

Supreme Court of Kentucky

2010-07

ORDER

IN RE: KENTUCKY COURT OF JUSTICE RECORDS RETENTION SCHEDULE

By previous Order of this Court, Order 2007-05, the existing Court of Justice Records Retention Schedules Part I and Part II were rescinded and all court records of the Court of Justice were required to be retained until further order of the Chief Justice. The undersigned established the Kentucky Court of Justice Records Retention Committee, led by Court of Appeals Judge Thomas B. Wine, to review and make recommendations concerning the retention and destruction of court records. After receiving and reviewing the Committee's recommendations, Supreme Court Order 2009-04 was entered, making certain series numbers eligible for destruction under the same criteria as enumerated under the previous Kentucky Court of Justice Records Retention Schedule Part II.

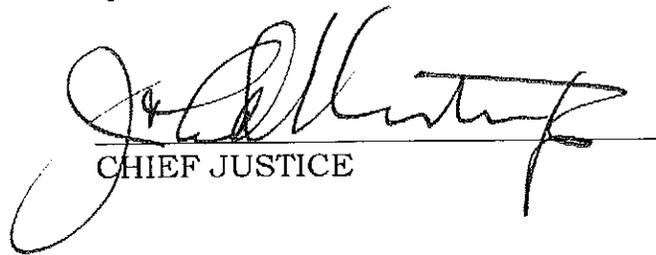
After additional input from the Kentucky Court of Justice Records Retention Committee, the Administrative Office of the Courts ("AOC") updated the Records Retention Schedule. It was submitted to the State Archives and Records Commission, which approved the schedule on December 10, 2009.

The AOC prepared programming changes to the electronic reports generated within KYCourts II to properly identify files eligible for destruction and files that should be retained. Supreme Court Order 2010-06, which was entered on June 7, 2010, authorized the AOC to create a pilot program to test the changes. The pilot program was completed successfully.

Accordingly, under Section 110(5)(b) of the Constitution of Kentucky and KRS 26A.200-.220, and having considered the input of the Kentucky Court of Justice Records Retention Committee and the State Archives and Records Commission, it is ORDERED that the Kentucky Court of Justice 1978-Present (Unified Court System) Records Retention Schedule, attached hereto and made a part of this Order, is reactivated and shall be implemented statewide.

This Order shall be effective upon entry and until further Order of the Chief Justice.

Entered this the 12th day of July, 2010.


CHIEF JUSTICE



KENTUCKY COURT OF JUSTICE

**KENTUCKY COURT OF JUSTICE,
1978-PRESENT (UNIFIED COURT SYSTEM)
RECORDS RETENTION SCHEDULE**

DECEMBER 10, 2009

KENTUCKY COURT OF JUSTICE 1978- PRESENT (Unified Court System)

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**THIS PAGE RESERVED
FOR
SUPREME COURT ORDER**

SUMMARY OF CHANGES

The Kentucky Court of Justice, Part II: Post 1977 Records Retention Schedule dated August 29, 2005, has been revised and replaced with the Kentucky Court of Justice, 1978-Present (Unified Court System) Records Retention Schedule dated December 10, 2009.

Listed below are the revisions incorporated into the new records retention schedule

The following series had CHANGES:

Series	Title	Retain at Agency Previous / CHANGE	Previous Disposition	Revised Disposition
04491 (pg 10)	Electronic Records Case Management System (DELETED references to examples in description)	P / I		Added " equivalent electronic " within the body of the existing disposition
00182 (pg 11)	Public Trial Calendar Sheets (ADDED Daily Disposition Reports in description)	5 / I	Destroy	Retain permanently those sheets that Contain: (a) Guilty Dispositions for enhanceable charges as long as they remain enhanceable offenses, or (b) convictions identified by KSP as sex offender registry convictions or convictions utilized as disqualifying offenses (for CCDW, lottery corporation, charitable gaming, etc) and agreed upon by AOC. Destroy all others when related case file is eligible for destruction.
00189 (pg 13)	Traffic Case File	I	Destroy all others after the following criteria have been met: (a) the record has a final disposition, (b) record is 5 years old, (c) record has been audited, (d) all court costs, fees, restitution and fines, which are due and owing, have been	<u>Retain case file Records that are:</u> <u>(a) convictions of enhanceable charges, or (b) convictions identified by KSP as sex offender registry convictions or convictions as disqualifying offenses (for CCDW,</u>

