

ALASKA COURT SYSTEM  
OFFICE OF THE ADMINISTRATIVE DIRECTOR  
ADMINISTRATIVE BULLETIN NO. 48  
(Amended Effective April 15, 2017)

TO: ALL HOLDERS OF ADMINISTRATIVE BULLETIN SETS:

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SUBJECT: Case File Management Standards

The attached policy on case file management standards will become effective in all district, superior and appellate courts on the date stated below. The policy is being issued under the authority granted to the administrative director by Administrative Rule 1(b).

Date: April 10, 2017  
Effective Date: April 15, 2017

/s/  
Christine E. Johnson  
Administrative Director

Originally issued effective February 23, 1990; revised effective April 15, 2015; revised effective April 15, 2017.

The April 15, 2017 change was:

Standard 3 on case indexing was revised to remove the requirement that clerks use the internet (public) version of CourtView to conduct name searches for the public. Clerks can now use the "clerk" version of CourtView to conduct these searches. Clerks must first determine whether a case is a confidential case type before releasing case information.

## Background

In 2016, the legislature passed two statutes prohibiting the court from publishing court records of certain cases on its website. AS 22.35.030 prohibits the court from publishing court records of criminal cases that end in acquittal or dismissal for certain reasons after 60 days from the date of acquittal or dismissal. AS 04.21.078 prohibits the court from publishing on its website court records of a violation of AS 04.16.049 (minor on premises) and AS 04.16.050 (minor consuming).

Before this legislation, the “not published” cases in Administrative Rule 40(a) were not to be revealed to the public. In order to implement the 2016 legislation, the administrative director designated the following subparagraphs of Administrative Rule 40(a) as confidential case types: (a)(5) & (a)(8) criminal and minor offense cases dismissed because of an identity error, and (a)(6) criminal case dismissed because a minor was mistakenly charged as an adult. All other subparagraphs of AdR 40(a) remain “not published,” but “not published” no longer means these cases cannot be revealed to the public. Now, “not published” only means that these cases will not be published on the court system’s public website. They will still be accessible to the public at the courthouse.

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## CASE FILE MANAGEMENT STANDARDS

### I. INTRODUCTION

This bulletin sets standards for case file management within the Alaska Court System. These standards supersede any previous standards or policies dealing with the same subject matter unless specifically stated otherwise in this bulletin. These standards are intended to ensure the integrity of the contents of the case files and avoid loss or temporary misplacement of the files.

### II. WAIVER OF STANDARDS

A request by a court for waiver of a specific standard must be addressed to the administrative director in writing. Such a request must include the name and number of the standard, specific reasons for requesting the waiver, the length of time of the waiver and any other pertinent information in support of the request. All waiver requests must be approved by the area court administrator or clerk of the appellate courts before being sent to the administrative director. The area court administrator or clerk of the appellate courts must make a recommendation together with a statement explaining why the requesting court cannot comply with the specific standard and what would be required to bring the requesting court into compliance with the standard.

### III. CLERK'S RESPONSIBILITY

The clerk of court is responsible for ensuring that the case file management standards set out in this bulletin are followed. In those courts without a full-time clerk, the magistrate judge is responsible for ensuring that these standards are followed.

### IV. CASE FILE MANAGEMENT STANDARDS

#### Standard 1: Case Number

- A. Every case filed in the district or superior court, all cases presented to the grand jury that were not initially filed in the district court, and all grand jury reports must be assigned a case number as provided in [Administrative Bulletin No. 7](#). Also see CourtView "Criminal Grand Jury Blind Case Numbering" instructions.
- B. Every case filed in the court of appeals must be numbered consecutively in the existing number series. The prefix "A" and a dash must be written before the number.
- C. Every case filed in the supreme court must be numbered consecutively in the existing number series. The prefix "S" and a dash must be written before the number.

Standard 2: File Folders and Envelopes

A. Pre-Printed File Folders

When an initiating document (complaint, petition, indictment, information, etc.) is filed, the clerk will prepare a case file folder and file the initiating documents in it. The case file folder must be marked with the case number and case title.

The following colored file folders must be used. All folders are preprinted with case type and other information.

