

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
AMENDING ARIZONA CODE OF)	Administrative Order
JUDICIAL ADMINISTRATION § 3-402:)	No. 2021 - <u>10</u>
SUPERIOR COURT RECORD)	(Affecting Administrative
RETENTION AND DISPOSITION)	Order No. 2016-114)
SCHEDULE)	
_____)	

An amendment to the above-captioned section of the Arizona Code of Judicial Administration came before the Arizona Judicial Council on December 17, 2020, and it was approved and recommended for adoption.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the amendments to Arizona Code of Judicial Administration § 3-402 as indicated on the attached document are adopted effective as of the date of this Order. All other provisions of § 3-402 remain unchanged and in effect

Dated this 21st day of January, 2021.

ROBERT BRUTINEL
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 3: Superior Court

Chapter 4: Administration

Section 3-402: Superior Court Records Retention and Disposition Schedule

A. Through C. [no changes]

D. Retention and Disposition Schedule. The clerk of superior court or the records manager shall retain and dispose of superior court records according to the following schedule:

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Retention Period on Arizona Supreme Court and Local Court Public Websites	Remarks
CASE FILES HELD BY THE CLERK OF COURT [no changes]					

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
FINANCIAL AND MISCELLANEOUS RECORDS HELD BY THE CLERK OF COURT [no changes]				

MISCELLANEOUS RECORDS HELD BY THE CLERK OF COURT, THE COURT, OR COURT ADMINISTRATION [no changes]

RECORDS HELD BY COURT ADMINISTRATION

41.	COURT ADMINISTRATION FINANCIAL RECORDS			
	a. Bank account reconciliations, record of outstanding checks, record of deposits in transit, bank statements, canceled checks, canceled deposit slips, bank issued debit and credit memos, and any documentation that requests the adjustment or void of a court financial record	5 years after the fiscal year received or prepared	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
	b. Expenditure records, including vouchers, invoices, purchase orders, authorizations, reimbursement requests, etc.	5 years after the fiscal year received or prepared	N/A	
	c. Periodic summary budget reports	5 years after the fiscal year prepared	N/A	
	d. Periodic financial reports to state and local agencies	5 years after the fiscal year prepared	N/A	
	e. Triennial, external review report required by the minimum accounting standards	Until subsequent audit received	N/A	
	f. Applications, records, and reports for grants received	5 years after submission of final grant report, unless otherwise required by the granting authority	N/A	
	g. Procurement records			
	i. Solicitation canceled before vendor responses are opened	1 year after cancelation	N/A	
	ii. Solicitation canceled after vendor responses are opened	3 years after cancelation	N/A	
	iii. Documents related to successful vendor where contract executed	6 years after end of contract	N/A	
	iv. Documents related to unsuccessful vendor where contract executed	3 years after contract or other agreement signed with competing vendor	N/A	
	v. Documents related to award made yet contract cannot be executed	3 years after contract negotiations end	N/A	
	vi. Protests, protest records, and court response	3 years after contract or other agreement signed with competing vendor	N/A	
42.	CONTRACTS AND OTHER AGREEMENTS	6 years after performance under the contract is completed or the contract is terminated	N/A	
43.	COURT CALENDAR	Until reference value served	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
44.	<p>FORMER PRESIDING JUDGE BUSINESS PAPERS</p> <p>This records series consists of records generated by presiding judges to provide guidance, direction, or general information related to the administration or non-case related business operations of the court.</p>	Until term is completed	Permanent	The court administrator, if any, shall work with the presiding judge to determine whether the presiding judge desires to send these papers to LAPR.
45.	STATISTICAL REPORTS REQUIRED BY THE AOC	5 years from the year prepared	N/A	
46.	<u>COURT SECURITY-RELATED RECORDS</u>			<u>Some records in this series may be held by the court's human resources department at the discretion of the local court</u>
	<u>a. Incident reports for incidents which caused or threatened to cause personal injury, property damage, or disruption of courthouse proceedings or general events as deemed necessary by local court policy</u>	<u>5 years from the year prepared</u>	<u>N/A</u>	<u>Exception: retain throughout the life of an open investigation, if applicable</u>
	<u>b. Use of force reports that document force or show of force utilized by court security officers in the performance of their duties (i.e. physical defense tactics, utilization of weapons, etc.) which may include slight force such as handcuffing and physical escorts, at the discretion of local court policy</u>	<u>10 years from the year prepared</u>	<u>N/A</u>	<u>Exception: retain permanently if report involves death or serious bodily injury</u>
	<u>c. Property records/chain of custody documentation that captures receipt, custody, and transfer of physical property handled by court security officers in the performance of their duties, such as property held for safe-keeping or evidence</u>	<u>2 years from year prepared</u>	<u>N/A</u>	<u>N/A</u>

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
	<u>d. Administrative checklists/logs used to record security-related tasks such as building security checks, screening equipment calibration checks, etc.</u>	<u>1 year</u>	<u>N/A</u>	<u>N/A</u>
	<u>e. Security video captured as part of the court security mission, including fixed and portable camera video footage and body-worn camera footage</u>	<u>14 days from recording date</u>	<u>N/A</u>	<u>Exception: if footage is part of any open investigation or incident then retain according to the incident report retention schedule</u>
	<u>f. Officer misconduct complaints regarding court security officers perceived misconduct whether received from a member of the public or a court employee</u>	<u>3 years from receipt</u>	<u>N/A</u>	
	<u>g. Training records</u>	<u>5 years from termination of employment, or contract expired, canceled, or revoked</u>	<u>N/A</u>	

RECORDS HELD BY THE JURY COMMISSIONER [no changes] [renumber]

RECORDS HELD BY THE COURT HUMAN RESOURCES DEPARTMENT [no changes] [renumber]

CASE FILES HELD BY PRETRIAL SERVICES [no changes] [renumber]

E. and F. [no changes]