

ALASKA COURT SYSTEM
OFFICE OF THE ADMINISTRATIVE DIRECTOR
ADMINISTRATIVE BULLETIN NO. 25
(Revised November 6, 2020)

TO: ALL HOLDERS OF ADMINISTRATIVE BULLETIN SETS:

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All Judges	Central Services
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Clerk of the Appellate Courts	APD Warrants
Rural Court Administrators	
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All Magistrate Judges	
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SUBJECT: Records Retention Schedule

The attached policy on retention, destruction and microfilming of records will become effective in all district and superior courts on the date stated below. The policy is being issued under the authority granted to the administrative director by Administrative Rule 37.

Dated: November 6, 2020

/s/
Stacey Marz
Administrative Director

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I. GENERAL POLICY AND PROCEDURES

A. Minimum Hard-Copy Retention Period

All case records must be kept in their original paper form until both

1. the case is "closed" as defined below, and
2. the minimum hard-copy retention period for that type of record has passed.

The minimum hard-copy retention period begins after the case is closed.

Definitions:

Closed. For purposes of this records retention schedule, a case is "closed" when a judgment, dismissal or other final disposition is entered, the case is no longer on appeal in any court and all appeal periods have elapsed. Administrative Rule 37(b)(1).

Minimum Hard-Copy Retention Period: The term "minimum hard-copy retention period" as it is used in this schedule means the period of time during which a record must be kept in its original paper form. It does not mean the total length of time which a record must be preserved. As explained below, at the end of the minimum hard-copy retention period, many records must continue to be saved permanently. After the retention period, however, they become eligible to be microfilmed and saved in that form while the original paper record is destroyed.

The minimum hard-copy retention periods for various types of court records are listed in Sections II and III of this bulletin. The records may be kept in their original paper form for a longer period if it is useful for the local court to do so, but they may not be kept for a shorter period.

B. Division Into Permanent and Non-Permanent Records

At the end of the minimum hard-copy retention period, all records must be divided into the following two categories:

1. **Permanent Records:** those records which must be kept permanently either on microfilm or in their original paper form.
2. **Non-Permanent Records:** those records which should be destroyed without being microfilmed at the end of the minimum hard-copy retention period.

The records which fall into each of these two categories are listed in Sections II and III and Appendices A – D of this bulletin. If a record is not listed in either category the record must be treated as a permanent record. The court should notify the office of the administrative director that the record is not listed in the bulletin.

C. Destruction Authorization Procedure - Case File Records

Before any of the case file records discussed in Part II of this bulletin may be destroyed, the following must be done:

1. The clerk of court must fill out form TF-310, Records Destruction Request, describing the record to be destroyed and citing the paragraph number of the Records Retention Schedule which authorizes destruction.
2. The request must be approved by the area court administrator and by the administrative office.

A representative of the administrative office will assign a destruction authorization number to the request and return it to the clerk. Only after receiving the written approvals and destruction authorization number may the clerk destroy the records. The clerk must certify on the original request form the date the records were destroyed and must keep on file the original request with its written approvals and certification of destruction.

D. Destruction Procedure - Other Records

With two exceptions, documents in Part III of this bulletin which are described as "non-permanent" may be destroyed after the minimum retention period without obtaining prior permission from the administrative office. However, care must be taken so that any of these documents which are confidential are destroyed by shredding or burning. Confidential documents may not be deposited in the trash in readable form. (Also see Administrative Bulletin No. 16 on destruction of unofficial records of confidential proceedings.) The two exceptions (which require permission before destruction) are: Marriage License Issuance Records (ADM-115) and Case Number Assignment Book Pages.

E. Archiving

Administrative Rule 37(b)(4) requires that permanent documents be microfilmed. Currently the administrative office both scans and microfilms these records. Records which are to be microfilmed must be sent to Records Management Services (RMS).

1. Permanent Documents.

Only permanent documents should be sent to RMS. **It is no longer necessary for courts to remove staples, paper clips, or other fasteners before sending files to RMS.** After the records are microfilmed, a destruction authorization number will be assigned to them and RMS will then destroy the paper records. The original destruction authorization will be sent to the local court where it should be kept on file.

2. Non-Permanent Documents.

All non-permanent documents should be kept until the court receives written permission from the administrative office to destroy the non-permanent documents. The local court must keep this written permission and the destruction authorization number on file. Section C above explains how to request permission to destroy non-permanent records.

3. Documents that Must be Retained at Court Location.

The following must be retained at the court of origin: "SEALED" documents, judge notes, and law clerk notes and memoranda. DO NOT send them to RMS. Any of these documents received by RMS will be returned, unopened, to the court of origin.

If a judge reclassifies a sealed document as confidential or public, it can be sent to RMS for archiving. Otherwise, sealed documents must be retained permanently at the court of origin. The judge may decide whether to retain or destroy judge notes and law clerk notes and memoranda.

Note: See Administrative Bulletin 48, Standard 7 on Confidential and Sealed Records for the procedures for storing these documents.

F. Documents of Historical or Archival Value

At the time the judgment or other dispositive document is entered in each case, the judicial officer assigned to the case should note whether the file contains any documents which should be preserved under Administrative Rule 37(d) for their "present or potential historical or archival value." A sticker (form ADM-735) should be placed on the front of the case file folder if the file contains any such documents. Whenever any files are sent to the microfilm department, they should be accompanied by a list of those files which contain historical documents. After microfilming, the historical documents will be sent to the State Archives for preservation in their original hardcopy form.

II. CASE FILES

A. Civil Case Files

1. Minimum Hard-Copy Retention Period. The retention periods listed in the table below begin after the case is closed as defined on page 3.

Case Type	Retention Period	Microfilm
Appeals and Petitions for Review from District Court Cases and Administrative Agencies Note: The agency "record on appeal" must be returned to the agency after the appeal is decided.	4 years	Entire File
Childrens' Proceedings: Child in Need of Aid Delinquency Cases	4 years	Entire File
Civil (formal - superior and district court)	4 years	Permanent Documents
Domestic Relations (dissolutions, divorce, child custody and support and registration of foreign orders of this type)	4 years	Permanent Documents
Domestic Violence	1 year	Entire File
Eviction (FED)	2 years	Entire File
Inquests	4 years	Entire File
Presumptive Death	4 years	Entire File
Probate: Adoptions Alcohol Commitments Conservatorships Emancipations Estates* Guardianships Mental Commitments Minor Settlements *See Section III.O for demand notices not filed in an estate case. Note: Judicial Bypass Cases are sealed after issuance of an order and therefore must be retained in hard-copy form. Probate Rule 20.	4 years	Entire File
Small Claims	2 years	Entire File
Stalking and Sexual Assault	6 months	Entire File

Exceptions:

- a. Satisfaction of Judgment. If a satisfaction of judgment has been filed indicating that the judgment has been satisfied in full, the minimum retention period is six months after the date the satisfaction was filed.
- b. Dismissal. If a case is dismissed, there is no minimum hard-copy retention period. The file can be microfilmed immediately.
- c. Denied Protective Orders. If a petition for a protective order is denied and there is no request for an additional hearing, there is no minimum hard-copy retention period. The file can be microfilmed immediately.
- d. Trial Juror Questionnaires (J-145, J-146, and those drafted by attorneys and judges for specific cases). Trial Juror Questionnaires may be microfilmed immediately after the jury is selected. There is no minimum hard-copy retention period. These are confidential documents. Administrative Rule 15(j).

2. Disposition after Retention Period.

Files must be kept in their original paper form for the required retention period shown in the above chart.

Microfilm Entire File. For the case types marked “Entire File” in the “Microfilm” column in the above chart, it is not necessary to separate permanent from non-permanent documents. The entire file should be sent to Records Management Services.

Microfilm Only Permanent Documents. For the case types marked “Permanent Documents” in the “Microfilm” column in the above chart, the documents in the files must be divided into two groups: permanent records and non-permanent records. Permanent records must be retained permanently, either in their original paper form or on microfilm. Non-permanent records can be destroyed without microfilming. See Appendix A for a list of the permanent and non-permanent records. Any document not listed in either group must be treated as a permanent document unless the administrative office directs otherwise.

DO NOT send the following to RMS: sealed documents, judge notes, and law clerk notes and memoranda. See section I.E.3 on archiving on page 5.

Confidential Documents. After microfilming, any confidential documents must be shredded.

3. Exhibits.

The disposal of exhibits offered at trials and other court hearings is discussed in Administrative Bulletin No. 9. Exhibits attached to pleadings, motions, etc., are permanent records.

4. Transcripts and Depositions.

See the [Transcripts](#) section in III.H and the [Depositions](#) section in III.I on page 20 for disposal of these items.

5. Other Documents.

If a court has possession of the following original documents which a judge has required a party to submit, the court must retain them until a judge orders them to be released to someone:

- Deeds of trust
- Stocks
- Bonds
- Vehicle titles
- Passports

B. Criminal Case Files (both district and superior court cases)

1. Minimum Hard-Copy Retention Period: four years after case is closed as defined on page 3.

Exceptions:

- a. Dismissals. If all charges in a case are dismissed or prosecution is declined, there is no minimum hard-copy retention period. The file can be microfilmed immediately.
- b. Probation Ends. If probation ends before the four-year minimum hard-copy retention period and the case is not on appeal, then the retention period is as follows:
 - (1) If the case disposition is an “Order Suspending Imposition of Sentence” (SIS), the minimum hard-copy retention period is 30 days after entry of the “Order of Discharge after SIS” (CR-505).
 - (2) If defendant is sentenced to probation with no jail time to serve, and at the end of the original period of probation either no petition to revoke has been filed or any such petitions were denied or dismissed, there is no further hard-copy retention period after probation ends.