00189 continued			paid, (e) no out standing bonds, (f) there are no outstanding bench warrants.	<p><u>lottery corporation, charitable gaming, etc.) as agreed upon by AOC.</u> Destroy all others after the following criteria have been met: (a) the record has a final disposition, (b) record is 5 years old, (c) record has been audited, (d) all court costs, fees, restitution and fines, which are due and owing, have been paid, (e) no out standing bonds, (f) there are no outstanding bench warrants, (g) charge(s) with guilty dispositions that are no longer enhanceable, and (h) any restraining order resulting from a stalking conviction has expired.</p>
00190 (pg 14) AND 00191 (pg 15)	Misdemeanor Case File Felony Preliminary Hearing Files	I I	<u>Retain case file records that include charges that are on the list of charges eligible for future enhancement.</u> Destroy all others after the following criteria have been met: (a) the record has a final disposition, (b) record is 5 years old, (c) record has been audited, (d) all court costs, fees, restitution and fines, which are due and owing, have been paid, (e) no out standing bonds, (f) there are no outstanding bench warrants, (g) any restraining order resulting from a stalking conviction has expired.	<u>Retain case file Records that are: (a) convictions of enhanceable charges, or (b) convictions identified by KSP as sex offender registry convictions or convictions as disqualifying offenses (for CCDW, lottery corporation, charitable gaming, etc.) as agreed upon by AOC.</u> Destroy all others after the following criteria have been met: (a) the record has a final disposition, (b) record is 5 years old, (c) record has been audited, (d) all court costs, fees, restitution and fines, which are due and owing, have

00191 continued				been paid, (e) no outstanding bonds, (f) there are no outstanding bench warrants, (g) charge(s) with guilty dispositions that are no longer enhanceable, and (h) any restraining order resulting from a stalking conviction has expired.
00193 (pg 16)	Exhibits	I	Disposition is determined by order of the trial judge. Disposition should conform to the following	Disposition is determined by order of the trial judge. Disposition shall conform to the following
00194 (pg 17)	Citation Transmittal File	2 / 5	Destroy after Audit	Destroy after audit
00812 (pg 17)	Search Warrant File	I	Destroy one year after date of issuance and notification to County Attorney	Destroy five years after date of issuance and notification to County Attorney
00195 (pg 18)	Juvenile Hearing Calendar Sheets (ADDED or Daily Disposition Reports to description)	5 / I	Destroy	Retain original with case file for calendar sheets that contain Paternity Judgments or Felony convictions that occurred after 7/15/1997. Destroy all others after 5 years.
04802 (pg 19)	Juvenile Mental Inquest Case Files	I	Destroy	Destroy after child reaches twenty-three years of age.
04801 (pg 19)	Self Consent Abortions by a Minor	I	Destroy if no appeals in progress	Destroy after 30 days if no appeal in progress.
00814 (pg 20)	Hearing Calendar Sheets	5 / I	Destroy	Transfer to the State Archives Center when no longer needed administratively.
00819 (pg 21)	Hearing Calendar Sheet File	5 / I	Destroy	Destroy ten years after all activity has ceased.

00199 (pg 22)	Public Trial Calendar	1 / I	Destroy	Retain those Calendar sheets that contain Judge's Orders. Destroy all others after one year.
04803 (pg 23)	Self Consent Abortions by a Minor	I	Destroy if no appeals in progress	Destroy after 30 days if no appeal in progress.
04804 (pg 23)	Juvenile Mental Inquest Case Files	I	Destroy if no appeals in progress	Destroy after child reaches twenty-three years of age.
P 77-2 (pg 23)	Depositions	I	Upon conclusion of the appeals period, the Depositions may be returned to the original attorneys involved in the case or destroyed.	Upon conclusion of the appeals period, subject to local rules , the Depositions may be returned to the original attorneys involved in the case or destroyed.
04641 (pg 25)	Calendars	I	Destroy	Retain those calendar sheets that contain Judge's Orders. Destroy all others after one year.
00826 (pg 26)	Jury Selection Records	0	Destroy after jury wheel is emptied and refilled and all persons selected to serve as jurors have been discharged	Destroy after all persons selected to serve as jurors have been discharged
04009 (pg 23)	Videotapes of Civil Proceedings	All references to videotapes or cassettes were removed and replaced with audio/ video recordings. This is all inclusive and includes cassettes, videotapes, CDs, DVD, and any other future recording media used by the KCOJ.		
04010 (pg 24)	Videotapes of Criminal Proceedings Videotapes			
04011 (pg 24)	Recording Log			
04210 (pg 24)	Videotape Receipts and Case Listing Log			
04212 (pg 24)	Videotapes of Appealed Cases			

