

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
AMENDING ARIZONA CODE OF)	Administrative Order
JUDICIAL ADMINISTRATION)	No. 2017 - <u>73</u>
§ 4-302: RECORDS RETENTION)	(Affecting Administrative
AND DISPOSITION SCHEDULE)	Order No. 2014-115)
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Pursuant to Arizona Code of Judicial Administration § 1-201(E), the Chief Justice may adopt emergency administrative code proposals or technical changes in existing 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 5th day of July, 2017.

SCOTT BALES
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)	± <u>3</u> 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	6 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	6 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	6 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	6 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	6 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	6 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	6 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	6 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	6 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
C. Criminal				

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
12.	i. Felony	6 months after discharge or transmittal to superior court	6 months after discharge or transmittal to superior court	6 months 3 years after discharge or transmittal to superior court
13.	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
14.	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
15.	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
16.	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				
17.	A. The verbal record, including court reporter notes and electronic recordings of a court proceeding, hearing, or trial	No more than 3 years from completion of the case	N/A	N/A

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
MISCELLANEOUS RECORDS				
18.	A. Records created or received by the court, but not filed	6 months after created or received, whichever is later	N/A	N/A
19.	B. Exhibits submitted at trial or hearing in any case type	Upon dismissal, disposition, or final appellate ruling, whichever comes later, and then 60 days after mailing notice to responsible persons to claim all evidence, all unless otherwise ordered by the court	N/A	N/A
ADMINISTRATIVE RECORDS				
20.	A. Chief presiding judge business papers	Until term is completed. The presiding judge may then contact LAPR to determine whether they wish to receive these papers.	N/A	N/A

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
21.	B. Records held by a court human resources department	As required by law or local policy, whichever is later	N/A	N/A
22.	C. COJET records	After reference value served	N/A	N/A
23.	D. Jury records, non-financial	90 days from the date received by the court	N/A	N/A
24.	E. Statistical reports required by the AOC	1 year after the fiscal year prepared	N/A	N/A
	F. Court administration financial records			
25.	i. 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	3 years after the fiscal year created or received	N/A	N/A
26.	ii. Expenditure records, including vouchers	3 years after the fiscal year prepared	N/A	N/A
27.	iii. Periodic summary budget reports	3 years after the fiscal year prepared	N/A	N/A
28.	iv. Periodic financial reports to state and local agencies	3 years after the fiscal year prepared	N/A	N/A

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
29.	v. Triennial external review report required by the minimum accounting standards	Until subsequent audit received	N/A	N/A
30.	vi. Applications, records, and reports for grants received	3 years after submission of final grant report, unless otherwise required by the granting authority	N/A	N/A
31.	G. Administrative records not otherwise specified above.	1 year from date prepared or received, or until reference value served, whichever is earlier	N/A	N/A
32.	H. Warrants that are not part of a case file	1 year from date of return; If not returned, destroy upon expiration	N/A	N/A
33.	I. Administrative orders and directives	Permanent	N/A	N/A