Category of Case	Folder Color
<b>Criminal:</b>	
Criminal Misdemeanor	Blue
Criminal Felony	Red
Pre-numbered Criminal Case File Folders (misdemeanor and felony)	Blue
<b>Alcohol Underage</b>	White
<b>Civil:</b>	
<ul style="list-style-type: none"> <li>• District Court</li> <li>• Superior Court (including divorces and dissolutions)</li> </ul>	Manila
<ul style="list-style-type: none"> <li>• Domestic Violence, Stalking and Sexual Assault Protective Orders</li> </ul> <p>(Courts that use pre-numbered case files for civil cases can only use lavender folders IF they designate a block of civil case numbers for use in these case types.)</p>	Lavender
<b>Small Claims</b>	Green
<b>Children's Proceedings:</b>	
<ul style="list-style-type: none"> <li>• CINA                             <ul style="list-style-type: none"> <li>○ One Child Only Per Folder</li> <li>○ Optional: Family Folder for Multiple Children (3 Dividers, 8 sections)</li> </ul> </li> </ul>	Pink Pink
<ul style="list-style-type: none"> <li>• Delinquency</li> </ul>	Fuchsia (Vivid Pinkish Purple)
<b>Probate</b>	Canary
<b>Appeal Record</b>	Kraft (Brownish)

Category of Case	Folder Color
<b>Appellate Courts:</b>	
• Court of Appeals (Anchorage only)	Green
• Supreme Court (Anchorage only)	Manila
<b>Substitute File</b>	Orange

B. Substitute File Folders:

Substitute folders are typically created when:

- A case is temporarily transferred from another court, but the original file remains at the home court. The second court creates a substitute folder for the documents that are filed or produced in the second court.
- A case has been microfilmed but there is additional post-judgment activity, or
- A case file has been transferred to the appellate court and the trial court creates a substitute folder for a copy of the judgment and any other documents related to proceedings pending in the trial court.

The clerk should affix a Substitute File Folder label (TF-335) to the front of one of the following substitute folders:

1. A plain **orange** folder (available from Court Supply - Items 291 (end tab) and 292 (top tab) in Venice)
2. A pre-printed colored folder used for a regular case of that type. (See chart in paragraph A above.)

C. Pre-Printed Envelopes

The following pre-printed envelopes must be used to store the documents listed in the chart:

Envelope	Envelope Contents
<a href="#"><u>Search Warrant</u></a> (CR-707)	Search warrant and related documents, affidavits, tapes, CDs, log notes, and exhibits.

Envelope	Envelope Contents
<p><u>Confidential</u>                      (Tyvek: TF-350T)                      (Manila: TF-350M)</p>	<p>The following confidential documents related to a case:</p> <ul style="list-style-type: none"> <li>• Confidential Information Sheet (<a href="#">DR-314</a>)</li> <li>• Original Qualified Domestic Relations Order (QDRO)</li> <li>• Certificate of Divorce, Dissolution, or Annulment (VS-401)</li> <li>• Custody Investigator’s Report</li> <li>• Death Certificate</li> <li>• Juror Selection Form (<a href="#">J-190</a>)</li> </ul> <p>These envelopes can also be used for other confidential documents such as pre-sentence reports.</p>
<p><u>Sealed Grand Jury</u>                      (TF-365)</p>	<p>See <a href="#">Standard 7.C</a> on page 12.</p>

D. Manila Folders and Envelopes

The documents listed below may be filed in regular manila envelopes or file folders, with the case number and content information noted on the folder or envelope. A Confidential Label (TF-325) or Sealed Label (TF-330) must be completed and affixed to the envelope or folder if the document is confidential or sealed. See [Standard 7](#).

- Confidential Grand Jury Records  
 ([TF-360 Confidential Grand Jury Documents Cover Sheet](#) must be used for these documents. See [Standard 7.C](#) on page 12 for instructions.)
- Trust Registrations
- Will Registrations
- Non-Case Filings: (For a list of documents in each category, see [CourtView Non-Case Instructions](#).)
  - Tribal Court Orders and Related Filings
  - Marriage Applications and Licenses
  - CINA/Delinquency Non-Case Filings
  - Contempt of Court Non-Case Related Filings
  - General Non-Case Filings
  - Probate Non-Case Filings

### Standard 3: Case Indexing

The court system must maintain an alphabetical index by last name of every party named in every case filed.<sup>1</sup> In adoption cases, the name used is the name by which the person to be adopted will be known if the petition is granted. In change of name cases, both the current name and the name being requested are indexed.