The following series were DELETED

Series	Title	Retain at Agency Previous / CHANGE	Previous Disposition	Revised Disposition
P 77-1	Felony Hearing Grand Jury Files		Files are to be reviewed by the Commonwealth Attorney annually. After 5 years, if no Grand Jury action	SERIES DELETED
03067	Vehicle Exhaust Testing File	3	Destroy After Audit	SERIES DELETED. Program discontinued in 2005
03068	Vehicle Exhaust Testing Compliance Docket Tile		Destroy when related case files are destroyed	SERIES DELETED. Program discontinued in 2005
03069	Vehicle Exhaust Testing Compliance Docket File		Destroy when related case files are destroyed	SERIES DELETED. Program discontinued in 2005

PREAMBLE

Preamble to the Kentucky Court of Justice, 1978-Present (Unified Court System) Records Retention Schedule

Mandatory Adherence

The Kentucky Court of Justice, 1978- Present (Unified Court System) Records Retention Schedule (KCOJRRS) operates as the rule by which any custodian of a court records must comply in that it is signed by the Chief Justice, as the executive head of the Kentucky Court of Justice. Ky Const. § 110(5)(b). Adherence to the KCOJRRS is mandatory as the statute directs that the custodian “shall” comply with the directions of the Chief Justice. It is neither permissive nor aspirational; rather it carries the full force of law.

Electronic Records

The retention of all Court of Justice Records will mirror the records retention of the manual or hard copy records. The manual (hard copy) records include, but are not limited to paper, microfilm, microfiche, photography, chemical reproduction, or any other equivalent technique, which accurately reproduces the original. When the manual record meets the destruction criteria and is destroyed, all corresponding electronic records will be destroyed.

Court Divisions

Prior to 1978, the local courts included Circuit Court, Quarterly Court, City Police Court, Magistrate or Justice of the Peace Court, and Juvenile Court. In 1976 (1st Extra Session) Ky.Acts, Ch 33, § 1 (codified as KRS 27A.050), the Administrative Office of the Courts was created. Also as a result of Ky. Const. §124 Schedule 5, Quarterly Court, City Police Court, Magistrate or Justice of the Peace Court and Juvenile Court were consolidated under the umbrella of the newly created District Court.

In 2002, with the passage of a constitutional amendment to the Commonwealth of Kentucky Constitution, the Family Court Division of Circuit Court was created. Ky. Const § 112(6). Most family related matters previously handled in District or Circuit Courts will be handled in the Family Court Division of Circuit Court. Since only the jurisdiction has changed and not the types of record (cases), the series numbers of the cases handled in District and Circuit Court will remain the same and will be used for Family Court records.

Terms and Definitions

The following terms are used in the Kentucky Court of Justice, 1978-Present (Unified Court System) Records Retention Schedule:

Records Retention Schedule or schedule

The Records Retention Schedule or schedule is a document governing the retention and disposition of records series of a state or local public agency. A schedule contains a list of the various records or records series created, used or maintained by a public agency, together with information about the specific periods of time during which records must be maintained and disposition instructions to be applied to the series when its business use has ended.

Auditable Records

Auditable Records are records of an agency subject to an audit. These records relate to financial transactions or represent an audit trail. Audits may be fiscal, procedural or compliance in nature. When the word "audit" appears in the disposition column of the records retention schedule, it refers to state, federal, or internal agency fiscal, procedural or compliance audits.

Confidential Records

A confidential record is not open to public inspection, by authority of KRS, KAR, Code of Federal Regulations (CFR), court order, or similar legal authority. While all records created by a public agency, using public funds and public employees in carrying out its official business are public records, not all records are open to public inspection. These records are identified on the schedule with a "(C)" along with the legal authority restricting access being cited.

