

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 3: Superior Court
Chapter 4: Administration
Section 3-402: Superior Court Records Retention and Disposition

~~A. **Definitions.** In this section the following definitions apply:~~

~~“Case file” means the original documents or other material, regardless of physical form filed in an action or proceeding in a court, either in paper or electronic format.~~

~~“Closed” means that the case is no longer subject to modification pursuant to Rule 94(h), Rules of the Supreme Court.~~

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~~“Date received,” means the date records are received by the clerk or court.~~

~~“Destruction” or “destroyed” means to discard by burning, shredding, recycling, or by depositing in a public landfill.~~

~~“Dispose” means to destroy a record or transfer a record to archives, depending upon the context.~~

~~“File” or “filed” means the record was delivered to and file stamped by the Clerk of Court.~~

~~“Historically significant case” means a case involving a unique legal issue or controversy, prominent party, or other high profile or newsworthy aspects, and that has been so designated pursuant to the process established in subsection (F) of this section.~~

~~“Landmark case” means a case that meets the requirements of Rule 111(b), Rules of the Supreme Court, has been the subject of a published appellate court opinion as that term is defined by Rule 111(a)(1), and has been so designated pursuant to the process established in subsection (F) of this section.~~

~~“Microfilming” means the reproduction on microfilm of the original record in accordance with the minimum standards for microfilming as established by nationally accepted records and information management process standards.~~

~~“Purge” means to remove and destroy records in a case file pursuant to subsection (D) of this section.~~

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~~“Retention period” means the period of time during which records must be kept before they may be disposed of, usually a period of years and sometimes contingent upon an event, such as entry of judgment or after reference value served.~~

~~**B. Authority.** Az. Const. Art. 6, §§ 3 and 23 authorize the supreme court to administer the courts of this state and to establish duties for the clerk of the superior court in each county by rule. A.R.S. § 41-1339 requires superior court clerks to transfer permanent files to the Director of the Arizona State Library Archives and Public Records (ASLAPR) at the end of their prescribed retention period, pursuant to court rules. Rule 29, Rules of the Supreme Court requires the court to adopt retention and disposition schedules and purge lists for court records.~~

~~**C. Retention and disposition schedule.** Clerks shall retain and dispose of superior court records according to the following schedule:~~

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ARIZONA SUPREME COURT Records Retention and Disposition Schedule <i>FOR USE BY SUPERIOR COURT</i>		
Type of Record	Retain (Yrs)	Remarks
1. COURT CASE FILES	-	<p>Case records designated for retention for a period of “50 years (for cases filed after 1959)” must be transferred to the state archivist for permanent storage and not destroyed at the end of the 50 year retention period. For example, in the year 2011, a civil malpractice case record filed in 1960 must be transferred to the state archivist.</p> <p>-</p> <p>Case records designated for retention for a period of “Permanent (for cases filed prior to 1960)” may be either retained in the custody of the clerk of court or transferred to the state archivist and not destroyed. For example in the year 2011, a civil malpractice case record filed in 1959 may be transferred to the state archivist or retained by the clerk at the clerk’s discretion.</p>

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Type of Record	Retain (Yrs)	Remarks
<ul style="list-style-type: none"> — Domestic violence — Reciprocal divorce — Support enforcement 	<hr/> Permanent (for cases filed prior to 1960)	<p>Supreme Court, at the end of the retention period required by this section, transfer these court records to ASLAPR for permanent retention.</p> <p>These files shall not be purged.</p> <p>Microfilming is allowed at any point after the case is closed. (See subsection D).</p> <hr/> <p>These files shall not be purged.</p> <p>Microfilming is allowed at any point after the case is closed. (See subsection D).</p>
<ul style="list-style-type: none"> (3) Domestic Relations Cases — without children — Dissolutions — All other unspecified domestic relations case categories 	50 (for cases filed after 1959) <hr/> Permanent (for cases filed prior to 1960)	<p>Retention period begins following the year filed.</p> <p>As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, transfer these court records to ASLAPR for permanent retention.</p> <p>These files shall not be purged.</p> <p>Microfilming is allowed at any point after the case is closed. (See subsection D).</p> <hr/> <p>These files shall not be purged.</p> <p>Microfilming is allowed at any point after the case is closed. (See subsection D).</p>
<ul style="list-style-type: none"> (4) Dismissed Domestic Relations Cases — with or without children 	50 (for cases filed after 1959)	<p>Retention period begins following the year filed.</p> <p>As provided by Rule 29, Rules of the Supreme Court, at the end of the retention</p>

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Type of Record	Retain (Yrs)	Remarks
	<hr/> Permanent (for cases filed prior to 1960)	period required by this section, transfer these court records to ASLAPR for permanent retention. - Purging and microfilming are allowed at any point after the case is closed. (See subsection D). <hr/> Purging and microfilming are allowed at any point after the case is closed. (See subsection D).
(5) Orders of Protection/Injunctions Against Harassment	5	Retention period begins following the year filed. - Case file may be destroyed. - Microfilming and/or transfer to ASLAPR not required.
(6) Demand for Notice (including non-case specific filings, i.e. Arizona Health Care Cost Containment System (AHCCCS) clients who have died)	2	After date received. - Document may be destroyed.
(7) Mental Health	50 (for cases filed after 1959) -	Retention period begins following year filed. - As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, clerks shall transfer these court records to ASLAPR for permanent retention. - Not authorized for purging. - Microfilming is allowed at any point after the case is closed. (See Subsection D).

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Type of Record	Retain (Yrs)	Remarks
<ul style="list-style-type: none"> — statement of claimant — exhibits — written hearing transcripts 		<p>These records are to be permanently maintained by the clerk. Rule 94(h), Rules of the Supreme Court, allows the destruction of original permanent records after microfilming. Microfilming is allowed five years after the year filed.</p> <p>After microfilming, the clerk shall automatically transfer the original records to ASLAPR as historically significant records.</p>
(b) Office of the Special Master		<p>The office of the special master shall classify, label, and purge the following records before transferring them to the clerk.</p>
<ul style="list-style-type: none"> — Historical materials — Public information materials — Case management and procedures — Non Rule 53 Special Master's reports 	Permanent	<p>Not authorized for purging by the clerk.</p> <p>These records are to be permanently maintained by the clerk. Rule 94(h), Rules of the Supreme Court, allows the destruction of original permanent records after microfilming. Microfilming is allowed five years after the date they are received by the clerk.</p> <p>After microfilming, the clerk shall automatically transfer the original records to ASLAPR as historically significant records.</p>
<ul style="list-style-type: none"> — Appellate proceedings — Legislative materials — Legal research materials — Special Master's rules - 	25	<p>After the date they are received by the clerk.</p> <p>-</p> <p>The records may be microfilmed five years after they are received by the clerk. Rule 94(h), Rules of the Supreme Court, allows the destruction of original permanent records after microfilming.</p> <p>-</p> <p>Transfer to ASLAPR not required.</p>
<ul style="list-style-type: none"> — Administrative, financial, — human resource records 	-	<p>Retain and dispose in accordance with the applicable sections of this schedule.</p>

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Type of Record	Retain (Yrs)	Remarks
(11) Transcripts and Depositions (all case categories)	=	These materials are part of the case file and accordingly follow the retention period established for the civil case type in which they were prepared.
b. Criminal (1) General — (excluding capital felony cases) - -	50 (for cases filed after 1959) - - ----- Permanent (for cases filed prior to 1960)	Retention period begins following the year filed. - As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, clerks shall transfer these court records to ASLAPR for permanent retention. - Criminal history records produced by DPS and filed with the Superior Court may be destroyed without microfilming 30 days after sentencing provided no appeal filed, or 30 days following appellate court ruling. Microfilming is allowed pursuant to Rule 28.1, Rules of Criminal Procedure, and purging is permitted on a very limited basis (See subsection D). ----- Microfilming is allowed pursuant to Rule 28.1, Rules of Criminal Procedure, and purging is permitted on a very limited basis (See subsection D).
(2) Capital Felony Cases	Permanent	Not authorized for purging. - As provided by Rule 29, Rules of the Supreme Court, clerks shall transfer these records to ASLAPR for permanent retention 100 years after the date of conviction. Microfilming is allowed pursuant to Rule 28.1, Rules of Criminal Procedure.