A person may request under [Administrative Rule 40\(b\) or \(c\)](#) that the presiding judge substitute pseudonyms for the person's name on the public index of cases.

Generally, all party names are public unless made confidential by statute, court rule or by order of the court.<sup>2</sup> However, there are some public cases that are not published in the public version of CourtView available on the internet. These are called "Not Published" case types in CourtView. The "Not Published Public" cases are listed in [Administrative Rule 40\(a\)\(2\)-\(4\), \(7\), and \(9\)-\(11\)](#).

#### A. Public Access to the Indexes

Members of the public can get information from the indexes as follows:

1. Internet. Look up case numbers or party names on the court system's website. Only "published" public cases are available on the website.
2. Kiosk at Courthouse. The kiosk allows customers to search the following separately:
  - a. Published Cases. This is the same as searching from home on the court system's website.
  - b. Not Published Cases. If an individual has "not published" cases, the list will only show the case number(s), case title(s), and case type(s). It does not link to any other information about the cases, so the customer must request the case files to see more information.

There is no report on the kiosk that combines both published and not published cases.

3. Phone or Written Request. Call or write the court and ask for information about a case.

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<sup>1</sup> The rules governing party name indexes are: Administrative Rule 40, Civil Rule 74(a), Adoption Rule 16(e), Probate Rules 3(a)-(g), and Probate Rule 5(a)(2).

<sup>2</sup> Exception: The administrative director of the court system has authorized CourtView staff to create a confidential category of case types for criminal and minor offense cases dismissed because of an identity error (i.e., wrong person was charged with the offense) or because a minor was mistakenly charged as an adult.



The clerk can look up the case in CourtView. It is no longer necessary to use the internet (public) version of CourtView. The clerk should first determine whether the case is a confidential case type. If so, the clerk needs to be careful to not release confidential information. It is okay to reveal information about “Not Published” cases.

If a clerk does an index search for a customer, the clerk must also search the historical index described in B.3 below and any remaining card indexes. The clerk must not reveal confidential cases to non-parties.

## B. Computerized Index

The clerk must enter each case into CourtView, the trial court case management system. Cases and parties are automatically indexed when cases are entered into the computer. The following are the computerized indexes:

1. CourtView Public Index. Parties’ names that are not confidential are available through the internet (public) version of CourtView, except for the “Not Published” cases discussed above. This index includes parties in cases filed since about 1990.

Note: If a case filed prior to 1990 becomes active again, the clerk must enter the case and parties into CourtView. A CourtView search result may include matters from the 1980s and 1970s, but generally, cases prior to 1990 are not included in CourtView.

2. Index of Not Published Cases. If a case becomes “Not Published,” it will appear in the BI Launch Pad “Public Case Search for Non-published Cases” report. This report is available on all public kiosks at courthouses.
3. CourtView Confidential Index. Unless otherwise ordered by the court, access to the confidential index is limited to court clerks for case processing purposes. Confidential names are not available through the internet (public) version of CourtView. This index includes parties in cases filed since about 1990. Also see Note in B.1 regarding cases filed prior to 1990.
4. CourtView Historical Case Index. This index is available through the CourtView Index menu. Courts use this index to locate parties’ names that were entered from old card indexes. There is no electronic case data behind this index. Further information regarding the case can be found in the microfilmed case file.

This index is not available to the public through the internet (public) version of CourtView. Only court staff may research this index because it includes confidential party names. Court staff may give information from this index to the public only after verifying that it is public information or that a person requesting the information is authorized access.

C. Card Index

Before courts had computers, indexes were kept on index cards. Court clerks may give information from the index cards only after verifying that it is public information or that the requestor is a party to the case.

Courts must transfer the information on the cards to the CourtView Historical Index. For detailed instructions, see the CourtView instructions titled "Historical Case Index."

Standard 4: Docketing.

Generally, all documents filed in a case must be docketed in the court's case management system. For detailed instructions and exceptions, see the CourtView instructions titled "Docketing Guidelines."

Standard 5: Placing Papers in Case File

A. All papers relating to a case must be marked with the case number and date of filing or receipt.<sup>3</sup> All papers must be placed in the case file within the time period specified below.