Closed Date

A closed date in the schedule signifies that the series is no longer being created by the KCOJ but is being maintained within the KCOJ. The date reflects when the records were last used.

Disposition

Disposition as it is used here refers to what is done with records when those records are no longer needed for current business. Disposition possibilities include transferring records from one agency to another when functions are officially transferred, transferring records to the State Records Center, destroying temporary records at an approved time, or transferring records of continuing value to the State Archives when they have been deemed worthy of preservation.

Electronic Records Case Management System (ERCMS)

Electronic Records Case Management System is the term used in lieu of the name for the current case management software being used (i.e. Sustain, KyCourts, KyCourts II, etc). As the software name may change with new versions, Electronic Records Case Management System will be used in the schedule.

Indefinite

Indefinite is not a retention period and does not mean permanent. Indefinite applies to records on which action will be taken at some point in time, though it is not clear when. For example, a record may be destroyed five years after the close of a case, but it is not clear how long the case will take. This means the retention of the record is indefinite or uncertain, but linked to the close of the case. The disposition instructions in the schedule explain the conditions under which indefinite records may be destroyed. Indefinite records are identified in the schedule in the "Retain in Agency" column with a capital "I".

Official Records

The official is the original, first, or prime copy of a record and is usually in the form of paper. Paper converted to microfilm or microfiche are also considered official records. Official records may be in the form of scan or electronic image if designated by a Supreme Court order.

Permanent Records

Permanent records are records that have sufficient historical, informational, or evidential value to warrant their continued preservation beyond the time they are needed for administrative, legal, or fiscal purposes. Such records are preserved because they constitute evidence of an agency's functions, policies, decisions, procedures, and operations. Permanent records are identified in the schedule with a "P".

Retention Period

The retention period is the length of time a record is to be maintained in an accessible format. Records may be maintained at the creating agency or at an approved archives or records storage facility

Vital Records

Vital records are records that are considered absolutely essential to the continued operation of a program or agency or one required to protect rights of individuals and/or the government. All records identified as vital require special protection activities. Vital records are identified in the schedule with a "(V)".

RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
 Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 Circuit Court
 Circuit Court

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
04491	Electronic Records Case Management System – (ERCMS) (Electronic)	I	Retain data for the same length of time manual (hard copy), or equivalent electronic counterparts are retained. Permanent information shall be migrated to new hardware as the latter changes over time.	

C = Confidential I = Indefinite P = Permanent V = Vital

RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 District Court
 District Court Public Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00182	Public Trial Calendar Sheets – (Contains Daily Court Calendars or Daily Disposition Reports which show case number, style of case, description of days occurrence)	I	Retain permanently those sheets that contain (a) Guilty Dispositions for enhanceable charges as long as they remain enhanceable offenses or (b) convictions identified by KSP as sex offender registry convictions or convictions utilized as disqualifying offenses (for CCDW, lottery corporation, charitable gaming, etc.) and agreed upon by AOC, as long as they remain on the approved list of offenses. Destroy all others when related case file is eligible for destruction.	I
00183	Public Index File – (This series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 Administrative Change Date 11/24/1997 To Change disposition (V)	P	Pull traffic, Misdemeanor, and Felony index cards from file and destroy when related case jackets are destroyed. Retain all others permanently. NOTE: A copy of the Index must be transferred to the State Archives center upon request and verification of need.	P
00184	Individual Case Docket Sheets - (Contains the Docket Sheets, AOC-905, in each Small Claims and Civil Case) (Series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 Administrative Change Date 11/24/1997 To change disposition	P	Transfer to the State Archives Center when no longer needed administratively.	P

