

RECORDS RETENTION AND DISPOSITION SCHEDULE



RECORDS OF THE APPELLATE COURTS

DIVISION OF COURT OPERATIONS
OFFICE OF RECORDS MANAGEMENT

Rev. October 2005

**ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATOR OF THE COURTS**

Pursuant to the authority vested in me, upon consultation with the Administrative Board of the Courts, and with the approval of the Chief Judge of the Court of Appeals and the Presiding Justices of the Appellate Divisions for the records in their respective courts, I hereby promulgate, effective immediately, the attached schedules for the retention and disposition of court records. Disposition of records pursuant to these schedules shall be in accordance with Part 104 of the Rules of the Chief Administrator.

Matthew T. Crosson
CHIEF ADMINISTRATOR OF THE COURTS

Dated: July 5, 1989

AO/241 /89

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NEW YORK STATE UNIFIED COURT SYSTEM

RECORDS OF THE APPELLATE COURTS

RECORDS RETENTION AND DISPOSITION SCHEDULE

The following list of record series includes the records created by the Appellate Courts of New York State.

ALL RECORDS DATING PRIOR TO 1896 ARE TO BE RETAINED PERMANENTLY.

COURT OF APPEALS

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10010.	ABSTRACTS OF OPINIONS IN JUDGE EDWARD T. BARTLETT IN REPORTED CASES (J0232) ¹	Retain permanently for research purposes.
10020.	ALPHABETICAL REGISTER Index to cases heard by the Court of Appeals. Information listed includes appellant's name, date of hearing, calendar number and date decided.	Retain permanently.

¹ All records followed by a "J" refer to records which are on deposit with the New York State Archives.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10030.	CASELOAD ACTIVITY REPORTS Copies of the statistical report (UCS 172-CA) that is filed with the Office of Court Administration.	File original with the Office of Court Administration. Retain court copy for one year, then destroy.
10040.	CASES AND BRIEFS Appellant's Record on Appeal and Brief and the respondent's Brief.	Retain permanently.
10050.	CASES AND BRIEFS: INDEX Alphabetical Index to the Cases and Briefs. The index cross-references the appellant's name to the official citation.	Retain permanently.
10060.	CLERK'S CALENDARS (J1200)	Retain permanently for research purposes.
10070.	CLERK'S MINUTES (J0212)	Retain permanently for research purposes.
10080.	COMMON ORDER BOOKS Log Books recording orders issued by the court. Includes the date of the order, caption and text of the order.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10090.	CORRESPONDENCE: APPEALS Correspondence relating to the filing of papers, motions and other aspects of a case on appeal.	Retain for two years, then destroy.
10100.	CRIMINAL APPEALS INDEX Alphabetical card file or computer-generated list of applications to the court in criminal appeals. Includes the defendant's name, charge, trial court, district attorney's name, date of application and decision date.	Retain for three years, then destroy.
10110.	CRIMINAL LEAVE APPLICATIONS Alphabetical file of applications for criminal leave to appeal to the Court of Appeals. Documents include but are not limited to appellant and respondent's briefs, application for leave to appeal, affidavits, supporting papers and order granting leave or certificate denying leave.	Retain for three years from date of disposition, then destroy. If requested, briefs may be returned prior to three year retention.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10120.	DECISIONS FOR DISTRIBUTION Chronological list of the text of all decisions of the Court of Appeals. This list is for distribution to the Office of the State Reporter and is the basis for <u>New York Reports</u>.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
10130.	DECISION SLIPS Chronological sheets recording the decisions of the court reached during decision conferences. Includes the judges' names, date of decision, vote and the decision.	Retain permanently.
10140.	DECISION SUBSCRIPTION LIST List of all recipients of the court's decisions for distribution. Court maintains separate lists for paid and free subscribers.	<ul style="list-style-type: none"> a. Retain free subscriber list until updated, then destroy. b. Retain paid subscriber list for six years, then destroy.
10150.	DOCKET BOOKS (J2212)	Retain permanently for research purposes.
10160.	DOCKET BOOKS OF MOTIONS (J1224)	Retain permanently for research purposes.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10170.	INTERNAL REPORTS Sealed internal reports, prepared by judges or law clerks, which provide background information on the case, outline the issues, refer to points of law and may provide a recommendation. Internal reports include the following types: Bench Notes, Motion Report, Sua Sponte Dismissal (SSD) and Sua Sponte Mertis (SSM).	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10180.	<p>JURISDICTIONAL STATEMENTS</p> <p>Mandatory statements filed by the appellant, providing the Court with basic case identification and jurisdictional facts. The statement must include the case title, court from which appeal is taken, date of service and filing of appeal, name and address of respondent's attorney. The appellant must also detail the constitutional, statutory, case or other authority supporting the assertion that the court has jurisdiction to entertain the appeal. Appellant must also file copies of the notice of appeal, order appealed from, memoranda opinion of the Appellate Division and formal or informal findings.</p>	<p>Retain for two years from date of disposition, then destroy.</p>
10190.	<p>JUSTICE REGISTERS (J0312)</p>	<p>Retain permanently for research purposes.</p>