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Type of Record	Retain (Yrs)	Remarks
(3) Transcripts and depositions (all case categories)	-	These are part of the case file and accordingly follow the criminal case type retention time frame.
e. Juvenile (confidential, A.R.S. Title 8, Chapter 1)	-	-
(1) Adoptions, including pre-adoption certifications, motions for birth parent expenses and sealed adoption materials	100 -	Following the granting, denial, dismissal or expiration of the matter as to all children. - The juvenile court may authorize the microfilming of these cases. - At end of retention period, all files, records, reports and other documents in possession of the court relating to the adoption must be transferred to ASLAPR. Reference A.R.S. §§ 8-116 and 121.
(2) Abortions	-	Microfilm and dispose in accordance with court order.
(3) Delinquencies (includes citations, juvenile orders of protection, injunctions against harassment, incorrigibility and sealed delinquency materials)	-	After satisfaction of A.R.S. § 8-349 or following juvenile's 30 th birthday, A.R.S. § 13-912. - Microfilm and dispose in accordance with court order. The juvenile court may authorize the microfilming or destruction of these cases or orders of protection /injunctions against harassment issued pursuant to A.R.S. § 13-3602.
(4) Dependency (includes Indian Child Welfare Act Cases. Also includes sealed dependency materials)	100 (for cases filed after 1959)	From date of dismissal as to all children. - As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, clerks shall transfer these records to ASLAPR for permanent retention. Microfilm and dispose in accordance with court order.

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Type of Record	Retain (Yrs)	Remarks
	Permanent (for cases filed prior to 1960)	Microfilm and dispose in accordance with court order.
(5) Severance (includes relinquishments and sealed severance materials)	100 (for cases filed after 1959) Permanent (for cases filed prior to 1960)	From date of granting, denial, dismissal or expiration of the matter as to all children. - As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, clerks shall transfer these records to ASLAPR for permanent retention. The juvenile court may authorize the microfilming or destruction of these cases. - The juvenile court may authorize the microfilming or destruction of these cases.
(6) Juvenile traffic and other violations	-	After child reaches age nineteen. Microfilming and/or transfer to ASLAPR not required. - Violation document may be destroyed.
(7) Juvenile case exhibits (applies to all juvenile case categories)	-	May be disposed following dismissal, disposition or final appellate ruling, or the Juvenile Court may otherwise authorize release or destruction of these exhibits in accordance with applicable provisions of the code of judicial administration, administrative order, court rule, or statute.
(8) Juvenile case transcripts and depositions (all juvenile case categories)	-	These are part of the case file and accordingly follow the juvenile case type retention time frame.

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Type of Record	Retain (Yrs)	Remarks
		- The Juvenile Court may authorize earlier destruction.
d. Lower Court Appeals—Civil or Criminal	-	-
(1) Remanded civil cases	-	After satisfaction of Rule 12(c), Superior Court Rules of Appellate Procedure—Civil.
(2) Remanded criminal cases	-	After satisfaction of Rule 12, Superior Court Rules of Appellate Procedure—Criminal.
(3) Remanded case transfer index (and associated remand minute orders)	5	Following the date of the remand order. - Case file may be destroyed.
—(4) All other categories (including city court cases)	-	Refer to Rule 12, Superior Court Rules of Appellate Procedure—Civil and Criminal for disposition.
(5) Photocopies of remanded cases	-	After reference value served. Copies may be destroyed.
—(6) Trial De Novo	-	See Rule 30, Rules of Criminal Procedure.
—Criminal traffic and eriminal non-traffic, civil traffic and civil non-traffic	5	After dismissal, final order, judgment or stipulation.
e. Grand Jury Records-	-	-
(1) Empanelment documents	5	After panel dismissed. Retention period starts at end of empanelment term. - Empanelment documents may be destroyed.
(2) Minutes of grand jury votes	1	From date of minutes. - Minutes may be destroyed.
(3) Court reporter notes —(a) Where a no true bill issued	10	From date of proceeding. These notes normally will not have been transcribed, since in these matters no indictment is issued.

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— (b) Where a true bill is issued	-	See section 2, Official Court Records (below). Court reporter notes must be transcribed in any grand jury proceeding from which an indictment is issued pursuant to A.R.S. § 21-411 and Rule 12.8(c), Rules of Criminal Procedure.
(4) No true bill/admonitions/readings/dismissed/miscellaneous documents	1	From date of document or dismissal. - Document may be destroyed.
f. Miscellaneous Filings	-	-
(1) Administrative orders	10	From date of issue. Provide copy to the current presiding judge for evaluation and re-issue, if contents of order are still valid. Transfer original or microfilm of these records to ASLAPR for permanent retention. (See section 6.d. Presiding Judge business papers, below)
(2) Landmark cases	Permanent	See subsection F, Historically Significant and Landmark Cases. - Case file shall be maintained intact, if not already purged at time of designation. - Microfilming is allowed, but original paper file shall be transferred to ASLAPR, if available, at end of retention period applicable to the case type.
(3) Historically Significant Cases	Permanent	See subsection F, Historically Significant and Landmark Cases. - Case file shall be maintained intact, if not already purged at time of designation. - Microfilming is allowed, but original paper file should be transferred to ASLAPR if available, at end of retention period

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Type of Record	Retain (Yrs)	Remarks
		applicable to the case type.
(4) "Sealed by Order of the Court" records	-	Retain and dispose in accordance with applicable case type.
(5) Special Warrants	-	-
— Confidential Wire Taps	±	Retention period begins following year filed. Return to prosecutor. Confidential. See A.R.S. § 13-3918.
— Pen Registers	±	Retention period begins following year filed. Return to prosecutor or other responsible agency.
(6) Other (Search Warrants, Trap and Trace, Handwriting Exemplars)	±	Retention period begins following year filed. See A.R.S. § 13-3918. -
2. OFFICIAL COURT RECORD (including electronic recordings of proceedings)	-	-
a. Criminal — non-capital cases. These records include all verbatim records of proceedings held in a non-capital criminal case including grand jury, writs of habeas corpus and all other criminal matters.	-	In cases where defendant is tried in absentia or where defendant fails to appear for sentencing, court reporter notes must be transcribed.
(1) Court reporters' notes (paper or electronic)	10	The retention period begins after the date notes taken.
(2) Other electronic recordings of proceedings	10	After the date proceeding recorded.
b. Criminal — capital cases. These records include all verbatim records of proceedings held in a capital case, including grand jury and writs of habeas corpus	-	-
(1) Court reporters' notes (paper or electronic)	50	The retention period begins after the date of sentencing.
(2) Other electronic recordings of	50	After the date of sentencing.