1. For case files located in the clerk's office, all papers must be placed in the case file within two days after receipt.
2. For case files which are located in an office within the court other than the clerk's office, all papers must be placed in the case file within three days after receipt.
3. For case files which have been transferred to another court location, subsequent filings must be forwarded to the new court within two days after filing or receipt. For details, see Standard 9.

B. Case papers must be placed in the case file as follows:

1. The case paper must be checked for the correct case caption and number.

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<sup>3</sup> For more information on file stamping, see Appendix E in the Appendices to the Clerks' Manuals on the court's INTRANet.

2. If local procedures require clerks to initial case papers after performing a clerical duty, e.g., entering the paper into the computer, the case paper must be checked for the appropriate initials prior to filing to ensure that the clerical duty has been completed.
3. Case papers must be organized in case files according to the policy adopted by each judicial district. There is no statewide policy on how documents must be organized in case files.

#### Standard 6: Separately Maintained Case Papers and Related Items

##### A. Voluminous and Confidential or Sealed Documents

1. When the volume of documents interferes with the efficient handling of the case file or it is more efficient to store confidential and sealed documents separate from the file, the following types of documents may be stored separately from the case file: transcripts, depositions, motions and memoranda, briefs, and confidential reports/documents. See also [Standard 7](#) on Confidential Records.
2. These documents may be stored in a separate folder or envelope behind the original case file or in a different location. The folder or envelope must be marked with the case caption and number.
3. Each item and its location must be recorded in a standard location in or on the case file. For example, a court could photocopy the envelope containing the confidential document, note on the copy where the envelope is stored, and file the photocopy in the case file.

##### B. Audio and Video Recordings and Log Notes

Audio and video recordings of court proceedings must be filed and maintained in accordance with Administrative Bulletin No. 20 and Administrative Bulletin No. 23. Log notes must be filed and maintained in accordance with Administrative Bulletin No. 22.

##### C. Exhibits

Exhibits must be maintained in accordance with [Civil Rule 43.1](#), [Criminal Rule 26.1](#) and [Administrative Bulletin No. 9](#).

## Standard 7: Confidential and Sealed Records

### A. Unofficial Records of Confidential Proceedings

Destruction of unofficial records of confidential proceedings is governed by [Administrative Bulletin No. 16](#).

### B. Search Warrant Records

See [Administrative Bulletin 86](#) on search warrant records.

### C. Grand Jury Records

1. For information about which grand jury records are public and which ones are confidential or sealed, see [Administrative Bulletin 25](#) section III.M. See also, CourtView instructions on “Criminal Grand Jury Procedures.”
2. Confidential and sealed grand jury records must be filed in a locked cabinet or vault specifically designated for the filing of confidential and sealed documents.
  - a. For confidential grand jury documents, prepare a [TF-360](#) Confidential Grand Jury Documents Cover Sheet for each case. Attach the sheet to the confidential documents.
  - b. For sealed grand jury records, prepare a [TF-365](#) Sealed Grand Jury Documents envelope. Place all sealed documents in the envelope and seal the envelope with “security seal” tape (Venice Item No. 200). Write on the tape the date the envelope is sealed and sign your name on the tape.
3. Audio Recordings of Grand Jury Proceedings. See [Criminal Rule 6\(n\)](#) for information about which recordings are public and which ones are confidential or sealed.

### D. Confidential Audio Tapes and Log Notes

1. The recording, access, and copying of audio tapes of confidential proceedings is governed by Administrative Bulletin No. 20.
2. Tape numbering of confidential audio tapes is governed by Administrative Bulletin No. 21.
3. The filing of log notes from confidential hearings is governed by Administrative Bulletin No. 22.

4. The security of confidential audio tapes is governed by Administrative Bulletin No. 23.

E. Confidential Case Indexes

See Standard 3, section B.2 on confidential indexes.

F. Confidential Case Files and Confidential Documents

1. Unless otherwise ordered by the court, access to internal memoranda, notes, or preliminary drafts prepared by or under the direction of any judicial officer which related to the adjudication, resolution or disposition of any past, present or future case, controversy or legal issue is limited to court personnel for case processing purposes only. [Administrative Rule 37.5\(e\)\(1\)\(A\)](#).
2. Unless otherwise ordered by the court, only the following individuals may be given access to cases and individual documents, not included in paragraph 1 above, which have been designated confidential by statute, court rule or court order (e.g., adoptions and children's cases, presentence and custody reports):
  - a. parties to the action;
  - b. counsel of record;
  - c. individuals with a written order from the court authorizing access; and
  - d. court personnel. Access by court personnel is for case processing purposes only.

