

# LMS/CooLEW2 Privacy Impact Assessment Executive Summary

## 2.1 System Overview

The Office of the General Counsel (OGC) has maintained legal management system (LMS) software since October 1995. Their LMS began as a set of commercial-off-the-shelf (COTS) software packages, with LegalEdge for Windows (LEW) as the core case management product. LEW was a Visual Basic application which ran on each end user's workstation, providing case management data via a connection to its back-end database, CASEMGMT.

The LMS has evolved over the past 15 years into a second, parallel product suite called CooLEW2. CooLEW2 is completely internal to PBGC and used only by authorized personnel of the Office of the General Counsel, primarily the attorney staff of the Legal Division. Case management information stored in the CooLEW2 system is highly sensitive and cannot be accessed by employees outside the OGC. This sensitive information contains personally identifiable information (PII).

## 2.2 What information will be collected for this system?

In addition to the immediate office of the General Counsel, the Legal Division of OGC consists of four sub-groups who perform different legal functions for the Corporation:

- Procurement, which deals with all legal matters that arise from the Procurement Division or other agency procurements;
- Ethics, which handles ethics issues across all PBGC departments;
- Litigation and Employment, which handles internal labor and personnel issues, including Equal Employment Opportunity matters; and
- ERISA Counseling, which offers legal opinion and guidance on ERISA.

Generally, cases in any of these categories are gathered into collections of documents and metadata information called *matters* (which may or may not correspond to an official legal case and may or may not have associated court filings). Matters are staffed by one or more attorneys on the OGC staff and can track deadlines, aggregate related material or the results of discovery, or otherwise organize the business of OGC. The matter metadata is contained in and secured by the CooLEW2 database, and the documents associated with the matter are contained and secured by General Support Systems. The metadata simply points to the documents related to each matter.

While there are few requirements for CooLEW2 to collect specific information, PII or otherwise, it is within this collection of information that PII and other privacy information might reside. In that sense, CooLEW2 and other LMS systems are just a structured document store, where the documents themselves might contain any type of potentially sensitive information, and might not necessarily have been sought by OGC. Because these documents are part of a compliant and fully indexed system of records, they can be searched and retrieved by any data value within them, including any embedded PII.

### 2.3 Why is the information being collected?

All information stored within the CooLEW2 system has been gathered by attorneys in order to conduct the practice of law in the matters to which they have been associated. Because of the very broad nature of the matters which OGC may have open, there are a wide variety of reasons that PII or other privacy information may have been collected. Generally, sensitive documents associated with a matter have been intentionally gathered by the legal staff in order to address one or more relevant questions within that matter. Information gathered for a matter is not associated with any other matter by default.

### 2.4 What is the intended use of the information?

As detailed above, the information collected into a matter within CooLEW2 is seen as relevant to that matter by the attorneys who are assigned to that matter. The information is reviewed and used to synthesize or support legal positions or findings.

From a PII standpoint, the personal information is not intended for use as a collection or retrieval key within an electronic system, although the nature of a fully indexed system of nearly ad hoc records does allow it to be used as such.

### 2.5 With whom will the information be shared?

CooLEW2 does not have any public-facing aspect or use. Further, CooLEW2 information is not provided to or relevant to any other division or department within PBGC. The PII or private information contained within CooLEW2 will not be shared with anyone.

### 2.6 What opportunities do individuals have to decline to provide information or to consent to particular uses of information, and how can individuals grant consent?

In this case, information stored in CooLEW2 is limited to publically available, PBGC agency owned, or otherwise “discoverable” information to which OGC and its attorneys can gain access. The individuals who are the subject of this information may have granted explicit permission and information directly to OGC (as in the case of a client), but in most cases, they are not contacted in any way to obtain consent.

### 2.7 How will the information be secured?

As noted above, CooLEW2 information is completely contained within the CooLEW2 instance and within PBGC’s network system. The Server instance is currently contained within OGC and managed by the CooLEW2 support team; data rights are assigned to well-defined user groups. Documents on the network are protected at the operating system level by the use of inherited permissions against the same user groups. Group membership is controlled and managed by the ELAN authorization process.

### 2.8 Is this system or collection part of a privacy act system of records?

Yes; while no SORN currently exists, OGC’s intention is to create one after the approval of this PIA.