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 District Court
 District Court Public Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00185	Small Claims Case Files - (Contains the originals of all proceedings, motions and actions) Administrative Change Date 11/24/1997 To change disposition	I	Retain permanently judgment and items affecting the judgment. Destroy remainder of case record after five years.	
00186	Civil Case Files – (Includes Forcible Entry and Detainer) Administrative Change Date 11/24/1997 To change Disposition	I	Retain permanently judgment and items affecting the judgment. Destroy remainder of case record after five years.	
01029	Individual Case Docket Sheets Probate – (Contains AOC 905, which has style of case, attorneys, all case documents) - (Now created in ERCMS, SN 04491) Closed Date 12/31/1995 Administrative Change Date 11/24/1997 To change disposition	I	Transfer to the State Archives Center when no longer needed administratively.	P
00187	Probate Case Files – (Contains P case files for Probate, a certified copy of will or video recording, and records of appointment, inventory, settlement, and vouchers. Also contains name changes and guardians for minors. NOTE: If no exceptions taken within thirty days after settlement, return vouchers to fiduciary. If exceptions taken, retain until settlement and return to fiduciary). Administrative Change Date 11/24/1997 To change disposition	15	Transfer to the State Records Center for ten years, then transfer to the State Archives Center.	P

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
Court of Justice 1978 – Present (Unified Court System)
District Court
District Court Public Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00188	Prepayable Citation File (Pre-entry into ERCMS) (Contains original citation, which has been prepaid without court appearance) Closed Date 12/31/1998	5	Destroy after audit.	
00810	Failed to Appear Files – (Pre-entry into ERCMS) (Contains original citation and notice to suspend license) Closed Date 12/31/1998	5	Destroy after audit.	
00189	Traffic Case File – (Contains original citation, copies of cash receipts, and proceedings with Docket entries made on face of Case Jacket).	I	<u>Retain permanently, case file records that are: (a) convictions of enhanceable charges, or (b) convictions identified by KSP as sex offender registry convictions or convictions utilized as disqualifying offenses (for CCDW, lottery corp., charitable gaming, etc.) as agreed upon by AOC.</u> Destroy all others the following criteria have been met: (a) the record has a final disposition, (b) record is 5 years old, (c) record has been audited, (d) all court costs, fees, restitution and fines, which are due and owing, have been paid, (e) no outstanding bonds, (f) are no outstanding bench warrants, (g) charges with guilty dispositions that are no longer enhanceable and (h) any restraining order resulting from a stalking conviction has expired.	I

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
 Public Records Division
 Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 District Court
 District Court Public Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00190	Misdemeanor Case Files - (Contains arresting instrument and proceedings, motions and actions with Docket entries made on face of Case Jacket).	1	<u>Retain permanently, case file records that are:</u> <u>(a) convictions of enhanceable charges, or</u> <u>(b) convictions identified by KSP as sex offender registry convictions or convictions utilized as disqualifying offenses (for CCDW, lottery corporation, Charitable gaming, etc.) as agreed upon by AOC.</u> Destroy all others after the following criteria have been met: (a) the record has a final disposition, (b) record is 5 years old, (c) record has been audited, (d) all court costs, fees, restitution and fines, which are due and owing, have been paid, (e) no outstanding bonds, (f) no outstanding bench warrants, (g) charges with guilty dispositions that are no longer enhanceable and (h) any restraining order resulting from a stalking conviction has expired.	I

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
 Public Records Division
 Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 District Court
 District Court Public Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00191	Felony Preliminary Hearing Files	I	<p><u>Retain permanently case file records that are:</u> <u>(a) convictions of enhanceable charges,</u> <u>or (b) convictions identified by KSP as sex offender registry convictions or convictions utilized as disqualifying offenses (for CCDW, lottery corporation, charitable gaming, etc.) as agreed upon by AOC.</u> Destroy all others after the following criteria have been met: (a) the record has a final disposition, (b) record is 5 years old, (c) record has been audited, (d) all court costs, fees, restitution and fines, which are due and owing, have been paid, (e) no outstanding bonds, (f) no outstanding bench warrants, (g) charges with guilty dispositions that are no longer enhanceable and (h) any restraining order resulting from a stalking conviction has expired.</p>	I
00192	Public Trial Recording and Log Sheets File	I	<p>Destroy recording and log five years after final disposition of case and expiration of appeal period.</p>	