[Administrative Rule 37.5\(c\)\(4\)](#).

Exception: Some rules allow greater or more limited access to certain confidential records. For example, a judge may limit the defendant's access to presentence reports under [Criminal Rule 32.1\(b\)\(3\)](#). This rule allows agencies having charge of the defendant's rehabilitation to also have access to these reports.<sup>4</sup>

3. The following procedures must be used to ensure confidentiality of confidential case files and documents:

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<sup>4</sup> Another example of a statute that restricts access to confidential documents to a different group of people is:

1. The Victims' Rights Act (VRA) requires the court, in certain situations when the defendant is proceeding without counsel, to protect the address and telephone number of victims and witnesses by providing the information only to a person specified by the court or by imposing other restrictions that the court considers necessary. AS 12.61.120(b).

- a. File. If the entire case file is confidential, the word "CONFIDENTIAL" must be stamped or written on the front of the case file, or you can apply a TF-325 Confidential Label to the file. For some case types, like Children's, the word "Confidential" is pre-printed on the pink case folder.
- b. Documents. If just a document is confidential, the word "CONFIDENTIAL" must be stamped or written on the top of the first page of the document and the document must be filed in an envelope. Confidential Envelope TF-350 may be used. The envelope must be closed either by the metal fastener on the envelope flap or by tape.
- c. Identification Required. Unless personally known to the clerk, photo identification is required of all persons seeking access to a confidential file or document. The purpose of this requirement is to ensure that the person is a person who is authorized access to the file or document.
- d. Storage of Confidential Files and Documents

(1) Confidential Files

- (a) If confidential files are used infrequently, confidential case files must be kept in a file cabinet which is locked at all times except when in use.
- (b) If confidential files are used frequently throughout the day, they may be kept unlocked in a file area clearly marked as a confidential file area and to which public access is prohibited. The file cabinets or file room must be locked during non-business hours with a lock which is not accessible to non-court personnel.

(2) Confidential Documents.

Envelopes containing confidential documents must be stored in one of the following:

- (a) A filing cabinet designated for the storage of confidential documents which is kept locked at all times except when in immediate use. The name of the item and its storage location must be recorded in a standard location in or on the case file.

- (b) The case file. If the confidential envelope is stored in the case file, the envelope must be fastened to the metal fasteners in the file. The envelope must be removed from the file before any non-court employee is allowed to view the file.

G. Sealed Case Files and Documents

1. Access to sealed files and documents is restricted to the judge and persons authorized by written order of the court. [Administrative Rule 37.5\(c\)\(5\)](#).
2. The following procedures must be used for filing and storage of sealed case files and documents.
  - a. If the entire case file is sealed, the word "SEALED" must be stamped or written on the front of the case file or a TF-330 Sealed Label affixed to the file. If just a document is sealed, the word "SEALED" must be stamped or written on the top of the first page of the document.
  - b. Sealed case files and documents must be filed in an envelope. A "Sealed" label, form TF-330, must be completed and affixed to the envelope. The opening to the envelope must be sealed using tamper-resistant security tape. Completely seal the opening of the envelope so the envelope cannot be opened without breaking the seal or tearing the envelope. Write on the tape the date of sealing and the clerk's full signature.

The [TF-365](#) Sealed Grand Jury Envelope should be used for sealed grand jury records and the [CR-707](#) Search Warrant Envelope should be used for search warrant records.

- c. The sealed envelope must be stored in either a filing cabinet designed for storage of confidential and sealed documents or in the case file. If the sealed document is put in the case file, it must be removed before any non-court employee is allowed to view the file.
- d. If the court enters an order allowing someone to view a sealed case file or document, the following procedures must be used:
  - (1) Unless personally known to the clerk, the person seeking access must present photo identification. The purpose of this requirement is to ensure that the

person is the same person who has been authorized access to the file or document.

- (2) The following information must be noted on the envelope:
  - a. the date and time the envelope was unsealed;
  - b. the name of the judge authorizing access to the file or document; and
  - c. the date of the order authorizing access.
- (3) After the authorized person has viewed the file or document, the file or document must be put back in the envelope and the envelope must be resealed.

