

GENERAL RECORDS RETENTION SCHEDULE FOR DISTRICT AND MUNICIPAL COURTS

COURT RECORDS - CRIMINAL

The following general records retention schedule sets minimum retention requirements and provides local government agencies with blanket authority for the disposition of commonly held records according to the provisions of RCW 40.14.070 and WAC 434-635-050. This section begins with the signatures of the Local Records Committee, which signify the Committee's approval and the foundation of the records disposition authority that the schedule conveys to agencies of local government. Each records series entry is assigned a Disposition Authority Number. These numbers should be cited in the documentation that an agency maintains for the records it actually destroys (see *Documenting Records Destruction, page 13*). An agency may retain individual records series longer than the retention period approved by the Local Records Committee, but such records are subject to public disclosure and legal discovery until they are disposed of. Any records that may be discoverable in an active or pending court case must be retained and made available for discovery until the case is settled, regardless of their approved retention periods.

In some cases, the primary copy of a records series may be held by another agency/office. In those cases, the retention period for the other agency/office's copy will be highlighted in these schedules.

General records retention schedule listings for some records series include special designations and disposition instructions, including:

- **Official Public Records (OPR)** are those records identified and required by statute that document legal actions or transactions and/or fiscally or financially obligates the law office. All other records are Office Files and Memoranda (OFM) as defined in RCW 40.14.010.
- **Potential Archival Value** – This designation identifies records that have potential historical research value. These records must be appraised for transfer to the Regional Archives system before being destroyed. Contact your Regional Archivist to make arrangements for appraisal and transfer of records with potential archival value.
- **Essential Record** – This designation identifies records that are essential for the continuity and restoration of agency operations after a disaster, serve as primary documentation of an agency's legal authority and responsibilities, or protects the rights of clients, property owners, students or other individuals.

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Approved as revised by the Washington State Local Records Committee – April 29, 2004

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Records Category: COURT RECORDS - CRIMINAL

SERIES NO.	RECORDS SERIES TITLE AND DESCRIPTION OF SERIES	OPR or OFM	OFFICE OR DIVISION LOCATION AND MINIMUM RETENTION PERIOD		DISPOSITION AUTHORITY NUMBER (DAN)	SPECIAL AND/OR DISPOSITION INSTRUCTIONS
			PRIMARY RECORD COPY	SECONDARY RECORD COPY		
1	CRIMINAL CASE FILES – MISDEMEANORS AND GROSS MISDEMEANORS – ADULTS New Series – 03/04	OPR	PERMANENT For courts on DISCIS: DISCIS holds the permanent record For courts <u>not</u> on DISCIS: The court holds the permanent record	Destroy when obsolete or superseded	GS52-07-04F	
2	CRIMINAL CASE FILES – MISDEMEANORS AND GROSS MISDEMEANORS – JUVENILES New Series – 03/04	OPR	PERMANENT For courts on DISCIS: DISCIS holds the permanent record For courts <u>not</u> on DISCIS: The court holds the permanent record	Destroy when obsolete or superseded	GS52-07-05F	
3	CRIMINAL INDEXES COVERING JUDGEMENT AND SENTENCING RECORDS FILED JUNE 4, 1997 AND LATER ESSENTIAL RECORD –See remarks	OFM	PERMANENT For courts on DISCIS: DISCIS holds the permanent record For courts <u>not</u> on DISCIS: The court holds the permanent record	Destroy when obsolete or superseded	GS52-06A-12	NEEDS PERMANENT OFF-SITE BACKUP. The information in this records series should be protected from loss or damage by storage of a security microfilm backup at the State Archives. Security microfilm must meet State Archives standards.
4	CRIMINAL INDEXES COVERING JUDGEMENT AND SENTENCING RECORDS FILED PRIOR TO JUNE 4, 1997 ESSENTIAL RECORD –See remarks	OFM	3 years after disposition of last item on index- potential archival value - See remarks	Destroy when obsolete or superseded	GS52-06A-07	Contact your Regional Archivist before destroying indexes covering periods prior to 1940.
5	EXHIBITS-CASES APPEALED	OPR	30 days after remand of appeal - See remarks	Destroy when obsolete or superseded	GS52-06A-10	Upon completion of appellate court action, the exhibits are to be returned to the courts of limited jurisdiction where they originated.
6	EXHIBITS-CASES NOT APPEALED	OPR	Expiration of appeal period	Destroy when obsolete or superseded	GS52-06A-11	