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 District Court
 District Court Public Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00193	Exhibits – (Contains any item produced/exhibited during a trial/hearing as proof of facts and made part of case)	I	Disposition is determined by order of the trial judge. Disposition shall conform to the following (See Below).	
	<p>(1) All exhibits defined as contraband evidence shall be confiscated per KRS 218.270, 242.310, 242.360, 244.190, 527.060, and 528.100.</p> <p>(2) All other exhibits – parties or original custodians of the exhibit shall be given an opportunity to claim the exhibit.</p> <p>(3) Unclaimed exhibits having museum or archival value – Any exhibit (document, record) having potential archival value should be referred to the Public Records Division, Department for Libraries and Archives, for evaluation. Any exhibit (object) having potential museum value should be referred to the Kentucky Historical Society.</p> <p>(4) Unclaimed exhibits having an estimated market value of \$100 or more – Such items should be disposed of as state surplus property. To arrange for disposal of items, the Clerk should contact the Division of Purchases, Finance and Administration Cabinet to obtain the required form and instructions for its Completion.</p> <p>(5) Unclaimed exhibits having an estimated market value of less than \$100 – Such Items should be destroyed by the Clerk. NOTE: If value of the exhibit cannot be determined, the Clerk should follow surplus procedures specified in item (4).</p>			

NOTE: Every reasonable attempt shall be made to return exhibits to the parties or to the original custodian of the exhibit, except when forfeited.

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 District Court
 District Court Public Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00194	Citation Transmittal File - (Contains listing of citations transferred from law enforcement officers/agencies to circuit clerk's office)	5	Destroy after audit.	
00812	Search Warrant File - (Contains executed search warrants where insufficient evidence was found to initiate a case)	I	Destroy five years after date of issuance and notification to County Attorney.	

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 District Court
 Juvenile Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00195	Juvenile Hearing Calendar Sheets – (Contains the daily court calendars or Daily Disposition Reports AOC 950) (C) KRS 610.320, 610.340, Court of Justice	I	Retain original with case file for calendar sheets that contain Paternity judgments or Felony convictions that occurred after 7/15/1997. Destroy all others after 5 years.	
00196	Index Card File - - (This series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 (C) KRS 610.340, Court of Justice Change Date 3/11/1999	I	Retain paternity index cards permanently in the agency. Destroy all other juvenile index cards when related case files are destroyed. NOTE: A copy of the index must be transferred to the State Archives Center upon request and verification of need.	
00813	Individual Case Docket Sheets - (This series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 (C) KRS 610.340, Court of Justice Change Date 3/11/1999	I	Retain paternity docket sheets permanently. Transfer to the State Archives Center when no longer needed administratively. NOTE : Destroy all other docket sheets when related case files are destroyed.	P
00197	Case Files Closed Date 3/11/1999 (C) KRS 610.340, Court of Justice Change Date 3/11/1999	I	Destroy after child reaches twenty-three years of age.	

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 District Court
 Juvenile Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
04750	Paternity Case Files (C) KRS 406.035, Court of Justice Change Date 3/11/1999 (V)	I	Transfer to the State Archives Center when no longer needed administratively	P
04751	Juvenile Case Files – Felony Offenses – (effective July 15, 1997) (C) KRS 610.340, 610.320 (3) (4) Court of Justice Change Date 3/11/1999 (V)	I	Transfer to the State Records Center when no longer needed administratively.	75
04752	Juvenile Case Files – Non-Felony Offenses – (effective July 15, 1997) (C) KRS 610.340, 610.320 (3) (4), Court of Justice Change Date 3/11/1999 (V)	I	Destroy after child reaches twenty-three years of age.	
04802	Juvenile Mental Inquest Case Files – (effective 1986) (C) KRS 610.320 Change Date 3/11/1999	I	Destroy after child reaches twenty-three years of age.	
04801	Self-Consent Abortions by a Minor – (effective 1986) (C) Supreme Court Rule, KRS 199.570 (1) Change Date 3/11/1999 (V)	I	Destroy after 30 days if no appeal in progress.	
00198	Hearing Recordings and Log Sheet File – (Contains original electronic recordings on cassettes with log sheets for each) (C) Court of Justice	I	Destroy recording and log five years after final disposition of case and expiration of appeal period.	

