

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
AMENDING ARIZONA CODE OF)	Administrative Order
JUDICIAL ADMINISTRATION)	No. 2021 - <u>112</u>
§ 4-302: RECORDS RETENTION)	(Affecting Administrative
AND DISPOSITION SCHEDULE)	Order No. 2021-09)
)	
)	

Pursuant to the Arizona Code of Judicial Administration § 1-201(E), the Chief Justice may adopt technical changes in existing administrative code sections by administrative order without prior distribution for comment and action by the Arizona Judicial Council.

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

IT IS ORDERED that Arizona Code of Judicial Administration § 4-302 is amended as indicated on the attached document. All other provisions of § 4-302 remain unchanged and in effect.

Dated this 14th day of July, 2021.

ROBERT BRUTINEL
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 4: Limited Jurisdiction Courts
Chapter 3: Administration
Section 4-302: Records Retention and Disposition Schedule

A. through D. [No changes]

E. Retention and Disposition Schedule. Justice and municipal courts shall retain records according to the following schedule:

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
CASE FILES				
A. Civil traffic				
1.	i. Civil traffic, non-default	1 year after final adjudication and satisfaction of sanctions	1 year after final adjudication and satisfaction of sanctions	5 years after final adjudication and satisfaction of sanctions
2.	ii. Civil traffic default	1 year after satisfaction of sanctions	1 year after final adjudication and satisfaction of sanctions	5 years after final adjudication and satisfaction of sanctions
3.	iii. Parking violation, non-default, both statute and local ordinance	6 months after final adjudication and satisfaction of sanctions	6 months after final adjudication and satisfaction of sanctions	1 year after final adjudication and satisfaction of sanctions
4.	iv. Parking violation, default, both statute and local ordinance	6 months after satisfaction of sanctions	6 months after satisfaction of sanctions	1 year after satisfaction of sanctions
B. Civil, other than traffic				

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
5.	i. Order of protection, injunction against harassment, and injunction against workplace harassment – petitions granted	3 years after expiration of the order	3 years after expiration of the order. Only information regarding orders that have been served on the defendant can appear on court websites. See ARPOP 1(C)(6). No information about the plaintiff may appear. See 18 USC § 2265(d)(3).	3 years after expiration of the order
6.	ii. Order of protection, injunction against harassment, and injunction against workplace harassment – petitions not granted	1 year after denial or dismissal	N/A. Petitions not granted cannot appear on any court websites. See ARPOP 1(C)(6)	3 years after denial

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
7.	iii. Orders dismissed	3 years after dismissal of the order	3 years after dismissal of the order. Only information regarding orders that have been served on the defendant can appear on court websites. See ARPOP 1(C)(6). No information about the plaintiff may appear. See 18 USC § 2265(d)(3).	3 years after dismissal of the order
8.	iv. Local ordinance violation, other than parking (See A. iii. and A. iv., above, for parking violations)	1 year after final adjudication and satisfaction of judgment	Not available on Arizona Judicial Branch Public Access to Case Information website. May be available on local court website for 1 year after final adjudication and satisfaction of judgment	5 years after final adjudication and satisfaction of judgment

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
9.	v. Eviction	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal
10.	vi. Small claims	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal
11.	vii. General civil case, other than small claims	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal or the filing of a satisfaction of judgment	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal or the filing of a satisfaction of judgment	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal or the filing of a satisfaction of judgment
<u>12.</u>	viii. <u>Civil marijuana violations (A.R.S. § 36-2853(B)(1))</u>	<u>1 year after final adjudication and satisfaction of sanctions</u>	<u>1 year after final adjudication and satisfaction of sanctions</u>	<u>1 year after final adjudication and satisfaction of sanctions</u>

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
13.	ix. <u>Petition to Expunge Marijuana Offense Records (A.R.S. § 36-2860) assigned a civil case number pursuant to Supreme Court Administrative Order No. 2021-82, because the applicable criminal case file has been purged and no pre-existing criminal case number can be located</u>	<u>1 year after final judgment</u>	<u>1 year after final judgment</u>	<u>1 year after final judgment</u>
C. Criminal				
14 14.	i. Felony	6 months after discharge or transmittal to superior court	6 months after discharge or transmittal to superior court	3 years after discharge or transmittal to superior court
15 15.	ii. Misdemeanor and criminal traffic	5 years after final adjudication and completion of sentence	5 years after final adjudication and completion of sentence	10 years after final adjudication and completion of sentence
16 16.	iii. DUI and OUI	8 years after final adjudication and completion of sentence	8 years after final adjudication and completion of sentence	10 years after final adjudication and completion of sentence
17 17.	iv. Domestic violence offense	8 years after final adjudication and completion of sentence	8 years after final adjudication and completion of sentence	10 years after final adjudication and completion of sentence

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
4618.	v. Petty offense	1 year after final adjudication and completion of sentence	1 year after final adjudication and completion of sentence	1 year after final adjudication and completion of sentence
RECORD OF COURT PROCEEDING [renumber]				
MISCELLANEOUS RECORDS [renumber]				
ADMINISTRATIVE RECORDS [renumber]				