- c. Arrest or Bench Warrant Outstanding Four or More Years. If a criminal case remains open because the defendant is at large and an arrest or bench warrant has been outstanding for four or more years, no further retention period is required. The file must be microfilmed in its entirety. This means that both permanent and non-permanent documents must be filmed.
- d. Trial Juror Questionnaires (J-145, J-146, and those drafted by attorneys and judges for specific cases). Trial Juror Questionnaires may be microfilmed immediately after the jury is selected. There is no minimum hard-copy retention period.

2. Disposition after Retention Period.

- a. Misdemeanors (not including felonies reduced to misdemeanors)

Misdemeanor files must be kept in their original paper form for the required retention period after each case is closed. At the end of this period, the entire file except sealed documents, judge notes, and law clerk notes and memoranda may be microfilmed. All other documents in these case files will be treated as permanent records. It is not necessary to separate the permanent from the non-permanent records.

- b. Felonies (including felonies reduced to misdemeanors)

Files must be kept in their original paper form for the required retention period. The documents in the files can then be divided into two groups: permanent records and non-permanent records. Permanent records must be retained permanently, either in their original paper form or on microfilm. Non-permanent records can be destroyed without microfilming. See Appendix B for a list of the permanent and non-permanent records. Any document not listed in either group must be treated as a permanent document unless the administrative office directs otherwise.

- c. Exceptions:

- See 1.c above for open cases with outstanding warrants. These files must be microfilmed in their entirety.
- DO NOT send the following to RMS: sealed documents, judge notes, and law clerk notes and memoranda. See section I.E.3 on archiving on page 5.

3. Exhibits.

The disposal of exhibits offered at trial or other court hearings is discussed in Administrative Bulletin No. 9. Exhibits attached to pleadings, motions, etc., are permanent records.

4. Transcripts and Depositions.

See the [Transcripts](#) section in III.H and the [Depositions](#) section in III.I on page 20 for disposal of these items.

5. Other Documents.

If a court has possession of the following original documents which a judge has required a party to submit, the court must retain them until a judge orders them to be released to someone:

- Deeds of trust
- Stocks
- Bonds
- Vehicle titles
- Passports

6. Grand Jury Records

See [Section III.M Grand Jury Records](#) on page 24.

7. Petitions to Revoke Probation

See [Section III.P Petitions to Revoke Probation when Jurisdiction Transferred](#) on page 33.

8. Search Warrants

See [Section III.L Search Warrant Records](#) on page 22.

C. Coroner Case Files

Inquest Files – See Civil Cases.

Presumptive Death Files – See Civil Cases.

Coroner Calls:

Before September 1996, coroner's case files had coroner's case numbers (a "CO" suffix). In September 1996, the position of coroner was abolished by statute, and many of the duties formerly performed by judicial officers as coroners were transferred to the Office of the State Medical Examiner. The remaining judicial duties, which include inquests, presumptive death hearings, unclaimed body orders, and other miscellaneous requests (autopsy

challenges, disinternments, etc.) are now filed and numbered as civil cases.

If a court has any remaining coroner death investigation files, the files should be microfilmed for permanent retention. All documents in these case files are permanent records and must be saved permanently on microfilm.

Because some of these documents may concern confidential matters, after microfilming, the original paper documents must be destroyed by shredding or other means that ensure the documents cannot be read or reconstructed. They may not be deposited in the trash in readable form.

D. Minor Offense Case Records

This section applies only to offenses that are filed as minor offense cases. See [Section II.C Criminal Case Files](#), for the retention of minor offenses filed in or as criminal cases.

“Minor offense” means those offenses listed in Minor Offense Rule 2.

1. Citations and Related Case Documents.

- a. Minimum Hard-Copy Retention Period: two years after the end of the calendar year in which the case is closed.

Exception: If a case is dismissed, there is no minimum hard-copy retention period. The file can be immediately disposed of as provided in “b” below.

For purposes of this records retention schedule, a case is “closed” when a judgment, dismissal or other final disposition is entered, the case is no longer on appeal in any court and all appeal periods have elapsed. Administrative Rule 37(b)(1).

- b. Disposition after Retention Period.

Minor offense citations, complaints, Informations and related case documents will not be microfilmed. These records should be destroyed without microfilming after the minimum retention period. Minor offense records must be destroyed by shredding or other means that ensure the documents cannot be read or reconstructed. Follow the

procedure for obtaining permission for destruction in Section I.C on page 4.

c. Commentary.

- (1) It is not necessary to microfilm charging documents because most relevant case information can be found in the electronic record. Under Minor Offense Rule 20, the electronic record is the official judgment.
- (2) The two-year retention period was selected so that the original citation will remain available during the period when it is most likely that any challenge to the judgment will occur. (See Minor Offense Rule 10(g) on relief from default judgments. Also see AS 28.15.221 concerning revocation of driver's licenses if sufficient points are accumulated during a 12 or 24 month period. Also see AS 16.05.410(g) which allows a peace officer to file a civil action to revoke a person's fishing or hunting license if the person is convicted of two or more fish and game bail schedule offenses in a two year period. In addition, execution against defendants' Permanent Fund Dividends for unpaid fines usually begins in the first two years after judgment is entered.)

2. Electronic Record.

The electronic record of minor offenses in the court's electronic case management system must be saved permanently.

3. Appeals.

If a minor offense citation is appealed, the minor offense file will be sent to the superior court as the record on appeal. After the appeal is decided, the minor offense file and a copy of the appeal decision will be returned to the district court. Then, at the end of the minimum retention period, the minor offense file should be disposed of as provided above.

The original decision on appeal, a copy of the charging document, and all related appeal documents will be retained in the appeal file (a civil case file), and will be microfilmed at the end of the retention period for civil files.

4. Audio recordings.

See [Section III.K Audio Recordings](#) on page 22 for disposition of audio recordings.

5. Exhibits.

The disposal of exhibits offered at court hearings is discussed in Administrative Bulletin No. 9. Exhibits attached to pleadings, motions, etc., are permanent records.

E. Underage Consuming Cases

1. Minimum Hard-Copy Retention Period: four years after case is closed as defined on page 3.

Exceptions:

- a. Dismissals. If all charges in a case are dismissed or prosecution is declined, there is no minimum hard-copy retention period. The file can be microfilmed immediately.
- b. Probation Ends. If probation ends before the four-year minimum hard-copy retention period and the case is not on appeal, then the retention period is as follows:
 - (1) If the case disposition is an "Order Suspending Imposition of Sentence" (SIS), the minimum hard-copy retention period is 30 days after entry of the "Order of Discharge after SIS" (CR-505).
 - (2) If defendant is sentenced to probation, there is no further hard-copy retention period after probation ends.
- b. Arrest or Bench Warrant Outstanding Four or More Years. If an alcohol underage case remains open because the defendant is at large and an arrest or bench warrant has

been outstanding for four or more years, no further retention period is required. The file must be microfilmed in its entirety. This means that both permanent and non-permanent documents must be filmed.
- d. Trial Juror Questionnaires (J-145, J-146, and those drafted by attorneys and judges for specific cases). Trial Juror Questionnaires may be microfilmed immediately after the jury is selected. There is no minimum hard-copy retention period.

2. Disposition after Retention Period.

Alcohol underage case files must be kept in their original paper form for the required retention period after each case is closed. At the end of this period, the entire file except sealed documents, judge notes, and law clerk notes and memoranda may be microfilmed. All other documents in these case files will be treated as permanent records.

DO NOT send the following to RMS: sealed documents, judge notes, and law clerk notes and memoranda. See section I.E.3 on archiving on page 5.

3. Exhibits.

The disposal of exhibits offered at trial or other court hearings is discussed in Administrative Bulletin No. 9. Exhibits attached to pleadings, motions, etc., are permanent records.

4. Transcripts and Depositions.

See the [Transcripts](#) section in III.H and the [Depositions](#) section in III.I on page 20 for disposal of these items.

III. OTHER RECORDS

A. Jury Records¹

1. Juror Attendance Records

a. Minimum Retention Period.

Except as provided in paragraph 4 on the next page, the following jury records must be kept in their original paper form for one year following the end of the calendar year in which the records are used.

Completed BI Launch Pad Reports:

(1) Grand Jury Selection Check-in Report (J-615 in BI Launch Pad)

¹ This bulletin no longer lists several old jury documents that courts stopped using after JuryView implementation. JuryView was implemented in all courts by January 1, 2011. See older versions of this bulletin for the retention policy for these older records.

(2) Trial Jury Selection Check-in Report by Juror Name (J-610 in BI Launch Pad)

(3) Record of Juror Attendance (J-140)

b. Disposition after Retention Period.

After the minimum retention period, the above-listed records may be destroyed. These are all non-permanent records, so they will not be microfilmed prior to destruction. It is not necessary to obtain permission from the administrative office prior to destruction.

2. Trial Jury Selection Cards by Term (J-627 in BI Launch Pad) and Panel (J-632 in BI Launch Pad). The small cards that may be used by the in-court clerk during jury selection must be shredded when they are no longer needed for jury selection. It is not necessary to obtain permission from the administrative office prior to destruction.
3. Request for Permanent Excusals. Requests for permanent excusal that are granted (and any court order granting them) are permanent records. There is no minimum hard-copy retention period. The paper copy must be retained until it is scanned into TrakMan and viewable in JuryView.
4. Juror Qualification Questionnaires (J-315s from JuryView and BI Launch Pad, etc.). Juror Qualification Questionnaires and attached documents sent to the Statewide Jury Office will not be returned to the trial courts after they are scanned. After scanning into JuryView and validation (by the Statewide Jury Office or by the Anchorage Jury Clerk's Office), the paper copies may be destroyed. These are confidential documents. Administrative Rule 15(j)(1). Therefore, they must be destroyed by shredding or other means that ensure the documents cannot be read or reconstructed. It is not necessary to obtain permission from the administrative office prior to destruction.
5. Returned Mail. Jury forms, letters, and postcards that are returned to the court by the post office may be destroyed after the juror's JuryView record has been updated.