#### Standard 8: Consolidation of Cases

When the court orders cases consolidated or joined, the following steps must be taken:

- A. Follow the CourtView instructions entitled "Consolidating Cases."
- B. On the outside of each case file, write "Consolidated with     (list all case numbers)    ."
- C. Unless otherwise ordered by the court, the original consolidation order must be filed in the "lead" case file (the case with the lowest case number). File a copy of the order in each of the other case files.
- D. Put a [TF-320](#) "STOP" card in all the case files except the lead case.
- E. All subsequent documents for any of the consolidated cases must be filed in the lead case file, unless otherwise ordered by the court.

#### Standard 9: Transfer of Case Files to Other Courts

Case files can be transferred from one court to another due to (1) a temporary transfer of case file, (2) a change of venue, or (3) appeal, petition for review, or petition for hearing.

- A. Delivery Method and Docketing

Send case files and individual documents to the other court using one of the following methods:



1. First Class Mail plus Scanning.
  - a. Scan the documents, and
    - (1) e-mail the scanned documents to the recipient court;  
or
    - (2) save the scanned images until you confirm that the recipient court received the mailed originals.
  - b. Mail the originals by first class mail (unless the scanned documents were e-mailed and the recipient court does not require the originals).
  - c. Docket the reason for transfer in CourtView.
2. Delivery Tracking – Without Scanning.
  - a. Use the least expensive method that provides tracking/confirmation of delivery. It is not necessary to require restricted delivery or signature confirmation. See the “Recommended Shipping Methods” document in the Fiscal Operations section of the intranet.
  - b. Docket the reason for transfer in CourtView. Type or scan the postal service tracking number into the docket.

B. Temporary Transfer of Case File

If a case is temporarily transferred from one court location (original court) to another court (recipient court), do the following:

1. Original Court

Send the following to the recipient court:

- a. A completed Notice of Temporary Transfer of File, form [TF-915](#). Retain a copy of this notice. (Exception: if a file is being transferred to the Three-Judge Sentencing Panel, use form [CR-452](#), Notice of Temporary Transfer of File to Three-Judge Sentencing Panel instead.)
- b. The original case file including the file jacket (or a copy without the jacket if your ACA or PJ requires courts in your district to send copies instead of originals).

- c. Subsequent Filings. Forward the original of all subsequent filings to the recipient court within two days after receipt. Include a transmittal letter listing what is being sent. Keep a copy of the transmittal letter.

2. Recipient Court

Do not assign a new case number to the temporarily transferred case file. [Administrative Bulletin No. 7](#), Section II.H.

- a. Docket receipt of the case file.
- b. When the proceedings are complete, send the following to the original court:
  - (1) A transmittal letter notifying the original court of the results of the proceedings and a list of the items being returned to the original court. Form [TF-915](#) can be used.
  - (2) The case file.
  - (3) Any other case-related items, such as exhibits, depositions, etc.
- c. Docket the return of the case file. Include in the docket a list of the items transmitted and any postal tracking numbers.

C. Change of Venue

When the venue of a case is changed from one court (original court) to another court (recipient court), do the following:

1. Original Court

- a. Send the following to the recipient court:
  - (1) A transmittal letter listing what is being sent.
  - (2) All documents from the case file, including the change of venue order (but not the file jacket).
  - (3) All depositions, exhibits, transcripts and any other case-related items which are stored separately from the file (e.g., confidential reports).

- (4) A check for any money held in the trust account in the case.

Discard the file jacket.

- b. Docket the change of venue. Include in the docket a list of the items transmitted and any postal tracking numbers. If you requested delivery confirmation, update the change of venue docket to reflect the confirmation information and discard the green card or postal service delivery confirmation e-mail.
- c. Subsequent Filings. Forward the original of all subsequent filings to the recipient court within two days after receipt. Include a transmittal letter listing what is being sent. Docket the transmittal. Include in the docket a list of the items transmitted.

## 2. Recipient Court

Upon receipt of the items listed above, do the following:

- a. Follow the CourtView instructions for “Change of Venue” to assign the case the next available case number. Put the documents in a new file jacket. [Administrative Bulletin No. 7](#), Section II.I requires that a new case number be assigned.
- b. Prepare and distribute a Notice of Change of Case Number and Assignment of Judge, form [TF-910](#).
- c. Review the case file and take the next required action, if any.