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Type of Record	Retain (Yrs)	Remarks
proceedings		
e. Juvenile (confidential, A.R.S. § 8-120)	-	-
(1) Court reporters' notes (paper or electronic)	10	After the date notes taken.
(2) Other electronic recordings of proceedings	10	After the date proceeding recorded. -
d. Non-criminal	-	-
(1) Court reporters' notes (paper or electronic)	5	After the date notes taken.
(2) Other electronic recordings of proceedings	5	After the date proceeding recorded. Rule 43(k), Rules of Civil Procedure, or local rule, whichever retention period is shorter.
3. EXHIBITS	-	-
a. Civil (includes domestic relations, probate, mental health, arbitration and other civil case types)	-	Following dismissal, disposition or final appellate ruling. - Retain, return, or destroy in accordance with court order.
— With ordered disposition	-	After satisfaction of court order.
— Without ordered disposition	30 days	After mailing notice to responsible parties to claim evidence. (Case must be 30 days post-adjudication and not on appeal.) Rule 94(h), Rules of the Supreme Court.
b. Criminal	-	-
— With ordered disposition	-	After satisfaction of court order.
— Without ordered disposition	-	After satisfying Rule 28.1, Rules of Criminal Procedure.
4. RECORDS CREATED OR RECEIVED BY CLERK'S OFFICE	-	-
a. Bail Bondsmen affidavits	3	After termination of privileges pursuant to Rule 7.1(f), Rules of Criminal Procedure.

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Type of Record	Retain (Yrs)	Remarks
b. Dockets and computerized records created in compliance with Rules 94(c) and 94(g), Rules of the Supreme Court	-	After reference value served.
— Indices or dockets and registers of action (if used as indices)	Permanent	-
e. Correspondence concerning copies of records and information	-	After reference value served.
d. Criminal or civil cash bonds	3	After exonerated. -
e. Fingerprint cards (administrative purposes)	-	Return to prosecutor or other responsible agency.
f. Marriage affidavits	Permanent	Destroy after microfilming.
g. Marriage licenses/certificates	Permanent	Destroy or mail to couple after microfilming.
h. Notary affidavit applications and bonds	-	After expired.
i. Powers of attorney to write bonds	-	After expired or revoked.
j. Process server applications	4	After expired or new application received.
k. Process server investigations/sanctions	4	After completion.
l. Public officials financial disclosure statements	3	After filed. Refer to A.R.S. §§ 38-541 through 545.
m. Wills filed in accordance with A.R.S. § 14-2901(Laws 1973), repealed 1984	90	From the date of the will's creation. -
5. COURT FINANCIAL RECORDS — (original and electronic records)		
a. Banking records—All	3	After fiscal year prepared or received.
b. Cash books and supporting records for non-bond accounts (includes receipts and distribution recordings)	3	After fiscal year prepared or received.

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Type of Record	Retain (Yrs)	Remarks
e. Cash books and receipts for bond trust accounts	5	After fiscal year prepared or received.
d. Child support payment records	5	After fiscal year of payment and satisfaction of arrearages.
e. Child support enforcement (including IV-D cases)	-	-
— Computer program conversion data	3	After fiscal year conversion of hardware and software completed. 45 C.R.F. § 74.53
— Individual computerized files	3	After fiscal year of payment and satisfaction of arrearages. 45 C.F.R. § 74.53 -
f. Court payment orders (visiting judges, court reporters, law library, attorney fees, etc.)	3	After fiscal year paid.
g. Expense accounting records	3	After fiscal year paid.
h. Financial summary reports	-	-
— Budget — operational	3	After fiscal year prepared.
— Monthly budget reports	3	After fiscal year prepared.
— Quarterly or annual reports	5	After fiscal year prepared. Evaluate for further retention.
— Other financial reports	3	After fiscal year prepared.
i. Journal entries for restitutions, fines and reimbursements	3	After fiscal year of payment and satisfaction.
j. Juror vouchers	3	After fiscal year prepared.
k. Minimum accounting standards reports	3	After prepared.
6. COURT ADMINISTRATION	-	-
a. Calendars	-	After reference value served.
b. Records of visiting judges	3	After fiscal year prepared.
e. Court visitor (investigator) files	10	After prepared. Reference A.R.S. § 14-5303
d. Former Chief Presiding Judge	-	After satisfaction of term. Arrange transfer to

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Type of Record	Retain (Yrs)	Remarks
business papers. This records series consists of records generated by presiding judges to provide guidance, direction and/or general information related to the administration or non case related business operations of the court. Business papers include general correspondence and administrative orders.		ASLAPR. - These records may be sent to ASLAPR at the discretion of the presiding judge, clerk of court, or court administrator.
7. ADMINISTRATIVE RECORDS	-	-
a. General correspondence	-	After reference value served.
b. Employee time sheets (official copies at county finance)	-	After reference value served. -
e. Statistical reports	5	After prepared. Evaluate for further retention.
8. JURY COMMISSIONER RECORDS	-	Lists generated in accordance with A. R. S. Title 21, Chapters 3 and 4.
a. Master jury list	-	Destroy after new list created in accordance A.R.S. § 21-301.
b. Master jury file	-	Destroy after new list created. Reference A.R.S. § 21-312.
e. Juror questionnaires	90 days	After receipt. Ref. A.R.S. § 21-314(B).
d. Other juror lists (panels, pools, and other records)	-	-
— Juror records containing financial information	3 years	After fiscal year prepared. -
— Non-financial juror records	-	After reference value served.
9. COJET RECORDS	As required by COJET	Reference Administrative Guidelines for Judicial Education in Arizona.
10. HUMAN RESOURCE RECORDS	-	-
a. Applicant medical certification form	5 -	After termination for employees, or 2 years from date of application for non-employees.

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Type of Record	Retain (Yrs)	Remarks
b.— Background investigations	5	After termination.
e.— Classification/re-class of positions	3	After request is acted on.
d.— Criminal history background checks	-	-
— No finding	6 mos.	After fiscal year prepared.
— Finding	1	After fiscal year prepared.
e.— EEOC 4 including background information	2	After prepared.
f.— Employee medical files/ exposure records and pre-employment physicals	30 -	After termination (20 C.F.R. § 1910.20). These records must be retained separately from the employee personnel file.
g.— Official employee personnel files	5	After termination. -
h.— Employee supervisor files	6 mos.	After termination/transfer.
i.— Employment eligibility verification form I-9 (proof of legal residency in U.S.A.)	3	After employee termination but not less than 3 yrs after date of hire (8 C.F.R. § 274a.2).
j.— Grievance/appeals and supporting documentation	3	After resolution.
k.— Hiring documents, including application, selection promotion and interview records	2	After calendar year received or prepared (29 C.F.R. § 1602.31).
l.— Judicial certifications	3	After filed.
m.— Layoff/reduction in force (RIF) documents, including computation documents and recap summary)	5	After layoff or RIF is complete. -
n.— Occupational safety and health records, including workers' compensation accident reports and annual summaries	5	After calendar year reported. (29 C.F.R. § 1952.4).
o.— Payroll deduction records	3	After fiscal year created.
p.— Position descriptions	3	After superseded or abolished.

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q.— Psychological evaluations for applicants	5	After termination for employees, or 2 years from date of application for non-employees.
r.— Psychological evaluations for employees who are applying to carry firearms	5	After termination of employment.
11. PRETRIAL SERVICES RECORDS	-	-
— Case supervision files	1	After case disposition.
12. ADULT PROBATION RECORDS	-	-
a.— Case files	3	After expiration or termination of probation.
b.— Intensive Probation Supervision (IPS) financial records	3	After program completion or termination.
c.— Progress and activity reports	2	After fiscal year prepared.
d.— Work furlough records	-	-
— Case management files	1	After program completion or termination.
— Financial records	3	After program completion or termination.
13. JUVENILE PROBATION RECORDS	-	-
a.— Juvenile social files	18 th birthday	Rule 19(A)(2), Rules of Procedure for the Juvenile Court.
b.— Juvenile dependency files	18 th birthday	A.R.S. § 8-349 (For court case files see section (1)(c) of this schedule.)
e.— Reports and studies	-	-
— Detention	5	After fiscal year prepared.
— Program Services	5	After fiscal year prepared.
— Probation	5	After fiscal year prepared.
— Admin. Services	5	After fiscal year prepared.
— Intake	5	After fiscal year prepared.
— Caseload Printout	5	After calendar year prepared.