B. Accounting Records

1. Copies of Trust Account Deposit Slips

a. Minimum Retention Period:

- (1) Trial Court Copy: two years after the end of the calendar year in which the record is made.
- (2) Fiscal Operations Copy: ten years after the end of the calendar year in which the record is made.

b. Disposition after Retention Period.

After the minimum retention period, the copies may be destroyed. These copies are non-permanent records and will not be microfilmed. It is not necessary to obtain permission for destruction from the administrative office.

2. Other Trust Account Records (see list below)

a. This section applies to the following trust account records (both those kept at the local court and those kept in the administrative accounting office):

- (1) all cancelled trust fund checks
- (2) trust account bank statements and normal enclosures (bank debit and credit memos)
- (3) trust account reconciliations (on forms ADM-112 or Adm. F-19)
- (4) cash journal and ledger book (including forms ADM-110 and Adm. F-18)

Note: Between October 19, 2003 and January 26, 2012, Fiscal Operations begin issuing checks for all courts. Therefore, trial courts no longer have copies of any of these records created after Fiscal Operations took over.

b. Minimum Retention Period: ten years after the end of the calendar year in which:

- (1) the check is written
- (2) the bank statement is dated
- (3) the reconciliation is done
- (4) the journal entry is made
- (5) the last ledger entry for that case is made

c. Disposition after Retention Period.

After the minimum retention period, these records may be destroyed. They are non-permanent records and will not be microfilmed. It is not necessary to obtain permission for destruction from the administrative office.

3. Copies of Receipts held by Fiscal Operations.

The copies of all Alaska Court System receipts which are stored in the administrative accounting office must be retained in their original paper form for ten years after the end of the calendar year in which the receipt is issued. They may then be destroyed without microfilming. These are receipts for money deposited in both the revenue account and the trust accounts.

Note: As trial courts went live in CourtView between 2002 and 2012, the courts' copies of printed receipts were replaced by a CourtView Post-set Summary Report. This report summarizes all receipting transactions.

4. Petty Cash Records.

Any copies of petty cash receipts or requests for reimbursement of petty cash kept at the local court can be discarded after the court has been reimbursed. It is not necessary to obtain permission for destruction from the administrative office.

5. Monthly Affidavits (form ADM-100).

Any copies of judicial officers' monthly affidavits kept at the local court may be discarded after the judicial officer is paid. It is not necessary to obtain permission for destruction from the administrative office.

6. Marriage License Issuance Record (ADM-115)

The Marriage License Issuance Record must be retained in the original paper form for ten years after the date the last fee on the form was collected. This record may be destroyed without microfilming. Before destroying it, the clerk of court must request permission from the Area Court Administrator and the administrative office using form TF-310, Records Destruction Request.

Beginning May 23, 2011, courts started producing marriages licenses in CourtView and a record of payment for these licenses is in CourtView. Courts no longer need to track issuance of marriage licenses using the ADM-115.

7. Other Trial Court Accounting Records.

See Appendix C.

8. Other Fiscal Operations Records.

See Appendix D.

C. Calendars /Schedules

There is no minimum hard-copy retention period for calendars.

These records may be destroyed without being microfilmed. It is not necessary to obtain permission from the administrative office prior to destruction.

D. Docket Books and Case Reporting, Case History, and Docket Forms

1. Dockets Prior To April 4, 1983.²

a. All docket books and loose-leaf binders of docket sheets and case history sheets for cases filed prior to April 4, 1983 must be retained permanently. They must be retained in either their original paper form or on microfilm.

b. All pre-1960 (pre-statehood) bound docket books can be sent to the State Archive for permanent storage. They will not be microfilmed by the court system.

² Background: On April 4, 1983, the supreme court order eliminating docketing (order no. 554) became effective. Prior to that date, the rules of court required the trial courts to keep certain information in court dockets. These dockets were kept separate from the case files. They were originally bound books and later were binders made up of loose-leaf "docket" sheets or "case history" sheets. After April 4, 1983, the docket sheets were no longer required. Since the sheets had in the past served the dual purpose of (1) a docket and (2) a method of reporting statistics to the administrative office, it was necessary to replace them in many courts with forms aimed solely at gathering statistics (e.g., the case reporting forms ADM-400 and ADM-405). In other courts no new statistic gathering forms were necessary because these courts had begun using small computers which could record the necessary statistics. One of the documents produced by the small computers was also called a "case history sheet".

2. Case Reporting, Case History, and Docket Forms after April 4, 1983

The following forms were used to report statistical information about cases to the Technical Operations Office for use in compiling the court system's annual report:

- ACS Form 1A Case History (Criminal)
- ACS Form 1B Case History (Civil)
- ACS Form 1D Case History (Probate)
- ACS Form 1E District Court – Criminal Docket
- SC-30 Small Claims Docket
- ADM-400 Criminal Case Reporting Form
- ADM-405 Civil/Probate Case Reporting Form

These are non-permanent records and may be destroyed without microfilming or prior approval from the administrative office.

E. Log Notes (also see Admin. Bulletin No. 22 on log notes)

1. Originals. Original log notes must be filed in the appropriate case file or search warrant file or grand jury file. They are to be retained permanently. See Section II on Case Files.
2. Copies. Yellow copies of paper log notes may be destroyed at the option of the local court. They will not be microfilmed. It is not necessary to obtain permission from the administrative office prior to destruction.

F. Duplicate Case Files

Duplicate case files (sometimes called "dummy" or "temporary" files) should be destroyed when they are no longer needed. If they have not been destroyed sooner, they should be destroyed when the case is closed (as "closed" is defined on page 3). Exception: It may be appropriate to keep some duplicate files longer. For example, if duplicate children's proceedings files are kept at district court locations, it may be appropriate to retain them until the child reaches age 18.

Duplicates do not need to be microfilmed. However, before any duplicate file is destroyed, it must be carefully checked to be sure it contains no original documents. Any originals found must be transferred to the original file. If the original file has already been microfilmed, any originals in the duplicate file which would be classified as permanent documents must be

sent to Records Management Services for microfilming and, if possible, addition to the original file. This might happen, for example, if an old criminal case is reopened for a probation revocation or a divorce case is reopened for a custody or child support matter. It is not necessary to obtain permission from the administrative office prior to destruction of duplicate documents in the files.

G. Judgment and Order Book

Effective April 4, 1983, Supreme Court Order No.554 amended Civil Rule 74(b) to eliminate the requirement that the trial courts maintain these books. Therefore, presumably, civil judgments are no longer being filed in such books. If a court still has these books from prior years and wishes to keep them, the court may do so as long as the books are useful. It is not necessary to obtain permission from the administrative office prior to destroying the books. However, before the books are destroyed, they should be checked to see if they contain any original documents. Any originals found should be returned to the original case file. The books will not be microfilmed.

H. Transcripts

1. Sentencing Transcripts. (Also see Administrative Bulletin No. 17 on preparation of typed sentencing transcripts.)

Transcripts of a judge's sentencing remarks are permanent documents. They should be filed with the other permanent documents in the criminal case file and microfilmed with them. See Appendix B on Felony Case Files.

2. All Other Transcripts.

All transcripts other than sentencing transcripts may be destroyed without being microfilmed after the final judgment in the case has been entered and the time for appeal has elapsed or the appeal has been decided and the time for further appeal has elapsed. It is not necessary to either obtain permission from the administrative office or give notice to the parties prior to destruction. See [Section III.M.4.b on Grand Jury Transcripts](#).

Since the audio tape and log notes are being retained permanently, the transcripts can be recreated if they are ever needed in the future. Care must be taken to shred or burn the transcripts of any confidential matters such as children's proceedings. They may not be deposited in the trash in readable form.

I. Depositions

Depositions are not permanent records. After final judgment and after the time has passed for taking an appeal or filing a petition for review, all depositions shall be returned to the submitting party. Civil Rule 74(g).

Original depositions must be returned as described below.

Copies of depositions may be shredded after final judgment. It is not necessary to obtain permission from the administrative office prior to shredding.

Procedure for Returning Original Depositions

1. The clerk shall return all **original** depositions by one of the following methods:
 - a. Delivery: The clerk may return depositions together with a copy of the "Inventory and Receipt" form, TF-206, by:
 - (1) Certified mail or a less expensive mailing method that provides confirmation of delivery. (See "Recommended Shipping Methods" on the Fiscal Operations page of the INTRANet.)
 - (2) Personal delivery at the courthouse to the attorney, an employee of the attorney's firm, the attorney's courier service or an unrepresented party. The person receiving the depositions must complete and sign the court's copy of the "Inventory and Receipt" form, TF-206.
 - b. Notice to Pick Up: The clerk may either telephone the attorney or unrepresented party or send an "Exhibit and Deposition Notice," form TF-205, by first class mail to the attorney or party indicating that the attorney or party must pick up the depositions within 33 days from the date the TF-205 Notice is sent.

If the "Exhibit and Deposition Notice" is returned to the court undelivered, the clerk shall make reasonable attempts to locate the attorney or party through such means as telephoning, contacting the Alaska Bar Association, etc. Upon locating a current address for the attorney or party, the clerk shall then send a supplemental "Exhibit and Deposition Notice" to the attorney or party.