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 District Court
 Involuntary Hospitalization/ Disability

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00814	Hearing Calendar Sheets (C) KRS 202A, 202B, and 387	I	Transfer to the State Archives Center when no longer needed administratively.	P
00815	Index Card File – (This series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 (C) KRS 202A, 202B, and 387 Administrative Change Date 11/24/1997 To change disposition (V)	P	Retain in agency. NOTE: A copy of the index must be transferred to the State Archives Center upon request and verification of need.	P
00816	Individual Case Docket Sheet File – (This series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 (C) KRS 202A, 202B and 387 Administrative Change Date 11/24/1997 To change disposition	I	Transfer to the State Archives Center when no longer needed administratively.	P
00817	Case Files (C) KRS 202A, 202B, 387 Administrative Change Date 11/24/1997 To change disposition	15	Transfer to the State Records Center for ten years, then transfer to the State Archives Center.	P
00818	Hearing Recordings & Log Sheets – (Contains original electronic recordings with log sheets for each) (C) KRS 202A, 202B, and 387)	I	Destroy recording and log five years after final disposition of case and expiration of appeal period.	

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 District Court
 Domestic Violence and Abuse Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00819	Hearing Calendar Sheet File - (Contains the Daily Court Calendars (AOC 950), which show case number, style of case and daily occurrences) (C) KRS 403.770 (1) petitioner/ minor child address	I	Destroy ten years after all activity has ceased.	
00820	Index Card File – (This series is now created in ERCMS, SN 04491) – (Contains Master Index (AOC 946), which shows date case filed, style of case, case number, and Judge’s number) Closed Date 12/31/1995 (C) KRS 403.770 (1) Petitioner/minor child Address	I	Destroy when the related case file is destroyed.	
00821	Individual Case Docket Sheet - (This series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 (C) KRS 403.770 (1) Petitioner/ minor children address	I	Destroy when the related case files are destroyed.	
00822	Case Files – (Contains AOC 905, which lists the style of case, attorneys, all case proceedings and documents) (C) KRS 403.770 (1) Petitioner/minor child address	I	Destroy ten years after all activity has ceased.	
04639	Petitions – (Emergency Protective Orders are not issued) – (Contains the petitions, proceedings, motions and actions) (C) KRS 403.770 (1) Petitioner/minor child address	2	Destroy	
00823	Hearing Recordings and Log Sheet File (C) KRS 403.770 (1) Petitioner/minor child address	I	Destroy recording and log five years after final disposition of case and expiration of appeal period.	

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 Circuit Court
 Circuit Court Public Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00199	Public Trial Calendar – (Contains Daily Court Calendar, AOC 950) – (Contains original electronic recordings with log sheets)	I	Retain those Calendar sheets that contain Judges Orders. Destroy all others after one year.	
00200	Public Index Card File – (Contains Master Index, AOC 925, 930) – (This series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 Administrative Change Date 11/24/1997 To change disposition (V)	P	Retain in agency. NOTE: A copy of the index must be transferred to the State Archives Center upon request and verification of need	P
00201	Individual Case Docket Sheets - (Contains the docket sheet, AOC 905, 910) –(This series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 Administrative Change Date 11/24/1997 To change disposition	I	Transfer to the State Archives Center when no longer needed administratively.	P
00202	Individual Case Files – (Includes all circuit court case files except Adoption/Termination cases) Administrative Change Date 11/24/1997 To change disposition	15	Transfer to the State Records Center for ten years, then transfer to the State Archives Center NOTE: Duplicate copies of transcripts of appealed cases should be destroyed after expiration of time for discretionary review.	P

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
 Public Records Division
 Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 Circuit Court
 Circuit Court Public Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
04803	Self-Consent Abortions by a Minor – (effective 1986) (C) Supreme Court Rule, KRS 199.570 (1) Change Date 3/11/1999 (V)	I	Destroy after 30 days if no appeal in progress.	
04804	Juvenile Mental Inquest Case Files – (effective 1986) (C) KRS 610.320 Change Date 3/11/1999.	I	Destroy after child reaches twenty-three years of age.	
00824	Hearing Recording, Log Sheets, Stenographic Tapes & Shorthand Books	I	Destroy five years after final disposition of case, and expiration of appeal period.	
00203	Exhibits (Contains any item produced/exhibited during a trial/hearing as proof of facts and made a part of the case)	I	Disposition is determined by order of the trial judge. NOTE: for additional instructions See series 00193	
[P77-2]	Depositions	I	Upon conclusion of the appeals period, subject to local rules, the Depositions May be returned to the original attorneys involved in the case or destroyed.	
04009	Audio/ Video Recordings of Civil Proceedings (C) The cases closed by Statute or Court Order (V)	I	Destroy five years after final disposition of case and expiration of appeal period. NOTE: See Series 04212, for Audio/Video Recordings of Appealed Cases.	