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Type of Record	Retain (Yrs)	Remarks
d. Juvenile Treatment Services Fund (JTSF) records (checking account with original copy retained by supreme court)	5	After fiscal year prepared.
e. Probation records (working files including psychiatric/psychological evaluations and probation officer reports)	-	After fiscal year prepared.
— Non adjudicated juveniles	45 days	After 18th birthday.
— Remanded juveniles	45 days	After 25 th birthday.
— Adjudicated juveniles (without — criminal records)	45 days	After 25 th birthday.
— Adjudicated juveniles (with criminal records)	45 days	After ordered by the court per A.R.S. § 8-349.

~~**D. Case File Purge Procedures.** This list identifies records that can be removed and destroyed from civil, domestic relations, and criminal case files before microfilming. For other types of case files, the determination of what to retain and what to purge after microfilming is left to the discretion of the local court. Destruction of original records is subject to notification requirements of ASLAPR. The method used to destroy records is at local court discretion, however, confidential and sealed records shall be destroyed by shredding, burning, or other means that will obliterate the records.~~

CIVIL CASE FILE PURGE LIST

Documents to be Discarded	Documents to be Retained
<p>For the purposes of this purge list, civil cases are defined as case files that are not domestic relations, probate, mental health, tax appeals, criminal, or juvenile.</p> <p>When a civil case is closed, whether by judgment, dismissal or settlement, and all appeals deadlines have passed, the case is “no longer subject to modification,” pursuant to Arizona Supreme Court Rule 94(h), and is eligible for purging. The documents listed herein can be purged (removed) from the file and destroyed before microfilming the file content.</p>	

CIVIL CASE FILE PURGE LIST

Documents to be Discarded	Documents to be Retained
All tagged exhibits must be processed in accordance with the Rules of Civil Procedure.	
AFFIDAVIT	COMPLAINT
☒ Relating to discovery matters	☒ Initial
NOTICE OF:	☒ amended
☒ Appointment of auditor/receiver	SUMMONS
☒ Appearance	ACCEPTANCE AND RETURN OF SERVICE
☒ Appointment of special process server	CROSS CLAIMS
☒ Association of counsel	COUNTER CLAIMS
☒ Change of judge	INTERVENORS
☒ Delinquent briefs	JOINER OF ADDITIONAL PARTIES
☒ Deposition	INTERPLEADER
☒ Disclosure	AFFIDAVITS
☒ Filing foreign judgment and affidavit	☒ Keep all affidavits except those relating to discovery matters
☒ Filing of reporter=s transcript of evidence	NOTICES
☒ List of witnesses and exhibits	☒ Of appeal
☒ Sheriff=s sale	☒ Of voluntary discovery
☒ Trial date	☒ Of filing of bankruptcy
☒ Witnesses	☒ Of publication
☒ Receipts (unless return of service of process is indicated)	☒ Of seizure of vehicles
☒ Acceptance of offer of judgment	REQUEST/PETITIONS/DEMANDS
☒ Offer of judgment	☒ for writ of assistance and order
☒ Settlement	☒ intervenor
☒ Withdrawal of answer	ANSWERS/RESPONSES
☒ Appointment of guardian ad litem	☒ to complaint, initiating action
☒ Dismissal	REPLIES TO COUNTER CLAIMS
MOTIONS FOR:	THIRD PARTY ACTIONS

CIVIL CASE FILE PURGE LIST

Documents to be Discarded	Documents to be Retained
Accelerated hearing/trial date	STIPULATIONS/CONSENT
Change of venue	of dismissal
Leave to exceed page limitation	keep all judgments and orders even if they are attached to documents that are on the discard list
Pretrial discovery/disclosure	Some examples of judgments and orders follow
Summary judgment	declaratory judgment
Directed verdict	default judgments
New trial	dismissals
Additional disclosure	final order in condemnation
Failure to join party	release of judgment
More definite statement	relief from judgment or order
Reargument	special verdicts
Voir dire examination	findings of fact, conclusions of law
Judgment	judgments against garnishee
Sanctions	in forcible detainer
MOTIONS TO:	arbitration award
Dismiss (i.e., for lack of jurisdiction, insufficiency of process, failure to state claim, etc.)	order for name change
File delayed appeal	judgments
Quash/prevent issuance of subpoena	verdicts
Stay proceedings	order for joinder
Transfer	minute entries that contain the words "ORDER" or "IT IS ORDERED" or similar statements
Waive applicable time limits	WRITS
In limine	RETURN OF
Consolidate	receipts for exhibits or evidence
Enlarge time for answer	registered mail receipt cards or letters
Quash warrant/writ	SATISFACTION OF

CIVIL CASE FILE PURGE LIST

Documents to be Discarded	Documents to be Retained
☞ Withdraw default/default judgment	☞ judgment
☞ Compel discovery	☞ judgment against garnishee
☞ Extended time limits within which to file pre trial — motions	☞ partial satisfaction of amended judgment
☞ Release bond	BOND/DEPOSITS
☞ Set trial	☞ except if there is an indication that the — bond is exonerated
☞ Suppress	APPELLATE MANDATE
☞ Vacate conference/hearing	ACCEPTANCE OF SERVICE
☞ Demurrer to complaint	SUPREME COURT MANDATES
☞ Amend complaint	MINUTE ENTRIES THAT INCLUDE COURT ORDERS
☞ Continue	EXHIBITS DISPOSAL PROCEDURES
☞ Exonerate bond	
☞ Strike	
☞ Withdraw counsel	
REQUEST/PETITIONS FOR:	
☞ Jury trial	
☞ Production	
☞ Trial	
☞ Intervenor	
☞ Writ of assistance and order	
☞ Leave to file cross claim	
☞ Appointment of private process server	
☞ Pre-trial conference	
☞ Transcript	
☞ Admit	
☞ Admission	
☞ Relief for judgment or order	
APPLICATIONS FOR:	

CIVIL CASE FILE PURGE LIST

Documents to be Discarded	Documents to be Retained
☒ Attorney fees	
☒ Certification of interlocutory appeal	
☒ Confirmation of arbitration award	
☒ Continuing lien on non-exempt earning	
☒ Special juries	
☒ Supplemental proceeding and order	
☒ Garnishment	
ANSWERS/RESPONSES TO:	
☒ Demand for early trial date	
☒ Motion to continue	
☒ Motion to demand jury trial	
☒ Motion to extend time to file motions	
☒ Motion to file delayed appeal	
☒ Motion to preserve evidence	
☒ Motion to suppress	
☒ Notice of change of judge	
☒ Request for production	
☒ Motion for sanctions	
☒ Motion to dismiss	
☒ Application for certification of interlocutory — appeal	
☒ Garnishment	
☒ Interrogatories	
☒ Motion for new trial	
REPLIES TO:	
☒ Responses to demand early trial date	
☒ Responses to motion to demand jury trial	
CERTIFICATES:	
☒ Controverting certificates	

CIVIL CASE FILE PURGE LIST

Documents to be Discarded	Documents to be Retained
☞ Of appointment	
☞ Of readiness	
☞ Of discharge of notice of lis pendens	
STIPULATION/CONSENT:	
☞ Settlement agreement	
☞ To extend time	
☞ For substitution of counsel	
☞ To substitution of parties	
JUDGMENTS/ORDERS:	
☞ Executed or quashed body attachments/civil arrest warrants	
RETURNS:	
☞ Sheriff=s return on execution	
☞ Of writs	
☞ Of sale of personal property under Special Execution and Order of Sale	
BONDS/DEPOSITS:	
☞ Bond attachment	
☞ Exonerated bond	
STATEMENTS OF FACT/BRIEFS:	
☞ Statement of Fact	
☞ Brief schedule	
☞ Briefs	
FINANCIAL RECORDS:	
☞ Bookkeeping record	
☞ Credit memo (e.g., paid answer, appellee fee, cost bond, etc.)	
CLERK OF COURT WORK SHEETS:	
(E.g., for arguments, office/pre-trial conference, trials, evidentiary hearings, etc.)	