2. Procedures for Destruction of Depositions

- a. Notice Undelivered. If the notice to counsel to pick up depositions is returned to the court undelivered, and the clerk has not been able to otherwise locate the attorney or party, and 33 days have elapsed since the notice was sent, the clerk shall complete the "Affidavit and Order for Disposal of Exhibits/Depositions," form TF-209, and submit it to the presiding or trial judge. Upon order of the court for destruction of the depositions, the clerk shall shred them. It is not necessary to obtain permission from the administrative office prior to shredding.
- b. Notice Delivered. If the attorney or party does not pick up the depositions after receiving the notice described in paragraph 1.b above, the clerk shall shred them. It is not necessary to obtain permission from the administrative office prior to shredding.
- c. Affidavit after Destruction. If the deposition is destroyed, the clerk must fill out form TF-210, "Affidavit Following Disposal of Exhibits/Depositions."

3. All forms, certified mail receipts and other documents related to the disposal of depositions must be filed in the case file.

J. Licenses

In the past the following sections of Title 8 of the Alaska Statutes required certain professional licenses to be "registered," "recorded," or "filed" with the clerk of the superior court in each judicial district in which the person practiced:

Chiropractors - AS 08.20.150 (repealed in 1986)

Medical Doctors and Osteopaths - AS 08.64.280 (repealed in 1986)

Optometrists - AS 08.72.120 and .130 (repealed in 1986)

Dentists - AS 08.36.240 (repealed in 1984)

These requirements have all been repealed, so the courts should no longer be accepting these filings. All the old registers, files, etc., should be destroyed without microfilming.

K. Audio Recordings

All audio recordings will be kept permanently. After a period of storage at the local court (four years), they may be shipped to the central archive in Anchorage for long-term storage. (See procedures for sending audio recordings to Records Management Services (RMS) in the RMS section of the intranet.)

See Administrative Bulletin No. 23 about tape and CD security and storage procedures at the local court.

L. Search Warrant Records

1. Definition of Terms.

- a. "Search warrant records" include search warrants, affidavits, receipts and inventories, log notes, any other document filed with the search warrant, and audio recordings of search warrant proceedings.
- b. "Sealed" search warrant records. Search warrants records are sealed at the time the warrants are issued. They remain sealed until they become "confidential" or "public" under Criminal Rule 37(e).
- c. "Confidential" search warrants records. Search warrant records become confidential, instead of sealed, four years after the warrant is issued if no charges related to the warrant have been filed and a judge has not delayed the unsealing of the record.
- d. "Public" search warrant records. Search warrant records become public when one of the following occurs:
 - (1) Charges related to the warrant are filed; or
 - (2) The court orders that the warrant be made public.

Note: Although Criminal Rule 37(e)(2) makes the records public after related charges are filed, the only way that clerks will know if charges have been filed is if the prosecutor lists the search warrant number on a charging document as required by the same rule. Also, depending on who is requesting access to the records, clerks may have to redact information made confidential by the Victims' Rights Act (VRA) before making the records available. See paragraph 6 below.

See Criminal Rule 37(e) on confidentiality of warrant information. See also, Administrative Bulletin 86 on search warrant records.

2. Search Warrant Storage.

Search warrant records must be stored separately from case files. When a search warrant becomes a public document under Criminal Rule 37(e)(1) or (2), the search warrant records must remain in the search warrant files. They are not to be moved to the corresponding criminal case files. See Administrative Bulletin 7.J.

3. Minimum Hard-Copy Retention Period.

Paper search warrant records must be kept in their original paper form for at least four years following the end of the calendar year in which the search warrant is requested.

4. Disposition after Retention Period.

Search warrant records must be kept permanently. After the minimum hard-copy retention period, "confidential" and "public," but not "sealed," search warrant records may be sent to Records Management Services for microfilming.

5. Microfilming Search Warrant Records.

- a. Only public and confidential search warrant records may be microfilmed. Records that have not been unsealed under Criminal Rule 37(e), may not be microfilmed.
- b. Both public and confidential search warrant records must be microfilmed on confidential microfilm rolls in the order in which they are filed. This is done so that clerks will not have to separate the public and confidential records before archiving.
- c. When transmitting search warrant records to Records Management Services for microfilming, the search warrant records must be kept in their original Search Warrant Envelope (CR-707). It is not necessary to unseal the envelope before sending it to Records Management.
- d. Because the CR-707 envelope may show whether a charging document has been filed or if the warrant was otherwise ordered unsealed, the front of the Search Warrant Envelope (CR-707) must be microfilmed as the first document for that record.

6. Requests to View Microfilmed Search Warrant Records. See Administrative Bulletin 86.
7. Audio recordings of search warrant proceedings will be kept permanently as provided in paragraph K above.
8. Search Warrant Log (CR-704)

The Search Warrant Logs are used by judicial officers in some courts to assign case numbers to search warrants prior to a search warrant case being initiated in CourtView. There is no hard-copy retention period for these logs. These are non-permanent records and may be destroyed without microfilming or prior approval from the administrative office.

9. Request for Return of Seized Property and Notice of Hearing (CR-715) and any related documents. AS 12.36.070.

These are permanent records. The minimum hard-copy retention period is one year from the date of filing. After the minimum hard-copy retention period, they may be microfilmed. Note: If no search warrant record exists, these documents must be filed as a general criminal non-case filing.

M. Grand Jury Records

1. Brief Description of Grand Jury Procedure

- a. Indictments

The main purpose of grand juries is to decide whether the state's evidence is enough to justify charging a person with a crime and forcing that person to defend against those charges. Grand jury proceedings are secret. The 12 to 18 members of the jury hear evidence only from the prosecutor. While the prosecutor is presenting evidence (questioning witnesses), an in-court clerk records the proceedings and takes log notes. There is no judge, defendant or defense attorney in the room. At the end of the presentation of the

end evidence, everyone except the jurors (and any interpreters for the jurors) leaves the room and the jurors deliberate. Their deliberations are not recorded.

If a majority of the grand jurors vote that there is enough evidence, the foreperson will indicate on the indictment (the charging document previously prepared by the prosecutor) that it is a “true bill.” If a majority votes against the charges, the foreperson will write “not a true bill” on the proposed indictment. The foreperson (or a juror designated by the foreperson) will also write the number of votes for and against each proposed indictment on a vote form provided by the prosecutor.

Usually, more than one case is presented to the grand jury each day they meet. At the end of each grand jury day, there will be a brief court hearing at which the grand jury’s actions (the indictments they are “returning”) will be presented to a superior court judge. An in-court clerk will record the hearing and take log notes on form CR-170 (“Log Notes for Grand Jury Returns”). The foreperson and prosecutor will present the following items to the court:

- “True Bill” indictments,
- Proposed indictments endorsed “Not a True Bill” if charges in the case were previously filed in district court,
- The number of votes for and against each indictment or proposed indictment (on separate forms for each case), and
- An “Interim Report to the Judge” - a one-page summary stating the number of cases heard and number of indictments returned that day – on a form provided by the prosecutor.

The prosecutor will also give the in-court clerk any “no true bill” proposed indictments in cases in which no charges were filed in district court. The in-court clerk will hold these indictments under seal, and they will not be presented at the “return hearing.”

The hearing at which the “returns” are accepted is a public hearing unless the judge orders it closed so that a “secret” indictment can be presented. This might happen, for example, if the prosecutor requests that the indictment remain secret until the defendant can be taken into custody.

After the hearing, the in-court clerk can destroy the “interim report to the judge” (only by shredding it).

The in-court clerk must shred all notes taken by grand jurors at the end of each day, unless a case is being continued to a later date. If a case is continued to another day or session, any juror notes, the log notes and any offered exhibits must be placed in an “Interim Storage” envelope (TF-370). The storage instructions are on the envelope. Any exhibits too large for the envelope must be stored in a locked exhibit storage cabinet or vault.

The “**public**” records (public indictments and “return” log notes) must be placed in the criminal case files.

The “**confidential**” documents are:

- Log notes of grand jury cases in which a “true bill” was returned,
- Grand juror votes in cases in which a true bill was returned.

The clerk must prepare a TF-360 *Confidential Grand Jury Cover Sheet* for each case and attach it to the above confidential documents before storing them where other confidential records are stored.

The “**sealed**” documents are:

- Log notes of grand jury cases in which a “no true bill” was returned, whether or not charges were previously filed in district court.
- Indictments endorsed “not a true bill” if no charges were previously filed in district court, and
- Grand juror votes in cases in which a “no true bill” was returned, whether or not charges were previously filed in District Court.

The clerk must prepare a TF-365 *Sealed Grand Jury Documents Envelope* for each case and place the above documents in it. The envelope must be sealed with “security seal” tape. The clerk must write on the tape the date the envelope was sealed and his or her signature. Sealed grand jury documents must be stored in a secure location.

After “true bills” become public, the defendants (and the prosecutor) can request transcripts of the grand jury proceedings. These transcripts are confidential documents.

The Transcript Supervisor in the Appellate Court Clerk's Office arranges for the preparation of the transcripts, delivers

electronic copies to the requesting parties, and maintains the electronic copies on the trial court servers. No paper copies are sent to the trial courts.

b. Reports

Another duty of the grand jury is to investigate and make reports and recommendations concerning the public safety or welfare. See page 25 of the [Grand Jury Handbook \(J-185\)](#) for examples of such investigative reports.

2. Retention of Grand Jury Records

a. Public Records Placed in Case Files

The following documents from grand jury proceedings should be filed in the criminal case file for that case and should be retained permanently and microfilmed with the rest of the permanent documents in the file as provided in Section II.C:

- (1) Indictments endorsed "a true bill"
- (2) Proposed indictments endorsed "not a true bill" if a complaint or information was previously filed in district court
- (3) Log Notes for Grand Jury Returns (form CR-170) – both "true bill" returns and, when charges are previously filed at the district court level, "no true bill" returns.

These log notes describe events that take place in open court: the return of public indictments. Therefore, these log notes are public documents.