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10200.	MINUTES OF CAUSES Chronological log books recording the activities in case processing. Includes appellant and respondent names, motions filed, date filed, date argued, date remittitur returned and decision.	Retain permanently.
10210.	MINUTES OF THE COURT OF APPEALS Log book recording certain administrative orders issued by the court.	Retain permanently for research purposes.
10220.	MOTION DECISION BOOKS (MOTION BOOKS) Chronological log books recording activities in motion processing. Includes movant and respondent names, dates papers filed, date submitted, date decided and text of decision and order.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10230.	MOTIONS An application to the court requesting an order or rule in favor of the applicant. Documents may include motions, notice of motion, affidavits, affirmations in support or opposition and supporting documents.	Retain for five years from date of disposition of the motion, then destroy.
10240.	ORIGINAL PAPERS (also known as JUDGMENT ROLLS) Trial court case file that was transmitted to the Court of Appeals. Contains all of the papers of the trial court proceeding.	After disposition, return to court of first instance or Appellate Division.
10250.	REGISTER OF DECISIONS (J0107)	Retain permanently for research purposes.
10260.	REGISTER OF MOTIONS (J0224)	Retain permanently for research purposes.
10270.	ROUGH MINUTES (J02108)	Retain permanently for research purposes.

COURT OF APPEALS - COMMISSION ON JUDICIAL CONDUCT

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10280.	COMMISSION ON JUDICIAL CONDUCT CASE FILES Documentary record of proceedings in a case of alleged judicial misconduct. Contains all papers and documents relating to a case. Includes, but is not limited to, notices, transcripts, referee's report, determination, motions and related correspondence.	Retain permanently.

COURT OF APPEALS - ATTORNEY ADMISSIONS

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10290.	APPLICATIONS FOR WAIVER OF RULES Petitions for waiver of the Court of Appeal's rules and permission to take the Bar examination. Includes petition, decision, report of roll clerk and supporting documents.	Retain permanently.
10300.	ATTORNEY AFFIDAVITS Oaths of registration filed by attorney or the Appellate Division, upon attorney's admission to practice.	Retain for fifty years, then destroy.
10310.	ATTORNEY INDEXES Any manual or machine-readable material that provides information on access to attorneys admitted to the Bar.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10320.	ATTORNEY ROLL Quarterly, computer-generated report of all registered attorneys in New York State. Includes the attorney's name, residence, name change, disciplinary action, date of oath and admission, location of admission and attorney affidavit volume number.	Retain until updated roll is received, then destroy.
10330.	CERTIFICATE OF RECORD BOOKS Log books of all individuals issued a certificate of clerkship.	Retain permanently for research purposes.
10340.	CERTIFICATES OF COMMENCEMENT OF CLERKSHIP Certificates of clerkship registering law clerks with the Court of Appeals. The certificate is filed by the attorney under whom the clerk will serve. The law clerk will study the law in a law office in preparation for the Bar examination.	Retain permanently for research purposes.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10350.	CERTIFICATES OF COMMENCEMENT OF CLERKSHIP: INDEX (J0100)	Retain permanently for research purposes.
10360.	INDEX TO REGENTS CERTIFICATE Any manual or machine- readable material that provides information on access to the law student qualifying certificates.	Retain permanently for research purposes.
10370.	LAW STUDENT QUALIFYING CERTIFICATES Certificates of individuals who do not have B.A. degree but who have been found qualified for admission to law school or for clerkship appointment.	Destroy immediately.
10380.	LIST OF ATTORNEYS ADMITTED AND DISCIPLINED APPELLATE DIVISION (J2101)	Retain permanently for research purposes.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10390.	OFFICIAL REGISTER OF ATTORNEYS AND COUNSELORS AT LAW IN THE STATE OF NEW YORK Log books listing all attorneys admitted to practice.	Retain permanently.
10400.	WAIVER ORDER LOG BOOKS Recorded orders on applications for waiver of rules.	Retain permanently.