CIVIL CASE FILE PURGE LIST

Documents to be Discarded	Documents to be Retained
CORRESPONDENCE:	
(E.g., letters of transmittal, confirmation of dates, rescheduling problems, etc.)	
Depositions	
Disclaimer of Process Server	
Documents	
Impeachment Envelopes and Contents	
Interrogatories	
Medical Records	
Letters/Memoranda	
Proposed Jury Instructions/Prayers	
Statement of Costs and Notice of Taxation of Costs	
Subpoenas	
Transcripts:	
–(Except default hearing transcripts)	
Justice Court Docket Page	
Superior Court Appeals Index	
Minute Entries That Are Not Orders:	
–(i.e., that do not contain wording "it is ORDERED."	
Satisfaction of Judgment for Jury Fees	

DOMESTIC RELATIONS CASE FILE PURGE LIST

Domestic Relations cases include Civil Paternity, Dissolutions, Divorce, Domestic Custody, Domestic Relations, Domestic Violence, Reciprocal Divorce, Support Enforcement, and other Unspecified Domestic Relations cases.

Case Disposition Type	Documents to be Retained
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(a) Dismissed cases (of all documents except those listed here are eligible for purging)	<ul style="list-style-type: none"> –Initial petition –Final order of dismissal
(b) Domestic Relations cases that did not end in dismissal	Retain file contents intact, do not purge

CRIMINAL CASE FILE PURGE LIST	
Case Disposition Type	Documents to be Retained
(a) Cases ending in acquittal of all defendants or dismissal of all defendants (all documents except those listed here are eligible for purging)	<ul style="list-style-type: none"> –Initiating document (i.e. initial indictment, complaint and information sheets) –Verdict (for acquittals) –Judgment/order or minute entry of dismissal/acquittal
(b) Cases not ending in acquittal or dismissal of all defendants	Retain file contents intact, do not purge

~~E. Transfer of Records to Arizona State Library, Archives and Public Records.~~

~~Clerks shall comply with the following procedures for transfer of records to ASLAPR:~~

- ~~1. Records to be archived. For purposes of this schedule, all superior court records that have a retention period of fifty or more years shall be transferred from the clerk of court to the Archives Division of the Arizona State Library, Archives, and Public Records (ASLAPR) for permanent storage at the end of the retention period. To assist courts with inadequate file storage facilities, ASLAPR will accept records for archiving that are within five years of the end of their retention period.~~
- ~~2. Format of records. Until national standards for the long term preservation of electronic records are in place, records transferred shall be in either paper or microfilm format. The film negatives of microfilmed records, if available, shall be sent to ASLAPR. If not available, ASLAPR will accept the use/diazo copy. If a film negative is transferred, the clerk may request a copy from ASLAPR in the event the clerk has retained a use/diazo copy that has become unusable due to physical deterioration. Prior to microfilming and purging paper records, the clerk~~

shall notify the ASLAPR as required by Rule 29(E), Rules of the Supreme Court (“destruction notice”).

3. ~~Indexing and packaging. Each record transfer shall be accompanied by a master index that identifies the cases being transferred by case number, initial caption, filing date, case type, and county. Identification of any historic or landmark cases shall also be noted on the index. The recommended means of packaging records for transfer to ASLAPR is:
 - an acid-free cardboard carton with the following dimensions: 18x15x12, although other types and sizes of cartons will be accepted.
 - records boxed in an upright position with file tabs easily visible.~~
4. ~~Transfer notice and scheduling delivery. Each time records are transferred for permanent archiving, the record custodian shall complete the “Agreement to Transfer Records” form available on the ASLAPR website. Delivery and transfer of legal custody of records to the ASLAPR shall be done in accordance with processes established by ASLAPR. ASLAPR will charge no fees in connection with pickup, delivery and maintenance of permanently archived court records.~~
5. ~~Frequency of transfer. ASLAPR will accept records from the same county up to four times a year.~~

~~**F. Historically Significant and Landmark Cases.** Clerks shall comply with the following procedures for designating and archiving historically significant and landmark cases:~~

1. ~~Designation of historically significant cases
 - a. ~~Purpose.~~ Certain cases filed in Arizona courts may be identified as historically significant because of the unique legal issue or controversy involved, the prominence of one or more of the parties to the action, or because of other high profile or newsworthy reasons. When there is reason to believe that a case falls into this category, the following procedures shall be observed to ensure these records are maintained for historical purposes, rather than destroyed under the term found in the records retention schedule.~~
- b. ~~Procedure for designating an historically significant case.~~ A motion to designate a case as historically significant shall be filed either by a member of the public or on the court’s own motion. The motion shall identify one or more reasons for designating the case as historical.
- c. ~~Processing and archiving.~~ The motion requesting historical case designation shall be filed prior to the transfer of the case file to ASLAPR. The clerk shall file the original order granting or denying the motion for historical case designation in the case file. The presiding judge or justice of the peace shall decide the motion. If the motion is granted, the clerk shall transfer the

~~original intact case file, if any, and the microfilm, if any, to ASLAPR for permanent retention in accordance with the applicable schedule. Identification of the case as historically significant shall be prominently noted on the master index transferred along with the case file to the ASLAPR.~~

~~2. Designation of landmark cases~~

~~a. Identifying landmark cases~~

~~(1) The following factors shall be considered in deciding whether a case is a landmark case:~~

- ~~(a) The frequency with which the case has been cited;~~
- ~~(b) Whether the case has been designated as historically significant;~~
- ~~(c) Whether the case caused a change in policies or laws;~~
- ~~(d) Whether the case affected a large portion of the community and was controversial;~~
- ~~(e) Whether the case is generally viewed by the community as important;~~
- ~~(f) Whether the case involved a famous or notorious individual or was the subject of a well known book or feature film; and~~
- ~~(g) Any other factor considered relevant.~~

~~(2) Any case that has been the subject of a published opinion of the United States Supreme Court shall be designated as a landmark case.~~

~~b. Procedure for designating a landmark case.~~

~~(1) The Arizona Historical Records Advisory Board shall designate landmark cases eligible under section (F)(2)(a)(1) in consultation with a committee convened by the Board for this purpose. The committee shall consist of Board members, retired appellate court judges or justices, law professors, historians, or other like persons who have objective, informed views about the long-term significance and effect of eligible published appellate opinions. The committee shall meet periodically to review all published appellate opinions no less than five years and no more than nine years after they are issued to determine which cases should be designated as landmark cases.~~

~~(2) No more than ten years after the opinion was issued, and with the Board's approval, the Director of the Division of Arizona History and Archives shall provide written notice of landmark designation to the clerk of the superior court in the county of origin, the clerk of the appropriate division of the court of appeals, and the clerk of the supreme court who shall apply the process for landmark case file processing contained in retention and disposition schedules applicable to their respective courts.~~

~~(3) Landmark designation under subsection (1)(B) herein shall be made by the clerk of the superior court in the county of origin.~~