Exception for Secret Indictments: Occasionally a judge may direct that the return proceedings be closed to the public and the indictment kept secret "until the defendant is in custody or has given bail." [Criminal Rule 6(l)(2)] If the judge orders that an indictment be kept secret, the "return" of that indictment must be written on a separate CR-170 log

note form, and both the log note form and the indictment must be kept in the TF-365 *Sealed Grand Jury Documents Envelope* until a judge orders the envelope unsealed (presumably after the defendant is taken into custody and is ready to be arraigned).

b. Non-Public Grand Jury Records

(1) Confidential Documents

The minimum hard-copy retention period for the following records is two years after the date of the grand jury proceeding. These are permanent records. After the two-year period, these records may be microfilmed.

- (a) Log notes of the selection, swearing, charging, instruction, and orientation of grand jurors.
- (b) True Bill Log Notes. If an indictment is endorsed “a true bill,” the log notes for that case are confidential. See Criminal Rule 6(n)(4). Exception: If the grand jury returns a no true bill on any count in the proposed indictment, the log notes must be sealed.
- (c) Grand Juror Votes. Criminal Rule 6(h) requires the foreperson (or another juror designated by the foreperson) to “keep a record of the number of jurors concurring in the finding of every indictment ...and file the record with the clerk of the court.” This rule also requires that this record “not be made public except on order of the presiding judge.” Therefore, the form on which the foreperson records the number of votes is a confidential document. The clerk must file it with the other confidential documents in the grand jury file for that day. It should not be placed in a “sealed” envelope.
- (d) Log Notes for Grand Jury Returns (the copy of form CR-170 stored with the grand jury log notes). If the indictment is not ordered kept secret, the original or a copy of the “Log Notes for Grand Jury Returns” (form CR-170) must be placed in each criminal case file for which

there is an indictment, along with the indictment. A copy (or the original) of the CR-170 may also be placed in the envelope or folder of grand jury records along with the grand jury log notes. This copy of the return log notes can be microfilmed as “confidential” because another copy or the original is available to the public in the criminal case file.

(2) Sealed Documents

The following documents cannot be microfilmed. They must be retained by the trial court in paper form.

- (a) Indictments endorsed “not a true bill” if no complaint or information was previously filed in district court.
- (b) “No True Bill” Log Notes. This includes log notes for a grand jury hearing in which the grand jury reached a true bill on some counts and a no true bill on others.
- (c) “No True Bill” Grand Juror Votes

c. Grand Jury Reports under Criminal Rule 6.1

(1) Confidential Records

All records related to a Criminal Rule 6.1 grand jury investigative report are confidential until the presiding judge orders the report released. These records include:

- Audio recording of the presentation of evidence
- Audio recording of in-camera hearing (if held)
- Log notes
- Written response to grand jury report
- Judge’s explanation to grand jury why report not released (if written)
- Grand juror votes

If after completing its investigation, the grand jury does not issue a report, all records remain confidential.

(2) Public Records

Once the presiding judge orders the report released, all the above records become public.

(3) Minimum Hard-Copy Retention Period:

(a) If Report Made Public: two years from the date the presiding judge released the report.

(b) If Report not Made Public: two years after the supreme court's decision on any appeal of the presiding judge's order concerning release of the report. If the time for appeal has run and no appeal is filed, there is no minimum hard-copy retention period.

(c) If Grand Jury does not Submit a Report: there is no minimum hard-copy retention period.

Exception: Audio recordings must be kept at the local court for a period of four years as provided in K above.

(4) Disposition after Retention Period: These are permanent records.

(a) Paper Records. After the above two-year period, they may be microfilmed.

(b) Audio Recordings. After the four-year storage period at the local court, they may be shipped to the central archive in Anchorage for long-term storage.

d. Other Grand Jury Documents

(1) Interim Report to the Judge (daily, one-page summary of the number of cases heard, and the number of true bills and no-true-bills returned that day).

There is no minimum hard-copy retention period for these interim reports. They are non-permanent records and will not be microfilmed. They can be destroyed immediately after they are read into the record at the time indictments are returned. They must be shredded. It is not necessary to obtain

permission for destruction from the administrative office

(2) Transcripts

Grand jury transcripts are confidential documents. Criminal Rule 6(n)(4).

Currently, paper copies are not sent to the trial courts when a party requests a transcript from the Transcript Supervisor in the Appellate Court Clerk's Office. However, in the past when some trial courts produced or obtained the transcripts for the parties, the trial courts may have kept paper copies. Any paper copies of grand jury transcripts may be destroyed immediately. They are non-permanent records and will not be microfilmed. Because they are confidential, they must be shredded. They must not be deposited into the trash in readable form. It is not necessary to obtain permission for destruction from the administrative office.

Exception: Copies of transcripts that are attached to motions or other documents in a **case file** are permanent, public documents and must be microfilmed when the rest of the file is microfilmed.

(3) Grand Juror Attendance Records

Attendance records that list the names of grand jurors are confidential records. All paper copies of attendance records should be stored by the jury clerk. As provided in [Section III.A.1 on Juror Attendance Records](#) (on page 15), they should be kept in their original paper form for one year following the end of the calendar year in which the records are used. After that period, they may be destroyed. These are non-permanent records, so they will not be microfilmed prior to destruction. Because they are confidential documents, they must be destroyed by shredding or other means that ensure the documents cannot be read or reconstructed. They must not be deposited into the trash in readable form. It is not necessary to obtain permission from the administrative office prior to destruction.

(4) Correspondence

Correspondence between the grand jury and the court and other related correspondence is confidential (for example, a letter from the grand jury to a judge requesting police investigation of an incident). This correspondence must be retained permanently. The minimum hard-copy retention period is two years. After two years, the correspondence may be microfilmed.

N. Vital Statistics Records

1. Birth, Death, and Marriage Certificates. The courts stopped recording these vital records effective December 31, 2005. Courts were instructed to send all recorder's copies of these certificates, including the binders and indexes, to the Bureau of Vital Statistics in Juneau.
2. Marriage License Applications (VS-351 and VS-351(a))

Marriage license applications (also referred to as "marriage license dockets") are public records under AS 25.05.191, AS 25.05.351 and 7 AAC 05.610. Note: the social security number cover sheet and the affidavit and petition for waiver of physical examination and laboratory test, and any hearings thereon, are not open to the public and must be kept confidential. The social security number cover sheets must be sent to the Bureau of Vital Statistics.

These applications are permanent records. The original marriage license applications must be retained by the issuing court for 10 years. After 10 years, the applications may be sent to State Archives in Juneau for permanent retention. The applications must be arranged chronologically by year and then alphabetically within each year by Party A's last name.

When sending records to the State Archives office, courts must follow the instructions on the State Archives website, including using the Transmittal Receipt form available on the website. Website on Transmittal of Records to State Archives:

http://www.archives.state.ak.us/Archives/Archives_Transfer.html

3. Marriage Commissioner Appointments.

There are two kinds of marriage commissioner appointments: (1) appointing an individual to perform a single marriage ceremony, and (2) appointing a person to perform an unlimited number of

marriage ceremonies over a period of time. Marriage commissioners are appointed by the presiding judge in each judicial district. AS 25.05.081 requires the clerk of court to issue to the marriage commissioner a certified copy of the order of appointment and send a copy of it to the Bureau of Vital Statistics.

Marriage Commissioner Appointment Orders must be created by initiating an "ML" case type in CourtView using the "MCA" action code. Courts do not need to keep a paper copy of an order created as an "ML" case type in CourtView.

The original of any appointment order created by any other method must be retained in hard copy form for a minimum of one year. These are public, non-permanent records and will not be microfilmed. It is not necessary to obtain permission for disposal from the administrative office.

4. VS-607 Clerk's Monthly Vital Statistics Report (adoptions, divorces, dissolutions, annulments and name changes and attached certificates) and any certified mail return receipt card (green card).

- a. Minimum Hard-Copy Retention Period: one year after the date the report is mailed to the Bureau of Vital Statistics

- c. Disposition after Retention Period. After the minimum hard-copy retention period, these reports and the attached copies of certificates may be destroyed. Because some of the attached certificates contain confidential information, the documents must be destroyed by shredding or other means that ensure the documents cannot be read or reconstructed.

They are non-permanent records and will not be microfilmed. It is not necessary to obtain permission for destruction from the administrative office.

5. Burial Transit Permits (VS-121)

These are permanent records. The minimum hard-copy retention period for the court's copy is one year after issuance. After one year the permits may be microfilmed.

O. Demand Notices (P-305)

Demand notices are filed by persons who have a financial or property interest in a decedent's estate and who want notice of any order or filing pertaining to the decedent's estate. See AS 13.16.070 and AS 13.06.110.

If a demand notice is filed after an estate case is opened, the demand notice is filed in the estate case. [See II.D Probate Files](#) for retention of estate case files.

If the demand notice is not filed in an estate case, the retention schedule is as follows:

- a. Minimum Hard-Copy Retention Period: three years after the demand notice is filed.³
- b. Disposition after Retention Period: This is a permanent record. After the above three-year period, these notices may be microfilmed.

P. Petitions to Revoke Probation when Jurisdiction Transferred

When jurisdiction over a probationer transfers from one court to another court, petitions to revoke probation must be filed in the new court.⁴

The original case file will remain at the original sentencing court. When a petition is filed at the new court, the petitioner must attach a copy of the following documents to the petition:

- a. the original judgment in the case;
- b. any prior petitions to revoke probation filed in the case;
- c. any supplemental judgments or orders disposing of prior petitions; and
- d. the original presentence report as corrected by the sentencing judge under Criminal Rule 32.1(1)(5), and any updates to that report.

The clerk at the new supervising court will create a new volume of the case file under the original case number.

The petition to revoke probation filed in the new supervising court (excluding the attachments listed above) and any documents filed or generated at the new court (except any documents listed as non-permanent in the retention schedule for felony cases) are permanent records. The retention period is:

³ Ordinarily, probate proceedings must be commenced within three years after the decedent's death pursuant to AS 13.16.040.