COURT OF APPEALS - STATE BOARD OF LAW EXAMINERS

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10410.	BAR EXAMINATIONS: COMPLETED Completed and graded Bar examinations.	Retain for two years from date of examination, then destroy.
10420.	BAR EXAMINATIONS: ORIGINAL Master copy of Bar examination questions and model answers.	Retain permanently.
10430.	CANDIDATE APPLICATION REGISTERS Log books, card files or computer-generated reports that record applications to take the Bar examination. Includes the applicant's name, address, age, date of birth, educational background, date of certificate, date of each examination, fail or pass, location of examination and regents certificate number.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10440.	CLASS LISTS Chronological lists, by exam date, of candidates who took the Bar examination and their grade. Lists also cross-reference a candidate's name to the exam number.	Retain for fifty years, then destroy.
10450.	IDENTIFICATION SLIPS Cards, containing basic personal identification information, completed by candidates on the day they take the Bar examination.	Retain for two years from date of examination, then destroy.
10460.	LAW STUDENT APPLICATIONS: ACTIVE Applications by individuals granted permission to take the Bar examination, who either failed or did not take the exam. Includes domestic and foreign applications.	Retain for ten years from date of application, then destroy.
10470.	LAW STUDENT APPLICATIONS: DENIED (J1102)	Retain permanently for research purposes.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10480.	LAW STUDENT APPLICATIONS: PASSED	
	Applications by individuals seeking permission to take the Bar examination and who subsequently passed. Includes domestic and foreign applications.	Retain for three years from date of examination, then destroy.
10490.	MOTION APPLICATIONS	
	Applications for education certificates by attorneys seeking admission by motion. Includes domestic and foreign applications.	Retain for two years, then destroy.
10500.	MULTISTATE AND ETHICS EXAMINATION SCORES	
	Grades of the multistate and ethics portions of Bar examinations.	Retain for fifty years, then destroy.
10510.	PROCTOR BOOKS	
	Attendance books signed by the applicants when the Bar examination is taken.	Retain for two years from date of examination, then destroy.

COURT OF APPEALS - OFFICE OF THE STATE REPORTER

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10520.	MINUTES OF THE COURT OF APPEALS DECISIONS (J0228)	Destroy immediately.

COURT OF APPEALS - FISCAL RECORDS

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10530.	CASH BOOKS * (J0236)	Retain permanently for research purposes.
10540.	LEDGERS* (J0244)	Retain permanently for research purposes.
10550.	REGISTER OF DISBURSEMENTS, CHANCERY FUND AND LIBRARY FUND* (J0241)	Retain permanently for research purposes.

* No longer created.

COURT OF APPEALS AND THE COMMISSION OF APPEALS
(PREDECESSOR TO COURT OF APPEALS: 1870 - 1875)

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10570.	CLERK'S CALENDARS (J0200)	Retain permanently for research purposes.
10580.	CLERK'S MINUTES (J1212)	Retain permanently for research purposes.
10590.	ENGROSSED MINUTES (J1108)	Retain permanently for research purposes.
10600.	ORDERS OF DISMISSAL (J1232)	Retain permanently for research purposes.
10610.	ROUGH MINUTES (J0108)	Retain permanently for research purposes.