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~~c. Processing and archiving. The landmark case designation shall be made prior to the transfer of the case file to the Arizona State Library and Archives. The clerk shall file the original notice of designation in the case file. If the case file has not yet been purged, the clerk shall transfer the original intact case file and microfilm, if any, to the Arizona State Library, Archives and Public Records for permanent retention in accordance with the applicable schedule. Identification of the case as a landmark case shall be prominently noted on the master index transferred along with the case file to the ASLAPR.~~

~~Adopted by Administrative Order 2006-29 effective March 21, 2006.~~

DRAFT

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 3: Superior Court
Chapter 4: Administration
Section 3-402: Superior Court Records Retention and Disposition

A. Definitions. In this section the following definitions apply:

1. “Case file” means all documents and other material filed with the clerk of court in an action or proceeding, either in paper or electronic format, and includes items such as CD’s, DVD’s, or other material requiring the use of a computer to read, as well as oversize items that do not fit within a typical paper case file or that exceed the size permitted to be filed through the e-filing system, depositions and transcripts. (MH Note: Does this include case financial records?) Case file does not include exhibits submitted at a hearing or trial.
2. “Clerk of Superior Court” or “Clerk” means the person who is appointed or elected in each county for the purpose of keeping and disposing of all documents, records, instruments, books, papers, depositions, exhibits and transcripts in any action or proceeding in the superior court.
3. “Records Custodian” means the person responsible for keeping and disposing of any records held by the superior court or any department of the superior court, other than the records held by the clerk of superior court.
4. “State Library, Archives, and Public Records (LAPR)” means the division of the Arizona Secretary of State that is the archives for Arizona state government. The archives is mandated by law to collect, preserve and make available to the public and all branches of government, permanent public records, historical manuscripts, photographs and other materials that contribute to the understanding of Arizona history.

B. General Provisions.

1. Permanent Records. At the end of the retention period with court, set forth in section D below, a records custodian must transfer to LAPR, all items designated as having a total retention period of *permanent*, regardless of the format of the records.
2. Electronic Case Files and Data. At the end of the retention period with court, set forth in section D below, a records custodian must destroy electronic case files and case data not designated as having a total retention period of *permanent*. Electronic case files designated as having a total retention period of *permanent* must be transferred to LAPR, at a time when LAPR has the capacity to accept electronic records.

3. Paper Case Files and Administrative Records. At the end of the retention period with court, set forth in section D below, a records custodian may destroy case files that are primarily in paper format and other records, regardless of format, not designated as having a total retention period of *permanent*. Paper case files and other records designated as having a total retention period of *permanent* must be transferred to LAPR.
4. Microfilm. Until national standards for the long-term preservation of electronic records are in place, records transferred to LAPR pursuant to the provisions of this schedule shall be in either paper or microfilm format. For any records that are microfilmed, the film negative shall also be sent to LAPR.
5. No Duty to Migrate to New Technology. A records custodian and LAPR assume no duty to migrate to new technology any material filed in an action or proceeding that is recorded in a format, such as CD and DVD, that must be read by a computer. As time proceeds and technology develops, such material may be incapable of being read.
6. Conflicting Legal Authority. If a conflict is found to exist between a retention period set forth in this schedule and a retention period set forth in a higher legal authority, the custodian of the record must defer to the retention period in the higher legal authority.
7. Sealed Files. A case file or portions of a case file sealed by order of the court must remain sealed, in perpetuity, regardless of whether the case file or portions of the case file that are sealed are located in the court or with LAPR, unless otherwise ordered by the court that issued the order sealing the case file or portions of the case file. (MH Note: What about case files or documents that are *confidential, by law*?)
8. Completeness of Schedule. This records retention and disposition schedule is intended to be shorter and more concise than prior schedules to make the schedule easier to use and to aid in compliance. However, since new case types and records are continually being created, either by the Legislature or by the court itself, and because different counties often refer to the same document by different names, if a record cannot be located on this schedule, a records custodian should use his or her best judgment to place the record within a category that is already identified on this schedule, where the record best fits.
9. Purge Lists. Pursuant to Rule 29(A), Rules of the Supreme Court, purge lists have been set forth in prior versions of this records retention and disposition schedule. Purge lists identified documents to be removed from case files before storage or replication of the case file. Records custodians now indicate that the process of purging case files is resource intensive and is no longer optimal practice. Additionally, LAPR has indicated that it does not object to receiving permanent case files that are not purged of certain documents. Therefore, purge lists no longer appear in this records retention and disposition schedule.

10. Destruction. When a case file is eligible for destruction, the clerk of superior court or records custodian shall take proper precautions to protect the privacy of the individuals identified in the case file and destroy the complete case file by shredding, burning, or pulverizing the physical case file. Electronic images of case file documents shall be deleted from all places in which they reside, including servers and hard drives. The court should keep a list, containing minimal case information, such as case number, case type, party name, and date of destruction, capturing any case files destroyed, so that the court will know that a case file has been destroyed and has not been merely misplaced or never existed.

C. **Authority.** Az. Const. Art. 6, §§ 3 and 23 authorize the supreme court to administer the courts of this state and to establish duties for the clerk of the superior court in each county by rule. A.R.S. § 41-151.09 requires superior court clerks to transfer all permanent files to the LAPR at the end of their prescribed retention period, pursuant to court rules. Rule 29, Rules of the Supreme Court requires the court to adopt retention and disposition schedules for court records.

D. **Retention and disposition schedule.** The clerk of superior court or records custodian shall retain and dispose of superior court records according to the following schedule:

Records Series #	Records Series Title	Retention Period with Court	Full Retention Period at LAPR	Remarks
CASE FILES HELD BY THE CLERK OF COURT				
1.	CIVIL CASE FILES, FILED ON OR BEFORE DECEMBER 31, 1959 ¹	50 years from the year the case is filed. However, clerks who wish to retain these files in their local office, permanently, and make them available to the public, may retain these files.	Permanent	Clerks may transfer these case files to LAPR any time after 50 years.

¹ Clerks of Court wish to retain these older case files in their local office for the public to access, instead of transferring these case files to LAPR in Phoenix.

Records Series #	Records Series Title	Retention Period with Court	Full Retention Period at LAPR	Remarks
2.	CIVIL CASE FILES, FILED ON OR AFTER JANUARY 1, 1960	50 years from the year the case is filed.	Permanent	
3.	FAMILY LAW CASE FILES, including paternity, and all other matters arising out of Title 25, Arizona Revised Statutes (A.R.S.), FILED ON OR BEFORE DECEMBER 31, 1959 ¹	50 years from the year the case is filed. However, clerks who wish to retain these files in their local office, permanently, and make them available to the public, may retain these files.	Permanent	Clerks may transfer these case files to LAPR any time after 50 years.
4.	FAMILY LAW CASE FILES, including paternity, and all other matters arising under Title 25, A.R.S., FILED ON OR AFTER JANUARY 1, 1960	50 years from the year the case is filed.	Permanent	
5.	ORDER OF PROTECTION, INJUNCTION AGAINST HARASSMENT, AND INJUNCTION AGAINST WORKPLACE HARASSMENT CASE FILES	20 years from the year the case is filed? (MH Note: The AOC specialist for Order of Protection, etc. cases will attend our committee's next meeting to answer questions and assist with further this discussion of this category.)	?	
6.	DEMAND for NOTICE CASE FILES, including non-case specific filings (e.g. – for an Arizona Health Care Cost Containment System client who has died)	2 years from date received	N/A	

¹ Clerks of Court wish to retain these older case files in their local office for the public to access, instead of transferring these case files to LAPR in Phoenix.