⁴ Uniform Administrative Order Re Felony Petitions to Revoke Probation, Section B

- a. Minimum Hard-Copy Retention Period: Four years from the date the petition was filed.
- b. Disposition after Retention Period: After the four-year hard-copy retention period, these records may be microfilmed.

Q. Case Number Assignment Book Pages

The Case Number Assignment Book pages listed below are non-permanent records. These records may be destroyed only after confirming that all cases listed on each page have (1) been indexed in CourtView, and (2) been microfilmed. If a case has not been microfilmed and the original case records cannot be located, the case number assignment sheet must be microfilmed. Before destroying them, the clerk of court must request permission from the Area Court Administrator and the administrative office using form TF-310, Records Destruction Request.

- Adm. F-91 Criminal Case Number Assignment
- Adm. F-92 Civil Case Number Assignment (Small Claims, Domestic Violence, and Formal Civil
- Adm. F-93 Coroner Case Number Assignment
- Adm. F-105 Children's Case Number Assignment
- Adm. F-106 Probate Case Number Assignment
- TC-128 Cases Closed (Case Number Assignment Book)

R. Will Deposit Forms

AS 13.12.515 allows testators or their agents to deposit wills with the court for safekeeping. Probate Rule 5 explains the deposit procedure. Wills must be kept confidential during the testator's lifetime. When the testator dies the will becomes public. Wills must be stored in a locked fireproof filing cabinet or safe. Probate Rule 5(a)(3). Wills are stored in manila envelopes along with a deposit agreement (P-100).

If the envelope no longer contains the original will because the will has been transferred to an estate case or because it has been withdrawn, the contents of the envelope may be microfilmed. (The contents may include the deposit agreement, the withdrawal form, a death certificate, and a copy of the will.) There is no minimum hard-copy retention period. These are permanent records. The envelope must be microfilmed along with the contents.

If the envelope contains the original will, the envelope and its contents must be retained until the will is withdrawn or transferred to an estate case.

S. Non-Case Filings

The documents in the chart below are permanent records. The minimum hard-copy retention periods begin on the date of filing unless otherwise noted below. After the minimum hard-copy retention period, these documents may be sent to Records Management Services to be microfilmed.

Non-Case Filing Documents	Description	Minimum Hard-Copy Retention Period
Affidavit for Release of Property to Temporary Property Custodian (P-120)	AS 12.65.105 and Probate Rule 9.1(a)	4 years
Articles of Incorporation	One copy of the articles shall be filed with the clerk of the superior court in the judicial district in which the principal place of business of the corporation is to be located. AS 10.40.030.	1 year
Bench Warrant (non-party or juror)	Issued when a non-party is in contempt of court. AS 9.50.010 – 060.	1 year from date of issuance
Demand for Notice (P-305) - Probate	Demand for notice of any order or filing pertaining to a decedent's estate. AS 13.16.070.	4 years
Formation of Cemetery Association	The clerk of a cemetery association must file with the superior court a copy of the record of the proceedings of the meetings of the association. AS 10.30.020.	1 year
Grand Jury Investigation Reports	Criminal Rule 6.1.	See Section III.M.3.c on Grand Jury Reports
Inventory of Property Taken by Temporary Custodian (P-121)	AS 12.65.105 and Probate Rule 9.1(a)(2).	4 years
Marriage License Application		See Section N.2 Vital Statistics Records .

Non-Case Filing Documents	Description	Minimum Hard-Copy Retention Period
Notice of Detention (delinquency)	A peace officer who detains a minor under AS 47.12.250(a) must file a notice of detention to inform the court of the officer's action. AS 47.12.250(b).	4 year
Order to Show Cause (non-party or juror)	Issued when a non-party is in contempt of court. AS 9.50.010 – 060.	1 year from date of issuance
Out-of-State Subpoenas	Civil Rule 45.1 and Criminal Rule 17 – An out-of-state subpoena is a subpoena issued by a court in the state where the witness resides requiring the witness to testify, produce evidence, or both, in an action filed with a court in a different state.	1 year
Report to Court (CINA)	Report explaining to court why child was taken into custody and released within 24 hours. CINA Rule 6(a). AS 47.10.142.	4 year
Request for Return of Seized Property and Notice of Hearing (CR-715) and any related documents.	Requests filed pursuant to AS 12.36.070.	1 year
Search Warrants		See Section L Search Warrants .
Tribal Court Orders Lodged with the Court		1 year
Trust Registration (P-200)	AS 13.36.010.	4 years
Will Records		See Section S Will Deposit Forms.

T. Index Cards

Before the court system had a computerized case management system, cases were indexed using small index cards. If any court still has any of those index cards, the information on those cards must be entered into CourtView's historical index. See the "Historical Case Index" instructions in CourtView. After all the information has been entered into CourtView,

the index cards may be destroyed. It is not necessary to obtain permission from the administrative office before destroying.

U. Paper Copies of Reports Generated from CourtView and BI Launch Pad

Paper copies of reports generated from CourtView and BI Launch Pad are not permanent documents. They should not be archived. There is no minimum hard-copy retention period. It is not necessary to obtain permission from the administrative office prior to destruction. If they contain confidential information, they must be destroyed by shredding or other means that ensure the documents cannot be read or reconstructed.

IV. ELECTRONIC RECORDS

A. General

The retention schedule for electronic case files will be created when electronic filing begins.

B. Legal Notices Posted on Court Website

The following must be retained electronically for one year from the date of first posting on the court's legal notice website:

1. The legal notice
2. The notice index page which contains links to the legal notices

C. Post-Judgment Record of Transactions (CIV-543) – Excel Spreadsheet

1. Shared Folder. Electronic Excel Spreadsheets of the Post-Judgment Record of Transactions must be stored in a shared folder titled "CIV-543 Post-Judgment Records of Transactions" accessible by the clerk of court and all deputy clerks who record these transactions.

2. Part of the Case File. CIV-543 spreadsheets are a part of the court's case file and therefore should be made available for viewing to any party who asks to see them.

3. Microfilming. After a judgment is satisfied, either by the creditor filing a satisfaction of judgment or when the CIV-543 spreadsheet has a zero balance, the spreadsheet must be printed and either

placed in the case file or sent to Records Management Services to be microfilmed. The electronic copy should be retained unless a satisfaction of judgment has been filed.

APPENDIX A
Civil Case Files

Permanent and Non-Permanent Documents

Note: If any doubt exists regarding the disposition of a document, it should be treated as a permanent document.

♣ Civil Cases Only

◆ Domestic Relations Cases Only

<p align="center">Permanent</p> <p>These documents, including any attached exhibits, are to be retained permanently in either their original form or on microfilm.</p>	<p align="center">Non-Permanent</p> <p>After the minimum retention period and after obtaining permission from the administrative office as described on page 4, the documents listed below <u>except those relating to any post judgment proceedings</u> can be destroyed. All documents relating to post-judgment proceedings and all documents not listed below are to be permanently retained.</p>
<p>Affidavits (except affidavits of service) Affidavits and orders re disposal of exhibits and depositions (forms TF-209 and TF-210) Amended complaints / petitions / answers Answers Appearance and Waiver of Notice of Hearing (DR-110) Applications for default Applications for post-conviction relief under Criminal Rule 35.1 ♣ Bonds Certificate of facts (CIV-405) ♣ Certificate of name change (CIV-705) ♣ CIV-543 Post-Judgment Record of Transactions Clerk’s Certificate of Posting on ACS’ Legal Notice Website(TF-815) Complaints COVID-19 Eviction Affidavit (CIV-731) Creditor’s affidavits (CIV-505, CIV-535, CIV-547, etc.) Cross or counter claims ♣ Custody Reports ◆ Decrees ◆ Deeds issued by the court Dismissals Dispositive documents Employer’s response to writ of execution for garnishment of earnings (CIV-526) Entry of default Exhibit List (TF-200) Information for issuance of a writ (CIV-501) Inventory & Receipt (TF-206) Findings (including findings with conclusions of law) Judgments Juror selection form (J-190 and J-191) - confidential ♣ Jury instructions (final only) ♣ Log notes Log notes backing card (TF-227) (if anything is written on it other than the case name and number) Masters’ reports Memoranda of law</p>	<p>Affidavits of service - pre-judgment Applications [except applications for default and applications for post-conviction relief under Criminal Rule 35.1] Attorney’s entry of appearance Calendaring notices /orders Certificates [except certificate of name change (CIV-705) and certificate of facts (CIV-405)] Note: The VS-401 Certificate of Divorce, Dissolution, etc. must be sent to the Bureau of Vital Statistics if granted. Confidential information sheet (DR-314) ◆ Correspondence (unless it includes a judge’s handwritten order) Counsel of record cards (TF-900) Deficiency notices Demand for jury trial ♣ Deposition designations Depositions (See section III.I for disposal procedures.) Disqualification of Judge (recusal) (TF-120) Electronic Delivery of Case Documents (TF-820) Financial declaration (DR-250) ◆ Instructions to process server for serving writs (CIV-560 & 561) Judge notes and law clerk notes and memoranda (These must be returned to the assigned judge for decision on retention. If the assigned judge is no longer with the court, send these items to another judge at your location.) Jury instructions – proposed and draft (must keep final) ♣ Notice of change of judge (TF-935) (peremptory challenge). See also “disqualification of judge.” Notices (except those listed as permanent records) Proofs of service – pre-judgment Reassignment orders Report of Parties’ Planning Meeting (CIV-203) Request for exemption from payment of fees, and order (TF-920) Service instructions (CIV-615 and process server forms)</p>

APPENDIX A
Civil Case Files
Permanent and Non-Permanent Documents

Note: If any doubt exists regarding the disposition of a document, it should be treated as a permanent document.

