bar has. Worse, maybe they find an e-mail in which you express intemperate remarks. The e-mail was probably meaningless, but Screwup's attorney will make you look like Adolf Hitler.

4. Given the potential problems, why save e-mail? Sure, this scenario is pretty unlikely. But 99.9% of your old e-mail is junk, anyway. Why take the risk?

Develop a policy on e-mail retention. Skupsky recommends a personal 30-day deadline for taking action. After 30 days, your employees (and you) have to decide if an e-mail is a record. If not, it goes. This has the salutary effect of forcing your employees to think about what a record is, and is not. Attorney Chuck Fine thinks that's a good idea. But he goes further, and chucks (no pun intended) his e-mail immediately.

Don't back up your e-mail. This is no different than keeping it on your computer. If you're subpoenaed, you and your lawyer will have to go through it, whether it's on the computer or on tape. Delete the old stuff.

According to Skupsky, old e-mail is rarely useful to the other side. But if it costs \$50,000 to go through it, the plaintiff doesn't care. Neither does his lawyer. They have nothing to lose. Discovery is a wonderful weapon to force a settlement.

So I'm cleaning out my old e-mails. No, really! It's difficult, though. I've had them so long, they're like old pals. You should clean out yours, too. We have to be strong about this.

Here are eight easily avoidable mistakes you should know about to keep your image and inbox in tip-top shape.

4. Failing to follow e-mail etiquette. I believe in the old adage, "You catch more flies with honey than with vinegar." There's no point in belaboring the etiquette issue. We all know we should be polite. But here are a few points to consider:

- Don't write when you're angry. Wait 24 hours. Calm down. Be reasonable. Have someone else edit your e-mail.
- Don't use sarcasm. You may think you're clever, but the recipient will be put off.
- **DON'T USE ALL UPPERCASE!** That's the e-mail equivalent of yelling. Your recipient won't be appreciative. Go easy on the exclamation marks, too. Overuse dulls their effectiveness.
- Use clear subject lines. That will help people decide whether to read the e-mail now or later. We're all busy. Your correspondent will appreciate your thoughtfulness.
- Keep it short. If your e-mail is more than two paragraphs, maybe you should use the telephone.
- Change the subject line if you change the topic of a thread.
- Unless the recipient has previously agreed, don't forward poems, jokes, virus warnings and other things. You're just wasting valuable time and bandwidth.

5. Thinking you are anonymous. If you are sending nasty missives, you might think no one will be able to figure out that the e-mail came from you. After all, you set up a phony Web address. Think again. E-mail contains invisible information about the sender.

That information is in the header. All major e-mail programs can display header information. Here's how:

- In Microsoft Outlook, double click the e-mail. Then click View > Options.
- In Microsoft Outlook Express, click the e-mail. Then click File > Properties and select the Details tab.
- In Eudora, double click the message. Then click the Blah Blah button.
- In Netscape, click the message to open it. Then click View > Message Source to display the header.

The sender's revealing information is in the sections that begin with "Received:." There may be several of these, depending on the number of computers the e-mail traversed. The originating computer is in the bottom "Received:."

That section will have an Internet Protocol (IP) number, such as 124.213..45.11. It can be traced on a number of Web sites. I use InterNIC (www.internic.net). The number is probably assigned to the sender's Internet service provider, rather than the sender. But the ISP will be able to identify the sender using that number. Remember the header if you're tempted to send an anonymous e-mail. You may be less anonymous than you think.

6. Sending e-mail to the wrong person. Today's e-mail programs want to make it easy to send e-mail. This means that when you start typing the address of a recipient to whom you have previously sent mail, the "To:" field may already be populated. Be careful. Always double-check the recipient is the intended one.

In addition, if you're writing something ugly about Joe Smith, you'll have Joe's name on your mind. Don't send it to him. I once knew an intern at a newspaper who did just that. He didn't like his supervisor and said so in graphic terms in an e-mail. Then he accidentally sent the e-mail to his supervisor. (The intern kept his position, but the atmosphere was cold, to say the least. And there was no job offer at summer's end.)

7. Using one e-mail address for everything. I have four different e-mail addresses: private, public, one I use for online mailing lists, and another for when I go shopping online. These addresses attract mail for those specific areas.

I can have as many as I want, because I host my own e-mail server. But if you are using an Internet service provider, you still can do this. Most providers will give you a half-dozen e-mail accounts. You can also use addresses on the Web for personal accounts. Both Hotmail and Yahoo! are good. You can reach those accounts from anywhere, assuming you have Web access.

8. Forgetting to check all of your e-mail accounts. Checking all these accounts can be a chore, especially from home. So I use ePrompter (www.eprompter.com), which can check 16 different password-protected accounts. Best of all, ePrompter is free. There are other programs that will do this for a fee, including Active Email Monitor (www.emailmon.com).

9. Clicking "Send" too fast. Reread every e-mail before you send it! I actually get e-mails from job applicants with misspellings and missing words. They all go to the same place: the garbage. This is a pet peeve. I'm not going to hire someone who is careless.

Even if you're not looking for a job, you want to be careful. People will judge you subconsciously on mistakes. None of us is perfect. But you can catch 99% of these problems by rereading the text.

And don't depend on the spell-checker. It will catch misspellings. But if you use "four" instead of "for," or "your" for "you're," it won't tell you. It also is not likely to catch any missing words in a sentence that you inadvertently failed to include. So take a minute and reread your text. Don't look like an ignoramus.

10. Forgetting the attachment. This seems obvious, but I can't tell you how many times I've received an e-mail with a missing attachment. Since we all do it occasionally, it shouldn't be a huge deal.

However, if you consistently make this mistake, people (perhaps important people) may think you're losing your marbles. They might even hesitate to do business with you in the future. When you get ready to send your e-mail, think: "What am I forgetting?"

Using your ISP's domain and not your own. Make your company look big. If you use a Web account or an ISP's name for your business, you're not going to look professional. You can buy a domain name separately for \$20-\$30 per year from a company such as VeriSign (www.netsol.com), or as part of a package from a Web hosting and e-mail service such as that offered by Microsoft Small Business. Assuming someone else hasn't already grabbed it, you can have your company in the domain name.

Let's say you run The BoolaBoola Co. If you use an ISP's address, you would have something like JoeBoolaBoola@SomeISP.com. But if you buy your own domain name, it could be Joe@TheBoolaBoolaCo.com. That's much more likely to impress your customers.

E-mail is almost like talking. We use it so much that we don't really think about it. But there are rules and courtesies, just as there are with talking. And there are other considerations involved in communicating by written word only.

Giving them some additional thought could make your e-mail experience more satisfying and your recipients much happier.