COURT FOR THE CORRECTION OF ERRORS
(PREDECESSOR TO COURT OF APPEALS: 1784 - 1847)

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10620.	APPEALS AND CASES IN ERROR: INDEX (J0158)	Retain permanently for research purposes.
10630.	CORRESPONDENCE: CLERK'S INCOMING (J4157)	Retain permanently for research purposes.
10640.	JUDGMENTS AND DECREES: DRAFTS (J2157)	Retain permanently for research purposes.
10650.	MINUTES OF CAUSES (J0161)	Retain permanently for research purposes.
10660.	MINUTES OF THE COURT OF ERRORS (J0159)	Retain permanently for research purposes.
10670.	NOTICES OF ARGUMENTS (J1157)	Retain permanently for research purposes.
10680.	RECORD OF APPEALS AND CASES IN ERROR (J0157)	Retain permanently for research purposes.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10690.	ROLL CALL FORMS (J3157)	Retain permanently for research purposes.
10700.	ROUGH MINUTES (J0162)	Retain permanently for research purposes.
10710.	TRANSFERRED CASES AND COVER MEMORANDA (J1161)	Retain permanently for research purposes.

COURT ON THE JUDICIARY
(PREDECESSOR TO COMMISSION ON JUDICIAL CONDUCT:
1947-1978)

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10720.	COURT ON THE JUDICIARY - CASE FILES Records of proceedings of actions to discipline or remove a judge. Contains all papers relating to the case. Includes, but is not limited to, orders, motions, answers, decisions, internal notes and certification of the court.	Retain permanently.

APPELLATE DIVISION

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10730.	ADMINISTRATIVE CONFERENCE RECORDS	
	Agenda, minutes and other records of administrative meetings of the Justices.	Retain permanently.
10740.	APPELLATE JUSTICE APPOINTMENTS	
	Certificate from the Governor, appointing a Justice to the Appellate Division Bench.	Retain permanently for research purposes.
10750.	CALENDARS	
	Daily listings of cases to be heard before the Court.	Retain for one year, then destroy.
10760.	CASELOAD ACTIVITY REPORTS	
	Copies of the caseload activity report (UCS 172-AD) that are filed with the Office of Court Administration.	File original with the Office of Court Administration. Retain court copy for one year, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10770.	CERTIFICATES OF PROFESSIONAL CORPORATION Certified copy of incorporation papers and annual reports filed by law firms practicing within the jurisdiction of the Appellate Division.	Retain permanently.
10780.	CORRESPONDENCE Correspondence from appellants and respondents regarding the status of the appeal. Also, correspondence, principally from prisoners and the public, regarding incarceration conditions, claims of unfair treatment, inquiries on court rules and other topics. (These files are <u>not</u> the correspondence of the Chief Clerk.)	Retain for five years or until no longer needed, whichever is shorter, then destroy.
10790.	COURT ASSIGNMENTS Copies of orders establishing assignments and terms of the Supreme Court and temporarily reassigning Judges of other county or local courts.	Retain for two years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10800.	DECIDED APPEALS LOG BOOKS Internal, unofficial log books of appeals which have been decided. This record is an administrative aid used to determine the status of appeals.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
10810.	DECISION CHECK-OFF BOOKS Internal log books used to record and process court decisions.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
10820.	DECISION DISTRIBUTION LISTS Chronological lists, by term or hand-down day, of all decisions of the court. This list is for internal reference and for distribution to publishing companies and the public.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
10830.	DECISIONS Official Appellate Division record of decisions on appeals or motions. Includes the participant names, date of decision and text of decision.	Retain for ten years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10840.	DECISIONS: INDEXES Any manual or machine-readable material that provides information on access to the decisions.	Retain for ten years, then destroy.
10850.	DEMANDS Procedural documents used to notify respondents to submit a brief. This procedure permits the court to place cases on the calendar if the respondent fails to file the brief.	Retain for one year, then destroy.
10860.	EXHIBIT RECEIPTS Card file regulating the return of exhibits. Card lists the case name and identifies the exhibit, the date of return and the name of person picking up the exhibit.	Retain for five years from date of disposition, then destroy.
10870.	EXHIBITS Exhibits presented as supporting documentation in an appeal.	Destroy thirty days after disposition, unless return is requested by owner. If requested, return to owner.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10880.	INTERNAL REPORTS (also known as PRELIMINARY REPORTS or MEMORANDA TO THE COURT)	Retain for fifteen years, then destroy.
	Sealed, internal report, usually prepared by law clerks to assist Justices in rendering a decision. The reports outline the issues in the appeal, refer to points of law and precedent and provide a recommendation. A report is prepared for every appeal.	
10890.	INTERNAL REPORTS: INDEXES	Retain for fifteen years, then destroy.
	Any manual or machine- readable material that provides information on access to the internal reports.	
10900.	MINUTE (CALENDAR) BOOKS	Retain permanently.
	Chronological log books of hearings of the court. Contains the court's calendars, lists the attorneys appearing on cases and indicates whether appeals were submitted or argued.	

