

FEATURES

Volume 26, No.6

6 Getting Results from Compliance Training

BY MEG SCZYRBA, CRCM, CRP, AND KEITH E. MONSON, CRCM

Last year, we explored compliance training basics in "All Aboard the Compliance Training Express: Proven Solutions for Keeping Training on Track" (*ABA Bank Compliance*, Volume 25, No. 7, July/August 2004). This article is intended as a follow-up to more fully explore the nitty-gritty how-to's of creating effective training. We'll explore ways to create a viable training program or breathe new life into an existing program. In the end, perhaps compliance will no longer be viewed as a cost center, but rather a cost-reduction center.

12 Electronic Archives: The New DNA

BY DAVID COHEN

How can investment banks ensure that their electronic archives present the smallest possible target for litigation? Explosive growth in electronic communications has created an open goal for regulators and litigators—and a thorny challenge for financial institutions. Fortunately, there are several practical steps banks can take to transform their archives from a swamp of liabilities into a pure and trusted source of compliance data.

18 Nothing in Life Is Free: Marketing Tools Carry a Compliance and Tax Burden

BY JENNIFER K. MCCOLLOUGH, CRCM, AND CHERYL S. RIEDLINGER

Few of us can resist free stuff. It is a great marketing tool for every kind of business, including financial institutions. But the financial institution must recognize that free stuff often carries a burden of regulatory disclosure or IRS reporting. It's not a heavy burden, but it is one that you must carry. This article examines the three issues that make up this burden: Truth in Savings and its implementing Regulation DD; Regulation Q; and IRS reporting rules in the Internal Revenue Code and regulations.

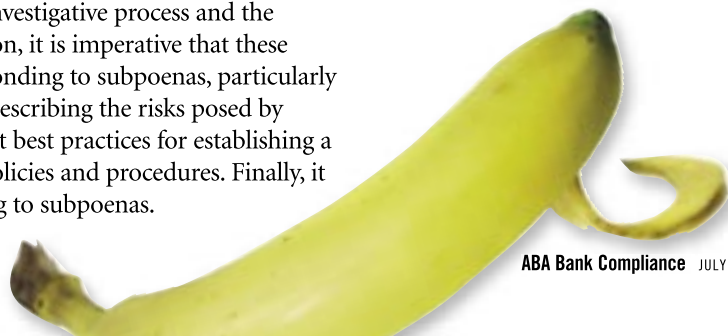
26 Avoiding the Pitfalls of Responding to Subpoenas

BY BENJAMIN B. KLUBES, JOSEPH L. BARLOON, WENDY E. PEARSON, and W. BRADLEY NEY

Given the importance of financial institutions in the investigative process and the likelihood that they will receive requests for information, it is imperative that these institutions have appropriate policies in place for responding to subpoenas, particularly grand jury and other governmental subpoenas. After describing the risks posed by subpoenas for financial institutions, this article looks at best practices for establishing a subpoena response organization and a set of overall policies and procedures. Finally, it discusses the particulars of best practices in responding to subpoenas.

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