## D. Appeals and Petitions for Review or Hearing

If a case must be forwarded from one court (original court) to another court (recipient court) for appeal or petition for review or hearing, do the following:

### 1. Original Court

- a. Make a copy of important documents in the case (e.g., complaint, answer, judgment) to be retained at the original court in a substitute file
- b. Send the following items to the recipient court (or regional appeals clerk for appeals to the court of appeals and the supreme court):

- (1) A completed Temporary Transfer of File, form TF-915. Keep a copy of the TF-915 and any postal tracking documents in the substitute file.
  - (2) The original case file.
  - (3) All case-related exhibits and transcripts. Exception: Do not transfer large physical exhibits and sensitive exhibits (firearms, drugs, cash, jewelry and other valuables) until specifically requested by the second court.
  - (4) A copy of audio recordings of hearings.
- c. Docket the temporary transfer.
  - d. Subsequent Filings. Forward the original of all subsequent filings to the recipient court within two days after receipt. Include a transmittal letter listing what is being sent. Keep a copy of the transmittal letter and any postal tracking documents in the substitute file.

## 2. Recipient Court

Upon completion of the appeal or review proceedings for which the file was transferred, send the following to the original court:

- a. A transmittal letter notifying the original court of the results of the proceedings and a list of the items being returned to the original court. Form [TF-915](#) can be used. Keep a copy of the transmittal letter and any postal tracking documents.
- b. The case file.
- c. Any other case-related items, such as exhibits, depositions, etc.

## Standard 10: Access to Court Records

- A. Access to public court records is governed by [Administrative Bulletin 12](#) and [Administrative Rule 37.5](#). With the exception of confidential or sealed case files and documents, all case files and case-related documents are public records and must be made available for review by the public.
- B. Access to confidential and sealed court records is governed by Standard No. 7 of this bulletin.

- C. Before releasing a file to a member of the public for inspection, the clerk must review the file and remove and keep in a safe place all confidential and sealed documents. When the file is returned to the clerk after inspection, confidential and sealed documents must be immediately returned to and fastened in the case file.

#### Standard 11: Case File Checkout and Return

The clerk may set policies and procedures for the management and check out of files within the following guidelines:

- A. Case files and case-related documents must not be removed from court offices without an order from the court. [Civil Rule 74\(e\)](#).
- B. If a judicial officer needs to remove a file from the court building, the judicial officer must give the clerk of court a signed receipt for the case file. [Civil Rule 74\(f\)](#).
- C. Use one of the following methods to track file movement.
  - 1. TrakMan tracking system.
  - 2. "Out" Cards. Replace case files removed from the file shelf or drawer with an "Out" card indicating the case number, date the file was removed and the person to whom the file was checked out.

Exception: Courts with two or less employees do not need to track file movement except when files are transferred to another court.

- D. Moving case files and case-related records must be done by court personnel only. The attorneys, parties to the case and members of the general public may not hand-carry files between court offices.
- E. New filings must be inserted in the case file within two days if the file is located in the clerk's office and within three days if the file is outside the clerk's office. Standard 4.A.
- F. When a case file is returned to the clerk's office, the clerk must review the file and complete any clerical work that may be required.

#### Standard 12: Retention/Destruction/Microfilming of Case Files and Case-Related Records

Even though the Records Management Services scans documents sent to them for archiving, [Administrative Rule 37](#) still requires that these documents also be microfilmed.

- A. Case Files and Case-Related Records: The retention, destruction and microfilming of case files and case-related records are governed by [Administrative Bulletin 25](#).
- B. Exhibits: The retention and disposal of exhibits are governed by [Civil Rule 43.1](#), [Criminal Rule 26.1](#) and [Administrative Bulletin No. 9](#).
- C. Transcripts and Depositions: The retention and disposal of transcripts and depositions are governed by [Administrative Bulletin No. 25](#).
- D. Audio Recordings: The retention and placement of audio recordings into the Audio Archives is governed by [Administrative Bulletin No. 25](#).
- E. Other Court Records: The retention, destruction and microfilming of other court records are governed by [Administrative Bulletin No. 25](#).

If any uncertainty exists as to the appropriate treatment of a record, the record must be retained until the administrative office decides the correct disposition of the record. [Administrative Bulletin No. 25](#).