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10910.	MOTION REPORTS (also known as BUCK SLIPS)	
	Brief outline of issues involved in the motion. Report also lists the Justices hearing the motion and notes the decision.	Retain for five years from date of disposition of the motion, then destroy.
10920.	MOTIONS	
	Any applications to the court requesting an order or a rule in favor of the applicant. The documents in this record series are the motion papers, notice of motion, affidavits, affirmation in support or opposition, and other supporting documents.	Retain for five years from date of disposition, then destroy.
10930.	NOTICE OF APPEAL	
	Court copy of the notice of appeal which was transmitted to the Appellate Division from the trial court.	a. Retain criminal notices for five years, then destroy. b. Retain civil notices for one year or until no longer needed, whichever is shorter, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10940.	ORDERS Original copies of orders issued by the court. These orders may be filed separately or bound into books. Includes orders issued on appeals as well as on motions.	<ul style="list-style-type: none"> a. Retain final orders permanently. b. Retain motion orders for five years, then destroy.
10950.	ORDERS LOG BOOKS Alphabetical logs of all orders issued by the court. Includes the names of the participants, type of order, the decision, date of order and the appeal or motion number.	Retain permanently.
10960.	ORIGINAL PAPERS (also known as JUDGMENT ROLLS) Trial court case files that were transmitted to Appellate Division. These records contain the trial court transcripts and papers of the proceedings and a copy of the Appellate Division's order on the appeal.	After disposition, remit to trial court of original jurisdiction or originating administrative agency.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10970.	<p>ORIGINAL PROCEEDINGS CASE FILES</p> <p>Documentary records of an original proceeding before the Appellate Division. Types of proceedings included are Article 78 proceedings against a Supreme Court Justice or County Court Judge, eminent domain, land annexation and condemnation, appointment of railway commissioners, review and determination on railway commissioner reports and any other proceeding for which the Appellate Division has been designated, by statute, as the court of first instance. These case files contain all papers and documents relating to the proceeding. Includes but is not limited to, petitions, affidavits, notices, motions, referee reports, transcripts and orders.</p>	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10980.	PRE-ARGUMENT PROGRAM CASE FILES	
	Documentary records of a proceeding before the Pre-Argument Program. This program is an arbitration proceeding which attempts to resolve disputes prior to presentation to the Appellate Division. These case files contain all papers and documents relating to the proceeding, including but not limited to, notices, motions, pre-argument statement and referee's report. All papers are copies; the originals are filed with the trial court or with the motion papers.	Retain for one year from conference, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
10990.	<p>RECORD OF COURT ACTIVITY (including APPEAL CARD FILE, CLERK'S REGISTRY, REGISTRY OF CAUSES, FACE SHEETS, DISPOSITIONAL CASE CARDS, MOTION CARDS and any other record which serves as the official record of proceedings of the Appellate Division (see CPLR 9701.1))</p> <p>Manual or machine-readable records that list the titles of proceedings and include entries of all actions, submitted papers and dispositions.</p>	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11000.	<p>RECORDS AND BRIEFS (also known as CASES AND BRIEFS)</p> <p>Bound or microfiche briefs and record on appeal books that were submitted by the appellant and respondent. The briefs are the submitted arguments which interpret the facts in the case, raise questions of law and request a specific decision of the Court. Record on appeal books include the notice of appeal and the transcript of the trial court proceedings and supporting documents from the lower court. (Note: The Appellate Division is only required to keep one copy of this record permanently. The remaining copies may be disposed of at the discretion of the Appellate Division.)</p>	Retain permanently.
11010.	<p>RECORDS AND BRIEFS: INDEXES</p> <p>Any manual or machine-readable material that provides information on access to the records and briefs.</p>	Retain permanently.