Records Series #	Records Series Title	Retention Period with Court	Full Retention Period at LAPR	Remarks
	MENTAL HEALTH CASE FILES FILED ON OR BEFORE DECEMBER 31, 1959 ¹	50 years from the year the case is filed. However, clerks who wish to retain these files in their local office, permanently, and make them available to the public, may retain these files.	Permanent	Clerks may transfer these case files to LAPR any time after 50 years.
	MENTAL HEALTH CASE FILES FILED ON OR AFTER JANUARY 1, 1960	50 years from the year the case is filed.	Permanent	
	PROBATE CASE FILES, including guardianships, conservatorships, decedents' estates, trusts, and related matters, as well as proceedings to challenge or enforce the decision of one authorized to make health care decisions for a patient, FILED ON OR BEFORE DECEMBER 31, 1959 ¹	75 years from the year the case is filed. However, clerks who wish to retain these files in their local office, permanently, and make them available to the public, may retain these files.	Permanent	Clerks may transfer these case files to LAPR any time after 75 years. Pursuant to Rule 94(2), Rules of the Supreme Court, the Clerk may destroy any voucher filed in support of an account by a trustee, personal representative, or any litigant. This destruction may occur 5 years after the fiscal year received.
	PROBATE CASE FILES, including guardianships, conservatorships, decedents' estates, trusts, and related matters, as well as proceedings to challenge or enforce the decision of one authorized to make health care decisions for a patient, FILED ON OR AFTER JANUARY 1, 1960	75 years from the year the case is filed.	Permanent	Pursuant to Rule 94(2), Rules of the Supreme Court, the Clerk may destroy any voucher filed in support of an account by a trustee, personal representative, or any litigant. This destruction may occur 5 years after the fiscal year received.

¹ Clerks of Court wish to retain these older case files in their local office for the public to access, instead of transferring these case files to LAPR in Phoenix.

Records Series #	Records Series Title	Retention Period with Court	Full Retention Period at LAPR	Remarks
	GENERAL STREAM ADJUDICATION CASE FILES	25 years from the year the case is filed	Permanent	
	OFFICE OF THE SPECIAL MASTER CASE FILES	25 years from the year the case is filed	Permanent	
	CRIMINAL CASE FILES, except capital felony case files, FILED ON OR BEFORE DECEMBER 31, 1959 ¹	50 years from the year the case is filed. However, clerks who wish to retain these files in their local office, permanently, and make them available to the public, may retain these files.	Permanent	Clerks may transfer these case files to LAPR any time after 50 years.
	CRIMINAL CASE FILES, except capital felony case files, FILED ON OR AFTER JANUARY 1, 1960	50 years from the year the case is filed.	Permanent	
	CRIMINAL CAPITAL FELONY CASE FILES	On the death of the defendant (MH Note: Will a court know when the defendant is no longer living?)	Permanent	
	JUVENILE ADOPTION, SEVERANCE, AND DEPENDENCY CASE FILES	100 years from the granting, denial, dismissal, or expiration of the matter as to all children.	Permanent	
	JUVENILE DELINQUENCY CASE FILES	After satisfaction of A.R.S. § 8-349 or 25 years following the year the case is filed.	Permanent?	
	JUVENILE ABORTION CASE FILES	7 years after the ruling on the petition, motion, or final appeal, or five years after the date of the minor's 18 th birthday, whichever is later.	N/A	

¹ Clerks of Court wish to retain these older case files in their local office for the public to access, instead of transferring these case files to LAPR in Phoenix.

Records Series #	Records Series Title	Retention Period with Court	Full Retention Period at LAPR	Remarks
	JUVENILE TRAFFIC CASE FILES, when filed in the superior court	After child reaches age nineteen.	N/A	Santa Cruz County is the only county that receives juvenile traffic cases in the superior court; All other counties receive juvenile traffic cases in a limited jurisdiction court.
	APPEAL FROM A LOWER COURT, CASE FILES, both civil and criminal	5 years after the superior court issues its order disposing of the case.	N/A	
MISCELLANEOUS RECORDS HELD BY THE CLERK OF COURT				
	WILLS	?	N/A	
	WARRANTS AND SUBPOENAS THAT ARE NOT PART OF A CASE FILE SET FORTH ABOVE, such as a confidential wiretap, pen register, search warrant, trap and trace, handwriting exemplar, and nursing subpoena	1 year following the date filed.	N/A	
	GRAND JURY RECORDS			
	a. Empanelment documents	5 years from the end of the term of empanelment	N/A	
	b. Minutes of grand jury votes	1 year from the date of the minutes	N/A	

Records Series #	Records Series Title	Retention Period with Court	Full Retention Period at LAPR	Remarks
	EXHIBITS SUBMITTED AT TRIAL OR HEARING IN ANY CASE TYPE	Upon dismissal, disposition, or final appellate ruling, whichever comes later, and then 30 days after mailing notice to responsible parties to claim the evidence, all unless otherwise ordered by the court	N/A	
	CASE DOCKET OR REGISTER OF ACTIONS	Retain for the same period of time as the underlying case, pursuant to this schedule	Permanent	
	BAIL BONDSMEN ANNUAL, WRITTEN CERTIFICATION REQUIRED BY RULE 7.1(f), RULES OF CRIM PRO.	3 years from the date of filing	N/A	
	CORRESPONDENCE OR EMAIL SENT OR RECEIVED CONCERNING REQUESTED RECORDS OR INFORMATION	Until reference value served	N/A	
	CRIMINAL OR CIVIL CASH BONDS	3 years – from when???	N/A	
	FINGERPRINT CARDS?	?	?	
	MARRIAGE AFFIDAVITS	MH Note: How long in clerk's office?	Permanent	
	MARRIAGE CERTIFICATES OR LICENSES	MH Note: How long in clerk's office?	Permanent	
	NOTARY AFFIDAVIT APPLICATIONS AND BONDS	Until expired or revoked	N/A	

Records Series #	Records Series Title	Retention Period with Court	Full Retention Period at LAPR	Remarks
	POWER OF ATTORNEY TO WRITE BONDS	Until expired or revoked	N/A	
	PROCESS SERVER APPLICATION ²	4 years from the date filed	N/A	
	PROCESS SERVER INVESTIGATION CASE FILE (MH NOTE: Is this filed in the clerk's office?)	4 years from the date closed	N/A	
	PUBLIC OFFICIAL FINANCIAL DISCLOSURE STATEMENT (MH NOTE: Is this filed in the clerk's office? ARS 38-542 says to file this with the Sec of State)		N/A	
	RETURNED MAIL OR EMAIL, not associated with a particular case	1 year from the date returned	N/A	
	SPECIAL APPOINTMENT APPLICATIONS (MH Note: What are these?)	2 years from the date filed		
MISCELLANEOUS RECORDS HELD BY EITHER THE CLERK OF COURT OR COURT ADMINISTRATION				
	THE VERBAL RECORD, INCLUDING COURT REPORTER NOTES AND ELECTRONIC RECORDINGS OF A COURT PROCEEDING, HEARING, OR TRIAL, (MH Q: If a transcript is made, do the underlying notes or recording need to be retained?)			

² Statute (which one?) requires that process server applications be retained for 3 years, so an additional 1 year buffer period is appropriate.