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			PRIMARY RECORD COPY	SECONDARY RECORD COPY		
7	<p>JUDGMENT AND SENTENCING RECORDS OF THE COURTS FILED JUNE 4, 1997 AND LATER</p> <p>A record of the sentencing proceedings shall be made. The judgment and sentencing records shall be preserved in perpetuity. CrRLJ7.2</p> <p>ESSENTIAL RECORD - See remarks.</p>	OPR	<p>PERMANENT</p> <p>For courts on DISCIS: DISCIS holds the permanent record</p> <p>For courts <u>not</u> on DISCIS: The court holds the permanent record*</p>	Destroy when obsolete or superseded	GS52-06A-08	<p>Reference Court Rules - CrRLJ 7.2</p> <p>NEEDS PERMANENT OFF-SITE BACKUP. The information in this records series should be protected from loss or damage by storage of a security microfilm backup at the State Archives. Security microfilm must meet State Archives standards.</p> <p>*Contact your Regional Archivist for information on cost effective methods for retaining and protecting the security of permanent records.</p>
8	<p>JUDGMENT AND SENTENCING RECORDS OF THE COURTS FILED PRIOR TO JUNE 4, 1997</p> <p>A record of the sentencing proceedings shall be made. The judgment and sentencing records shall be preserved in perpetuity. CrRLJ7.2</p> <p>ESSENTIAL RECORD - See remarks.</p>	OPR	<p>Retain with Criminal Case Files 3 years after final disposition (see Item 12) - potential archival value - see remarks</p>	Destroy when obsolete or superseded	GS52-06A-01	<p>Reference Court Rules - CrRLJ 7.2</p> <p>NEEDS PERMANENT OFF-SITE BACKUP. The information in this records series should be protected from loss or damage by storage of a security microfilm backup at the State Archives. Security microfilm must meet State Archives standards.</p>
9	<p>PETITION AND ORDER DEFERRED PROSECUTION</p> <p>Includes docket and case files.</p> <p>ESSENTIAL RECORD - See remarks</p>	OFM	3 years after case is closed	Destroy when obsolete or superseded	GS52-06A-03	<p>Electronic record needs security backup - Electronic records should be protected from damage or loss by off site storage of backup tapes or diskettes.</p>
10	<p>SEARCH WARRANTS</p> <p>Authorization for search of private property by a local law enforcement agency. Includes search warrants, affidavits, and returns of search.</p>	OFM	2 years after expiration of warrant	Destroy when obsolete or superseded	GS52-06A-02	
11	<p>TAPE RECORDING LOG</p> <p>Chronological listing of tape recordings of court proceedings.</p>	OFM	Erasure of last tape entered on log	Destroy when obsolete or superseded	GS52-06A-06	Reference Court Rules - RALJ 2.5A, RALJ 5.1A, RAP 5.2.

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			PRIMARY RECORD COPY	SECONDARY RECORD COPY		
12	TAPE RECORDINGS OF COURT PROCEEDINGS - CASES APPEALED To be used by the superior courts on appeals of district and municipal court actions. - See remarks	OPR	30 days after remand of appeal	Destroy when obsolete or superseded	GS52-06A-04	Upon completion of appellate court action, the tapes are to be returned to the court of limited jurisdiction where they originated.
13	TAPE RECORDINGS OF COURT PROCEEDINGS - CASES NOT APPEALED	OFM	Expiration of appeal period	Destroy when obsolete or superseded	GS52-06A-05	Reference Court Rules - RALJ 2.5A, RALJ 5.1A, RAP 5.2.
14	UNIFORM CITATION, COMPLAINT, COURT DOCKET AND CASE FILES Completed criminal citation form, which serves as statement of citation, summons, and court docket, and official documentation of court action. Case related documents kept by the court showing motions, orders, judgments, no-contact orders, and other filings. May include warrants, notices of appearance, notices of failure to appear, 60-day rules of waiver, notices of appeal, summonses, subpoenas, and other documents.	OPR	3 years after final disposition - potential archival value - see remarks	Destroy when obsolete or superseded	GS52-06A-01	Contact your Regional Archivist before destroying dockets covering periods prior to 1940.
15	WIRETAPS AND RECORDINGS APPLICATIONS AND AUTHORIZATIONS Applications, orders and authorizations issued under RCW 9.73.	OPR	2 years after expiration of authorization	Destroy when obsolete or superseded	GS52-06A-09	

SUPERSEDED