

How Long Are Text Messages Saved?

Are you wondering just how Attorney and client communications via text messaging is after you delete them? For most people (including Attorneys), the answer is ...don't worry.

In the United States, text messaging is also popular; as reported by CTIA in December 2009, the 286 million US subscribers sent 152.7 billion text messages per month, for an average of 534 messages per subscriber per month. The Pew Research Center found in May 2010 that 72% of U.S. adult cell phone users send and receive text messages*

In the United States, while texting is widely popular among the ages of 13–22 years old, it is increasing among adults and business users as well. The age that a child receives his/her first cell phone has also decreased, making text messaging a very popular way of communication for all ages. Texting has become so involved in the lifestyle that text poet Norman Silver published his "10 Txt Commandments".

However, just as cell phone calls are not recorded, neither are text messages.

Regular text messages sent through regular cell phones are not kept in any central repository. When you zap them from your phone they are, in almost all instances, forever zapped. There is no federal law requiring that they be stored or kept by the cell phone provider.

Text messaging is what the wireless companies call SMS for Short Message Service. It has become almost as popular as cell phone voice communications, with as many as 20 billion text messages being sent each month in the United States alone. Typically, text messages are 140 characters or less, sent via the data networks of the wireless providers from one device to another.

But beware. If you work for an entity that uses SkyWriter, it can be saved. This especially common in government. SkyWriter, which looks a lot like a BlackBerry, is a dedicated messaging device provided to the city by SkyTel, a Mississippi-based wireless company that specializes in providing paging and messaging services to large corporations and governmental bodies through its own wireless network and devices.

"Every message sent over the SkyTel network ... is recorded, including: Date and time the message was sent... 'From' address... 'To' address... Length of the message..Entire message content up to 2,000 characters ," notes the company on its [Web site](#) in an article about the "benefits of message archiving."

For major corporations and governments, the automatic archiving of such messages is important, where legal requirements mandate the storage of all business- or government-related communications. But regular cell phone and text messaging services from Verizon, AT&T or Sprint, there is no record as those messages are simply passed through to the connected devices by the wireless companies and not stored on any master server anywhere.

"We do keep them for about two weeks," says Mark Elliott, a spokesman for Sprint. "But that's just to make sure they get sent if the customer's phone is turned off or out of the network. After that, even if not retrieved, they're gone. We don't store them. We have no record of them. That's standard practice in the industry."

A spokesman for AT&T, Howard Riefs, said the company keeps next messages for no more than 72 hours. After that, he said, "the text message is removed from our system and cannot be accessed or retrieved."

Verizon Wireless issued a statement this afternoon saying it only keeps text messages "a very short time" before erasing them.

E-mail may be deleted from a computer or cell phone memory, it can usually be retrieved from the central server and... if required by subpoena... turned over as legal evidence in court cases. However, in general text messages are pretty private.

This concern over privacy and messaging just underscores something I heard from my parents: Don't say (or write) anything you don't want other people to find out.