APPELLATE DIVISION - ANCILLARY AGENCIES

APPELLATE DIVISION - COMMITTEE ON CHARACTER AND
FITNESS OF APPLICANTS FOR ADMISSION TO THE BAR

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11040.	<p>ATTORNEY ADMISSION CASE FILES</p> <p>Applications by attorneys for admission to the New York State Bar. Applications may be by attorneys who have recently passed the Bar examination or by practicing attorneys from other jurisdictions. Includes the petition, affidavits of moral character and employment, academic credentials, character references, reports from National Conference on Bar Examiners, certificates of conviction/dismissal and other background materials.</p>	<p>a. Retain all petitions permanently.</p> <p>b. Remainder of Case File:</p> <ol style="list-style-type: none">1. Retain case files which have been denied, or in which applicant's character is questioned, for fifty years, then destroy.2. Retain approved case files in which applicant's character was not questioned for five years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11050.	ATTORNEY ADMISSION INDEXES Any manual or machine-readable material that provides information on access to the attorney admission case files. Includes the attorney's name, address when admitted, date of admission, order book number and remarks. Also noted or attached will be information on disciplinary actions, if any, against the attorney.	Retain permanently.
11060.	ATTORNEY ADMISSION ORDER BOOKS Chronological log books of orders admitting attorneys to the Bar.	Retain permanently.
11070.	ATTORNEY ADMISSION RECEIPT BOOKS (also known as DIPLOMA RECEIPT BOOKS) Chronological receipt books recording the collection of fees in payment for a certificate of admission.	Retain for six years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11080.	ATTORNEY ADMISSION ROLLS Log books listing attorneys admitted to the Bar. Includes the attorney's name, address and date submitted.	Retain permanently.
11090.	ATTORNEY ADMISSIONS: ATTORNEY'S CHANGE OF NAME Log books listing name changes by attorneys.	Retain permanently.
11100.	ATTORNEY ADMISSIONS: REGISTERS OF REJECTED APPLICATIONS FOR ADMISSION Log books of actions taken by the Character Committee listing hearings and filings regarding rejections of applications.	Retain permanently.

APPELLATE DIVISION - ATTORNEY DISCIPLINE

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11110.	ATTORNEY DISCIPLINE CASE FILES Documentary records of proceedings by the Appellate Division to discipline attorneys. Case files contain all papers relating to the proceeding. Includes, but is not limited to, petition, notices, motions, orders, transcripts and referee's report. An attorney discipline case is an original proceeding of the Appellate Division.	Retain for fifty years from date of disposition, then destroy.
11120.	ATTORNEY DISCIPLINE: MINUTE BOOKS Log books of disciplinary proceedings, listing all of the actions and papers in the proceeding.	Retain permanently.
11130.	ATTORNEY DISCIPLINE: ORDER BOOKS Log books of disciplinary orders issued by the court.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11140.	ROLLS OF DISBARRED ATTORNEYS	
	Log books listing attorneys disciplined by the Appellate Division. Includes the attorneys name, dates of order, date of termination of order and indication of whether the attorney was censured, suspended or disbarred.	Retain permanently.

APPELLATE DIVISION - MEDICAL MALPRACTICE PROGRAM

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11150.	MEDICAL MALPRACTICE CASE FILES Documentary records of proceedings before Medical Malpractice Panels. Contains all papers and documents relating to panels. Includes copies of case papers from Supreme Court, background materials from both parties and the recommendation of the panel. All documents, including the panel recommendation, are duplicates. Original papers are in the case file of the court of original jurisdiction.	Retain for one year, then destroy.