♣ Civil Cases Only

◆ Domestic Relations Cases Only

Permanent	Non-Permanent
<p>These documents, including any attached exhibits, are to be retained permanently in either their original form or on microfilm.</p>	<p>After the minimum retention period and after obtaining permission from the administrative office as described on page 4, the documents listed below <u>except those relating to any post judgment proceedings</u> can be destroyed. All documents relating to post-judgment proceedings and all documents not listed below are to be permanently retained.</p>
<p>Motions Notice of change of case number and assignment of judge (TF-910) Notice of dismissal Notice of filing foreign judgment (CIV-640) Notice of garnishment (CIV-530) Notice of levy (CIV-510, CIV-555, and CIV-556) Notice of registration of child custody order (DR-483) Notice of registration of foreign support order (CIV-645) Opinions Oppositions to motions Orders (except calendaring orders and substitution of counsel orders) Parenting plan/agreement (DR-475) ◆ Petitions Post-judgment documents (all) Property settlement agreements ◆ Qualified domestic relations orders (QDROs) – both redacted (public) and un-redacted (confidential) versions ◆ Quarantine and isolation forms (all)(CIV-790-797) Replies to oppositions to motions Responses Returns of service (all) Satisfactions of judgment Sealed documents (Note: These must be retained at the court location. They may not be sent to Records Management Services (RMS). If a judge reclassifies the document as confidential or public, it can be sent to RMS for archiving.) Stipulations Trial Briefs Trial juror questionnaires (J-145, J-146, and those drafted by attorneys and judges for specific cases) ♣ Verdicts ♣ Writs (of execution, garnishment, possession, replevin, attachment, assistance, etc.)</p>	<p>Subpoenas Substitution of Counsel Notices and Orders Summonses Unsigned orders Warrants Witness lists</p>

APPENDIX B
Felony Case Files
Permanent and Non-Permanent Documents

Note: If any doubt exists regarding the disposition of a document, it should be treated as a permanent document.

Permanent	Non-Permanent
<p>The following documents, including any attached exhibits, are to be retained permanently in either their original form or on microfilm:</p>	<p>After the minimum retention period and after obtaining permission from the administrative office as described on page 4, the documents listed below <u>except those relating to any post judgment proceeding</u> can be destroyed. All documents relating to post-judgment proceedings and all documents not listed below are to be permanently retained.</p>
<p>Affidavits (except those listed as non-permanent) Affidavits and orders re disposal of exhibits and depositions (forms TF-209 and TF-210) Amended charging documents Bonds Certificates of completion or other proof of satisfaction of conditions of probation or other court orders (community work service, batterer intervention, alcohol safety action programs, etc.) Charging documents (complaints, indictments, informations, etc.) Correspondence concerning sentencing ["unsolicited letters;" see <u>Bowlin v. State</u>, 643 P.2d 1 (Alaska App. 1982)] Creditor's affidavits (CIV-505, CIV-535, CIV-547, etc.) Deferred prosecution, notice of Dismissals Dispositive documents (all) Employer's response to writ of execution for garnishment of earnings (CIV-526) Exhibit List (TF-200) Information for issuance of a writ (CIV-501) Inventory & Receipt (TF-206) Jail receipts for cash bail Judgments Juror selection form (J-190 and J-191) - confidential Jury instructions (final only) Log notes Log notes backing card (TF-227) (if anything is written on it other than the case name and number) Memoranda of law Modifications to judgments Motions Notice of change of case number and assignment of judge (TF-910) Notice of dismissal Notice of garnishment (CIV-530) Notice of levy (CIV-510, CIV-555, and CIV-556)</p>	<p>Affidavit of financial inability to employ counsel (confidential) and request for appointed counsel (CR-205) Affidavits of service Applications (except applications for post-judgment relief) Attorney's entry of appearance (including CR-160 Appearance form) Calendaring notices/orders Certificates of service Correspondence (unless it includes a judge's handwritten order or concerns sentencing) Deficiency notices Depositions (See section III.I for disposal procedures.) Disqualification of Judge (recusal) (TF-120) Financial statement (CR-206) Instructions to process server for serving writs (CIV-560 & 561) Judge notes and law clerk notes and memoranda (These must be returned to the assigned judge for decision on retention. If the assigned judge is no longer with the court, send these items to another judge at your location.) Jury instructions – proposed and draft (final must be kept) Notice of change of judge (TF-935) (peremptory challenge) See also "disqualification of judge." Notices (except those listed above as permanent records) Proofs of service Reassignment orders Request for appointment of counsel (TF-929 or CR-205) Request for exemption from payment of fees, and order (TF-920) Temporary orders except those that dismiss a case or charges Service instructions (CIV-615 and process server forms) Subpoenas Summonses Unsigned orders</p>

APPENDIX B – Page 2
Felony Case Files
Permanent and Non-Permanent Documents

Note: If any doubt exists regarding the disposition of a document, it should be treated as a permanent document.

Permanent	Non-Permanent
<p>The following documents, including any attached exhibits, are to be retained permanently in either their original form or on microfilm:</p>	<p>After the minimum retention period and after obtaining permission from the administrative office as described on page 4, the documents listed below <u>except those relating to any post judgment proceeding</u> can be destroyed. All documents relating to post-judgment proceedings and all documents not listed below are to be permanently retained.</p>
<p>Notice of Referral to Three-Judge Sentencing Panel (CR-451) Notice to Payor of Bail (CR-232) [for cash bail posted in excess of \$10,000.] Opinions Oppositions to motions Orders (except calendaring orders) Orders closing cases after SIS (form CR-505) Petitions to revoke probation Post-judgment documents (including documents related to appeals, probation revocation, transfer of supervision of probation, collection of fines and restitution, etc.) Presentence reports (confidential) Replies to oppositions Report of cash bail (CR-231) Report of cash payments over \$10,000 received in a trade or business (IRS Form 8300) Returns of service for post-judgment execution documents Request for disbursement (ADM-111) Satisfactions of judgment Sealed documents (Note: These must be retained at the court location. They may not be sent to Records Management Services (RMS). If a judge reclassifies the document as confidential or public, it can be sent to RMS for archiving.) Stipulations Temporary orders dismissing cases or charges Transcripts of sentencing remarks Trial juror questionnaires (J-145, J-146, and those drafted by attorneys and judges for specific cases) Verdicts Victim Information Sheet (CR-455) [in confidential folder] Waivers of extradition (form CR-755) Writs (of execution and garnishment)</p>	<p>Warrants – served or recalled arrest and bench warrants Witness lists</p>

APPENDIX C
Other Trial Court Accounting Records

Record	Description	Retention Period	After Retention
Bail Transfer Logs from Jail Facilities	Log that documents money transferred from jail to court. Includes initials of booking officer, transport officer, and court clerk. Attached are credit card and cash receipts and bail bond forms. Credit card receipts are then sent to Fiscal Operations	2 years from last date on log.	Discard. It is not necessary to obtain permission for destruction from the administrative office.
Carrier Deposit Pick-up Logs	A log signed by both the carrier (such as Loomis) and the court clerk that documents that a deposit bag was picked up by the carrier.	2 years from date of log.	Discard. It is not necessary to obtain permission for destruction from the administrative office.
CourtView Cashier Balances Report	Report that automatically prints out when a clerk closes his or her cashier drawer. This report is attached to the clerk's Receipt Listing by Location report.	2 years from the date of printing.	Shred. It is not necessary to obtain permission for destruction from the administrative office.
P-card Records	P-card purchase and travel checklists, card statements, and receipts.	6 months from date of purchase.	Shred. It is not necessary to obtain permission for destruction from the administrative office.
Receipt Listing by Location	Daily BI Launch Pad report showing any receipted funds.	2 years from the date of printing.	Shred. It is not necessary to obtain permission for destruction from the administrative office.
Restitution forms and payment ledgers kept separate from the case file.	This might include: Victim Information Statement (CR-455), Restitution Schedule (pre-2002 version of the CR-455) or a paper ledger of restitution payments.	These are permanent records. Until restitution is satisfied, keep in paper form.	After restitution is satisfied, place documents in a confidential envelope and store in the criminal case file or if the criminal case file has already been microfilmed, send the confidential envelope to Records Management Services for microfilming.
Stop Pay Requests (ADM-107)	Requests submitted by the trial courts to Fiscal Operations to initiate stop payments of court checks.	The trial court scans a copy of the ADM-107 to Fiscal Operations. After Fiscal Operations notifies the trial court that a stop pay has been issued, the trial court can shred the form.	
Unclaimed Property Forms	Department of Revenue Forms: Verification for Unclaimed Property Form (04-720A) and Report of Unclaimed Property (04-720B)	2 years from date of report.	Shred. It is not necessary to obtain permission for destruction from the administrative office.
Year-end Inventory of Non-cash Items	Fiscal Operations spreadsheet used to record property held by the court such as deeds of trust and vehicle titles.	Retain until confirm receipt by Fiscal Operations.	Shred or delete electronic file. It is not necessary to obtain permission for destruction from the administrative office.