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 Circuit Court
 Circuit Court Public Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
04010	Audio/ Video-Recordings of Criminal Proceedings (C) The cases closed by Statute or Court Order (V)	I	Destroy five years after final disposition of case and expiration of appeal period. NOTE: See Series 04212, for Audio/Video Recordings of Appealed Cases.	
04011	Audio/ Video Recording Log (C) The cases closed by Statute or Court Order (V)	P	Copy of log must accompany Audio/Video Recording of Appealed Cases (04212) when such cases are transferred to the State Archives Center. Destroy remaining logs when Audio/Video Recordings are destroyed.	P
04210	Audio/ Video Recordings Receipts and Case Listing Log	I	Destroy when the related Audio/Video Recordings are destroyed.	
04212	Audio/ Video Recordings of Appealed Cases (C) The cases closed by Statute or Court Order (V)	I	Transfer one original to the State Archives Center when related case files (00202) are transferred. Destroy excess copies of Audio/Video Recordings prior to transfer.	P

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 Circuit Court
 Adoption / Termination Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00204	Index Card File – (This series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 (C) KRS199.570 Administrative Change Date 11/24/1997 To change disposition (V)	P	Retain in agency. NOTE: A copy of the index must be transferred to the State Archives Center upon request and verification of need.	
00205	Docket Sheet File – (Contains the docket sheets, AOC 905) - (This series is now created in ERCMS, SN 04491) Closed Date 12/31/1995 (C) KRS 199.570 Administrative Change Date 11/24/1997 To change disposition	I	Transfer to the State Archives Center when no longer needed administratively.	P
00206	Hearing Case Files (C) KRS 199.570 Administrative Change Date 11/24/1997 To change disposition (V)	15	Transfer to the State Records Center for ten years then transfer to the State Archives Center.	P
04641	Calendars (C) KRS 199.570	I	Retain those calendar sheets that contain Judges Orders. Destroy all others after one year.	

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 Circuit Court
 Administrative Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00825	Grand Jury Records – (Contains summaries of Grand Jury records) – (includes No True Bills)	P	Retain in agency or transfer to the State Archives Center	P
00826	Jury Selection Records – (May include computer listings and work papers relating to jury selection)	0	Destroy after all persons selected to serve as jurors have been discharged.	
00207	Daily Closing Report File - (Contains the second copy of all cash receipts (AOC 500 and/or 501), AOC 502, AOC 503, bank deposit slip, TD-94-250A and TD-95-250, which shows type of license issued, amounts of money collected, and driver's license receipts or boat registration)	2	Destroy after audit.	
00208	Journal Books – (Contains AOC 504, AOC 502, AOC 542, and shows posting of funds received, disbursed, and/or due the court)	5	Destroy after audit.	
00209	Ledger Card File – (Contains AOC 505, AOC 541, AOC 506)	I	Retain in open file until account is closed. Destroy closed file after two years and audit.	
00210	Bank Reconciliation File - (Contains all canceled and voided checks, bank statements, deposit slips, and AOC 580)	2	Destroy after audit.	
00211	Adjusting Entry File – (Contains AOC 560 which shows adjustments to correct entries, and to record Information not entered in system through normal routines)	5	Destroy after audit.	

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RECORDS RETENTION SCHEDULE

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Judicial Branch
 Court of Justice 1978 – Present (Unified Court System)
 Circuit Court
 Administrative Records

Schedule Date: December 10, 2009

Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions	Retain at State Archives or Record Center (Years)
00213	Driver Licensing File -- (Contains a complete license record showing county of issuance, license number, expiration date, license type, date of birth, social security number, restrictions, date applied, etc)	4	Destroy	
00214	Monthly Departmental Memoranda File -- (Contains AOC 56, AOC 584-1, AOC 587, AOC 585, AOC 582, AOC 589, and AOC 588, which show financial actions occurring in agency accounts)	2	Destroy after audit.	

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