Records Series #	Records Series Title	Retention Period with Court	Full Retention Period at LAPR	Remarks
	a. Criminal non-capital cases, including grand jury, writs of habeas corpus, trial, and all other proceedings	10 years from the date of the proceeding, however, when a defendant is tried in absentia or fails to appear for sentencing, the record of the proceeding must be transcribed (Note: Should this issue be reviewed with COSC?)	N/A	
	b. Criminal capital cases, including grand jury, writs of habeas corpus, trial, and all other proceedings	50 years from the date of the proceeding	N/A	
	c. Non-criminal	5 years from the date of the proceeding	N/A	
	d. Juvenile	10 years from the date of the proceeding	N/A	
	ADMINISTRATIVE REVIEW DOCUMENTS FOR ANY MATTER, such as a denial of access to records	Until reference value served	N/A	
FINANCIAL RECORDS HELD BY EITHER THE CLERK OF COURT OR COURT ADMINISTRATION				
	XXX			
COURT ADMINISTRATION RECORDS				
	COURT CALENDAR	Until reference value served	N/A	
	VISITING JUDGE SCHEDULE AND CONTACT INFORMATION??	3 years from date of attendance at court??	N/A	
	COURT VISITOR SCHEDULE AND CONTACT INFORMATION??	?	N/A	

Records Series #	Records Series Title	Retention Period with Court	Full Retention Period at LAPR	Remarks
	FORMER CHIEF PRESIDING JUDGE BUSINESS PAPERS This records series consists of records generated by presiding judges to provide guidance, direction and/or general information related to the administration or non-case related business operations of the court.	Until term is completed	Permanent	The court administrator shall work with the presiding judge to determine whether the presiding judge desires to send these papers to LAPR.
	ADMINISTRATIVE ORDERS	10 years from the year filed	Permanent	
	STATISTICAL REPORTS REQUIRED BY THE AOC	5 years from the year prepared	N/A	

RECORDS HELD BY THE JURY COMMISSIONER

	MASTER JURY LIST	Until new list created	N/A	
	MASTER JURY FILE	Until new list created	N/A	
	RETURNED JUROR QUESTIONNAIRES			
	a. When jury commissioners include the juror questionnaire with the summons	90 days from the date received by the court	N/A	
	b. When jury commissioners send the juror questionnaire separate from the summons	2 years from the date received by the court	N/A	
	OTHER NON-FINANCIAL JUROR RECORDS	Until reference value served	N/A	
	FINANCIAL JUROR RECORDS NOT HELD BY ANOTHER RECORDS CUSTODIAN	3 years after fiscal year prepared	N/A	

RECORDS HELD BY THE COURT HUMAN RESOURCES DEPARTMENT

Records Series #	Records Series Title	Retention Period with Court	Full Retention Period at LAPR	Remarks
	XXX			
CASE FILES HELD BY PRETRIAL SERVICES				
	CASE SUPERVISION FILES	1 year after the retention period of the underlying case file held by the clerk		
RECORDS HELD BY ADULT PROBATION				
	XXX			
RECORDS HELD BY JUVENILE PROBATION				
	XXX			

THE FOLLOWING PROVISIONS HAVE NOT YET BEEN REVISED

E. Transfer of Records to Arizona State Library, Archives and Public Records.

Clerks shall comply with the following procedures for transfer of records to ASLAPR:

1. Records to be archived. For purposes of this schedule, all superior court records that have a retention period of fifty or more years shall be transferred from the clerk of court to the Archives Division of the Arizona State Library, Archives, and Public Records (ASLAPR) for permanent storage at the end of the retention period. To assist courts with inadequate file storage facilities, ASLAPR will accept records for archiving that are within five years of the end of their retention period.
2. Format of records. Until national standards for the long-term preservation of electronic records are in place, records transferred shall be in either paper or microfilm format. The film negatives of microfilmed records, if available, shall be sent to ASLAPR. If not available, ASLAPR will accept the use/diazo copy. If a film negative is transferred, the clerk may request a copy from ASLAPR in the

event the clerk has retained a use/diazo copy that has become unusable due to physical deterioration. Prior to microfilming and purging paper records, the clerk shall notify the ASLAPR as required by Rule 29(E), Rules of the Supreme Court (“destruction notice”).

3. Indexing and packaging. Each record transfer shall be accompanied by a master index that identifies the cases being transferred by case number, initial caption, filing date, case type, and county. Identification of any historic or landmark cases shall also be noted on the index. The recommended means of packaging records for transfer to ASLAPR is:
 - an acid-free cardboard carton with the following dimensions: 18x15x12, although other types and sizes of cartons will be accepted.
 - records boxed in an upright position with file tabs easily visible.
4. Transfer notice and scheduling delivery. Each time records are transferred for permanent archiving, the record custodian shall complete the “Agreement to Transfer Records” form available on the ASLAPR website. Delivery and transfer of legal custody of records to the ASLAPR shall be done in accordance with processes established by ASLAPR. ASLAPR will charge no fees in connection with pickup, delivery and maintenance of permanently- archived court records.
5. Frequency of transfer. ASLAPR will accept records from the same county up to four times a year.

F. Historically Significant and Landmark Cases. Clerks shall comply with the following procedures for designating and archiving historically significant and landmark cases:

1. Designation of historically significant cases
 - a. Purpose. Certain cases filed in Arizona courts may be identified as historically significant because of the unique legal issue or controversy involved, the prominence of one or more of the parties to the action, or because of other high profile or newsworthy reasons. When there is reason to believe that a case falls into this category, the following procedures shall be observed to ensure these records are maintained for historical purposes, rather than destroyed under the term found in the records retention schedule.
 - b. Procedure for designating an historically significant case. A motion to designate a case as historically significant shall be filed either by a member of the public or on the court’s own motion. The motion shall identify one or more reasons for designating the case as historical.
 - c. Processing and archiving. The motion requesting historical case designation shall be filed prior to the transfer of the case file to ASLAPR. The clerk shall file the original order granting or denying the motion for historical case

designation in the case file. The presiding judge or justice of the peace shall decide the motion. If the motion is granted, the clerk shall transfer the original intact case file, if any, and the microfilm, if any, to ASLAPR for permanent retention in accordance with the applicable schedule. Identification of the case as historically significant shall be prominently noted on the master index transferred along with the case file to the ASLAPR.

2. Designation of landmark cases

a. Identifying landmark cases

- (1) The following factors shall be considered in deciding whether a case is a landmark case:
 - (a) The frequency with which the case has been cited;
 - (b) Whether the case has been designated as historically significant;
 - (c) Whether the case caused a change in policies or laws;
 - (d) Whether the case affected a large portion of the community and was controversial;
 - (e) Whether the case is generally viewed by the community as important;
 - (f) Whether the case involved a famous or notorious individual or was the subject of a well-known book or feature film; and
 - (g) Any other factor considered relevant.
- (2) Any case that has been the subject of a published opinion of the United States Supreme Court shall be designated as a landmark case.

b. Procedure for designating a landmark case.

- (1) The Arizona Historical Records Advisory Board shall designate landmark cases eligible under section (F)(2)(a)(1) in consultation with a committee convened by the Board for this purpose. The committee shall consist of Board members, retired appellate court judges or justices, law professors, historians, or other like persons who have objective, informed views about the long-term significance and effect of eligible published appellate opinions. The committee shall meet periodically to review all published appellate opinions no less than five years and no more than nine years after they are issued to determine which cases should be designated as landmark cases.
- (2) No more than ten years after the opinion was issued, and with the Board's approval, the Director of the Division of Arizona History and Archives shall provide written notice of landmark designation to the clerk of the superior court in the county of origin, the clerk of the appropriate division of the court of appeals, and the clerk of the supreme court who shall apply

the process for landmark case file processing contained in retention and disposition schedules applicable to their respective courts.

- (3) Landmark designation under subsection (1)(B) herein shall be made by the clerk of the superior court in the county of origin.
- c. Processing and archiving. The landmark case designation shall be made prior to the transfer of the case file to the Arizona State Library and Archives. The clerk shall file the original notice of designation in the case file. If the case file has not yet been purged, the clerk shall transfer the original intact case file and microfilm, if any, to the Arizona State Library, Archives and Public Records for permanent retention in accordance with the applicable schedule. Identification of the case as a landmark case shall be prominently noted on the master index transferred along with the case file to the ASLAPR.

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