APPELLATE DIVISION - LAW GUARDIAN

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11160.	LAW GUARDIAN VOUCHER REGISTERS Log books which control the intake and transmittal of law guardian vouchers. Includes voucher numbers, attorney's names, amounts claimed, dates paid, date sent and processor names.	Retain for six years, then destroy.
11170.	LAW GUARDIAN VOUCHERS Copies of law guardian vouchers filed with the Appellate Division. Appellate Division processes the claims and transmits a copy to Audit and Control.	Retain for six years, then destroy.

APPELLATE DIVISION - COMMITTEE ON PROFESSIONAL
STANDARDS, GRIEVANCE COMMITTEE

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11180.	<p>CASE FILES: DISCIPLINE</p> <p>Case files containing the documentary record of an investigation of a complaint filed against an attorney. Information includes, but is not limited to, investigation report, complaint, attorney response, transcripts, report of referee, petition to the Appellate Division, affidavits, motions, orders and the decision of the court.</p>	<p>Retain for fifty years, then destroy.</p>
11190.	<p>CASE FILES: REJECTIONS (also known as FAILURE TO STATE A COMPLAINT)</p> <p>Record of a complaint dismissed without notification to or involvement of the attorney. Includes complaints which did not make a prima facie case for professional misconduct, which were referred to other committees or agencies, or which for any reason did not fall within the jurisdiction of the committee.</p>	<p>Retain for one year from date of disposition, then destroy.</p>

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11193.	CASE FILES: DISMISSAL NO ACTION Record of proceedings which resulted in dismissal of complaint after hearing or investigation.	Retain for five years from date of disposition, then destroy.
11195.	CASE FILES: CLOSED WITH ADVISEMENT Record of proceeding which resulted in a comment (warning) to attorney. May include Letter of Caution, Admonition, Education, Advisement, Reprimand or Instruction.	<ul style="list-style-type: none"> a. Retain letter for ten years from date of disposition, then destroy. b. Retain remainder of file for five years from date of disposition, then destroy.
11200.	INDEXES: CASE FILES Any manual or machine-readable material that provides information on access to the case files. Includes the names of the complainant and respondent, date opened and date closed.	Retain for fifty years, then destroy.
11210.	STATISTICAL REPORTS: OFFICE OF COURT ADMINISTRATION Copies of statistical reports (UCS-145) that are filed with the Office of Court Administration.	File original with the Office of Court Administration. Retain committee copy for one year, then destroy.

APPELLATE DIVISION - MENTAL HYGIENE LEGAL SERVICE

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11220.	<p>CASE FILES</p> <p>Documentary record of the clients of the MHLS. Case files will contain all papers and documents relating to the activities of MHLS and the protection of the rights of their clients. Includes, but is not limited to, admission papers, petitions, motions, court orders, hospital medical files, mental health reports and notices of status and rights. This record series encompasses the following types of case files: voluntary and involuntary admissions, CPL admissions, conservator, committee and guardianship proceedings and accountings, mental retardation, social security benefit proceedings and other case proceedings not otherwise described on this schedule. Note: The case files, except for transmittal correspondence, contain only duplicate copies. The original papers are on file in hospitals or in the County Clerk's Office.</p>	<p>Retain for three years after date of discharge or after three years of case inactivity, then destroy.</p>

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11230.	<i>RECORD SERIES DELETED</i>	
11240.	INCIDENT REPORTS MHLS copies of incident reports that were filed by the committing agency. This record series contains incident reports that are not filed with the case file.	Retain for three years, then destroy.
11250.	INDEXES: CASE FILES Any manual or machine-readable material that provides information on access to the case files. Index may include, but is not limited to, client's name, type of admission, date of admission, release or continuation dates, expiration dates and types of hearings.	Retain for fifty years, then destroy.
11260.	STATISTICAL REPORTS OFFICE OF COURT ADMINISTRATION Copies of statistical reports (UCS-140) filed with the Office of Court Administration.	File original with Office of Court Administration, retain MHLS copy for one year, then destroy.