APPENDIX D
Other Fiscal Operations Records

Record	Description	Retention Period	After Retention Period
Notice to Payor (CR-232)	A notice required by federal regulation that must be furnished to persons charged with certain crimes who pay more than \$10,000 cash bail.	10 years from the date of issuance	Shred
Report of Cash Bail over \$10,000 (IRS form 8300)	A report required by the IRS anytime a person posts cash bail in excess of \$10,000.	10 years from the date of issuance	Shred
Stop Pay Requests (ADM-107) [printout of scanned copy]	Requests submitted by the trial courts to Fiscal Operations to initiate stop payments of court checks.	10 years from date of issuance	Shred
Unclaimed Property Forms	Department of Revenue Forms: Verification for Unclaimed Property Form (04-720A) and Report of Unclaimed Property (04-720B)	10 years from date of report	Shred
Year-end Inventory of Non-cash Items	Fiscal Operations spreadsheet used to record property held by the court such as deeds of trust and vehicle titles.	10 years from date of inventory	Shred

APPENDIX E

The main changes in the June 2016 revision of Administrative Bulletin 25 are:

1. **Documents that may not be sent to Records Management Services (page 5).** Section I.E.3 clarifies that the following documents must be retained at the court of origin: sealed documents, judge notes, and law clerk notes and memoranda.
2. **New Chart of Civil Case Types (page 6).** Section II.A.1 adds a new chart of civil case types, including the minimum hard-copy retention period for each case type and a reference to which documents in the case file must be microfilmed.
3. **Denied Protective Orders (page 7).** Section II.A.1.c establishes that there is no minimum hard-copy retention period for denied petitions for protective orders.
4. **Trial Juror Questionnaires (page 7).** Section II.A.1.d authorizes clerks to send trial juror questionnaires to Records Management Services to be microfilmed before the case file is microfilmed. Appendices A (Page 39) and B (Page 42) make these permanent documents.
5. **Permanent and Non-Permanent Documents in Civil Cases (pages 6 and 7).** Section II.A.2 explains that only certain civil case files need to be separated into permanent and non-permanent records and references the chart in Appendix A that lists those documents.
6. **Exhibits Attached to Pleadings and Motions (page 7).** Section II.A.3 clarifies that these exhibits are permanent records. This change was made for all other case types, not just civil.
7. **Other Documents (page 8).** Section II.A.5 identifies certain original documents which the court must retain in paper form until a judge orders them to be released to someone.
8. **Arrest or Bench Warrants Outstanding Four or More Years (page 9).** Section II.B.1.c authorizes courts to send cases with arrest or bench warrants that have been outstanding for four or more years to Records Management Services for archiving. The entire case file must be archived.
9. **Misdemeanors – No Need to Separate Permanent from Non-Permanent Documents (page 9).** Section II.B.2.a allows misdemeanor files to be archived in their entirety.
10. **Felonies (page 10).** Section II.B.2.b requires that the documents in felony files be divided into permanent and non-permanent documents which are now listed in Appendix B of the bulletin.
11. **Deleted Case File Sections.** The following case file sections were deleted and incorporated into the Civil Chart on page 6: Domestic Relations Cases, Probate cases, Children's' Cases, Small Claims Cases, and Forcible Entry and Detainer Cases (FEDs – Evictions).

APPENDIX E – Page 2

The main changes in the June 2016 revision of Administrative Bulletin 25 are:

12. **Coroner Case Files (page 11).** Inquest and presumptive death files are now included in the civil section. The coroner case files section now includes historical information about coroner calls and instructions about what courts should do with any remaining coroner death investigation files.
13. **Underage Consuming Cases (page 13).** Section II.E establishes a 4-year minimum hard-copy retention period for these cases. These files will be microfilmed in their entirety.
14. **Jury Records (page 15).** Section III.A on jury records removes outdated jury forms and adds JuryView and BI Launch Pad reports, forms, letters, etc.
15. **Accounting Records (page 16).** Section III.B deletes several forms no longer in use, addresses trial court records and fiscal operations records separately, adds marriage license issuance records, and references new appendices C on Trial Court Accounting Records and D on Fiscal Operations Records.
16. **Calendars/Schedules (page 18).** Section III.C deletes the six-month minimum hard-copy retention period for calendars.
17. **Docket Books and Case Reporting, Case History, and Docket Forms (page 18).** Section III.D authorizes destruction without microfilming of various case history and docket forms used to report statistical information after April 4, 1983.
18. **Log Notes (page 19).** Section III.E deletes the one-year minimum hard-copy retention period for yellow copies of paper log notes.
19. **Depositions (page 20).** Section III.I describes the new procedure for returning original depositions and the new procedure for destroying copies of deposition and originals if the party either does not pick up the deposition after required notice has been given or the party cannot be located after attempts to give notice.
20. **Search Warrants (page 22).** Section III.L adds several details to the section about microfilming search warrant records, a new section on Search Warrant Logs (CR-704), and a new section on Request for Return of Seized Property (CR-715). It also references new Administrative Bulletin 86 on Search Warrants.
21. **Grand Jury (page 24).** Section III.M adds references to forms created since this section was last revised, including the Confidential Grand Jury Cover Sheet (TF-360), Sealed Grand Jury Documents Envelope (TF-365), and Interim Storage Envelope (TF-370). It adds sections on Grand Jury Reports under Criminal Rule 6.1 and adds a retention schedule for correspondence between the grand jury and the court. It clarifies which documents cannot be microfilmed and makes several other changes.

APPENDIX E – Page 3

The main changes in the June 2016 revision of Administrative Bulletin 25 are:

22. **Vital Statistics (page 31).** Section III.N adds information about birth, death, and marriage certificates; adds information about marriage commissioner appointments; creates a one-year minimum hard-copy retention period for the VS-607 Clerk's Monthly Vital Statistics Report and a one-year retention period for burial transit permits.
23. **Demand Notices – P-305 (page 33).** Section III.O creates a three-year minimum hard-copy retention period for demand notices not filed in an estate case file.
24. **Petitions to Revoke Probation when Jurisdiction Transferred (page 33).** Section III.P creates a retention schedule for the new documents filed in the new supervising court: four years from the date the petition to revoke was filed.
25. **Case Number Assignment Book Pages (page 34).** Section III.Q discusses what to do with old case number assignment book pages.
26. **Will Deposit Forms (page 34).** Section III.R establishes the retention schedule for forms associated with will deposits when the will has been withdrawn or transferred to an estate file.
27. **Non-Case Filings (page 35).** Section III.S establishes the retention schedule for several non-case filing documents.
28. **Index Cards (page 36).** Section III.T authorizes destruction of case index cards after all the information on those cards has been entered into the CourtView Historical Index.
29. **Paper Copies of Reports Generated from CourtView and BI Launch Pad (page 37).** Section III.U establishes that there is no minimum hard-copy retention period for these reports.
31. **Electronic Records (page 37).** New Section IV addresses records maintained in electronic forms such as legal notices posted on the court's website and the Post-Judgment Records of Transactions (CIV-543) – Excel Spreadsheet.
32. **Appendices.** The following appendices were added to the bulletin:
 - A. [Civil Case Files – Permanent and Non-Permanent Records](#)
 - B. [Felony Case Files – Permanent and Non-Permanent Records](#)
 - C. [Other Trial Court Accounting Records](#)
 - D. [Other Fiscal Operations Records](#)
 - E. Main Changes Made in May 2016 Revision
 - F. Court System Employees' Electronic Mail and Electronic Working Files after Employment Ends

APPENDIX F

Court System Staff Electronic Working Files, Electronic Mail, and Instant Messages

A. Electronic Working Files – During Employment

During employment, employees of the court system should retain their individual electronic working files as instructed by their supervisors. In the absence of specific guidance from a supervisor, an employee may retain their individual electronic working files as they deem appropriate for their duties and for effective court operations.

B. Electronic Working Files – After Employment Ends

After a court system employee leaves employment with the court system, retention of his or her electronic working files will be as follows.

1. Home Drive on Court Servers (H: drive). The files that the employee stored on his or her individual H: drive must be retained on disk for one year, and thereafter on a tape backup for an additional 18 months. After that time period, the electronic records can be destroyed or eliminated.
2. Shared Drives (e.g., G: drive). The files that the employee stored on the court system's shared drives must be retained in electronic form as appropriate for effective court operations, as determined by the employee's supervisor.

C. Electronic Mail – During Employment

1. General. During employment, employees of the court system should retain their individual electronic working files in an easily-accessible way (typically, the shared drive that the employee routinely uses for court system business) as instructed by their supervisors. In the absence of specific guidance from a supervisor, an employee may retain their individual electronic working files as they deem appropriate for their duties and for effective court operations.
2. Storage of Internal Email. Internal emails are emails that are sent to and from a court system email address only. The Information Services department must retain an electronic log of all internal emails, sent and received, for 14 days. The log preserves the sender, recipient, and subject line of the emails; it does not store the body (content) of the email message.

3. **Storage of External Email.** External emails are emails that are either sent to or received from any address outside the court system, and therefore travel through the internet. The Information Services department must retain all external emails in their entirety electronically for 90 days. To the extent feasible, the IS department will back up the server on which these emails are stored nightly, and retain the backup files of these emails for 18 months.
4. **Backup of All Emails.** In addition to the above specific provisions for internal and external email storage, the Information Services department must prepare a log of all emails that are in an employee's email account at the end of each work day, and must retain the electronic log permanently. The log of emails must preserve the sender, recipient, subject line, size, date, and time of all the emails, but not the body (content) of the emails. To the extent feasible, the IS department will back up the server on which these emails are stored nightly, and retain the backup files of these emails for 18 months.

D. Electronic Mail – After Employment Ends

After a court system employee leaves employment with the court system, retention of his or her emails will be as follows.

1. **General Email Account.** The IS department must retain the employee's emails that are in the general email program (Outlook or other email system), but not stored or "saved" by the employee in a personal folder, on disk for one year, and thereafter on a tape backup for an additional 18 months. After that time period, the electronic records can be destroyed or eliminated.
2. **Home Drive on Court Servers (H: drive).** The emails that the employee stored on his or her individual H: drive must be retained on disk for one year, and thereafter on a tape backup for an additional 18 months. After that time period, the emails can be destroyed or eliminated.

E. Instant Messages

Instant Messages, whether transmitted via Office Communicator or another similar software system used for the immediate transmission of electronic messages to or from another court system employee, must be automatically electronically logged by Information Services. The logs and the full content of all Instant Messages must be stored in electronic form for a minimum retention period of two years.