SUPREME COURT - GENERAL TERM
(PREDECESSOR TO THE APPELLATE DIVISION: 1847 -1895)

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11270.	ATTORNEY ADMISSION CASE FILES Application by attorneys for admission to the New York State Bar. The case file will include application, affidavits of moral character and employment, academic credentials, certificate of clerkship and law student qualification certificate.	Retain permanently for research purposes.
11280.	ATTORNEY ADMISSION ROLLS Log listing attorneys admitted to the bar by each district of the General Term. Includes the attorney names, addresses and dates admitted.	Retain permanently for research purposes.
11290.	CASES AND BRIEFS Appellant's record on appeal and brief and the respondent's brief that were submitted to the General Term in support of the appeal.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11300.	<p>MINUTE BOOKS</p> <p>Chronological log book listing all of the appeals argued before the court and the decisions of the court. Includes names of Justices, appellant, respondent and attorneys, date of argument and decisions.</p>	Retain permanently.
11310.	<p>ORDERS</p> <p>Original copy of orders issued by the court. Includes orders issued on appeals and motions. The orders may be filed separately or transcribed into books.</p>	Retain permanently.
11320.	<p>ORIGINAL PROCEEDINGS CASE FILES</p> <p>Records of original proceedings before the General Term. Includes petitions for the appointment of commissioners, the court's review and determination on commissioner reports and all other original proceedings of the General Term.</p>	Retain permanently.

APPELLATE TERM

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11330.	APPEAL (FILE AND ENTRY) BOOKS Log books listing all the papers submitted to the Appellate Term.	Destroy immediately.
11340.	BRIEFS Arguments submitted by the appellant and respondent interpreting the facts in the case, raising questions of law and precedent, and requesting a specific decision of the court.	Retain for two years from disposition, then destroy.
11350.	CALENDARS Daily lists of cases that are to be heard in court. Include calendars for arguments and motions.	Retain for one year or until no longer needed, whichever is shorter, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11360.	CASELOAD ACTIVITY REPORTS - OFFICE OF COURT ADMINISTRATION	
	Copies of the caseload activity report (UCS 172-AT) that are filed with the Office of Court Administration.	File original with the Office of Court Administration. Retain court copy for one year, then destroy.
11370.	DECISION BOOKS	
	Log books listing all decisions on appeals and motions issued by the court. Includes the date of decision, appellant's name, type of motion and decision.	Retain permanently.
11380.	INTERNAL REPORTS	
	Sealed, internal reports, usually prepared by law clerks to assist the Justices in reaching a decision on an appeal. The reports outline the issues in the appeals, refer to points of law and precedent, and provide recommendations. A report is prepared for every appeal.	Retain for twenty-five years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11390.	INTERNAL REPORTS: INDEX	
	Card files providing information on access to the internal reports.	Retain for twenty-five years, then destroy.
11400.	MINUTE BOOKS	
	Numerical log books, by calendar number, listing all of the actions taken in an appeals proceeding.	Retain permanently for research purposes.
11410.	MOTION LOGS	
	Chronological log books or machine-readable records of all motions heard by the court. Includes the names of participants, types of motion, dates of hearing, names of justices and decisions.	Retain for five years from date of disposition, then destroy.
11420.	MOTION PAPERS	
	Applications to the court requesting an order or a rule in favor of the applicant. Includes motion papers, notices of motion, affidavits, affirmations in support or opposition, and supporting documents.	Retain for five years from date of disposition of the motion, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11430.	NEW YORK LAW JOURNAL SCRAP BOOKS	
	Clippings from the <u>New York Law Journal</u> pertaining to the activities of the Appellate Term. Will include list of orders on appeals and motions, decisions and opinions.	Retain for ten years from date of last entry, then destroy.
11440.	NO FEE BOOKS - APPELLATE TERM	
	County Clerk records which cross-reference the Appellate Term calendar number to the County Clerk's case index number. This record provides information on access to Appellate Term case files stored by the County Clerk.	Retain permanently.
11450.	NOTICE OF APPEAL	
	Copy of the notice of appeal which initiates an action in the Appellate Term. The original notice of appeal is filed with the court of original jurisdiction.	Retain Appellate Term copy for two years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11460.	NOTICES OF ARGUMENT (also known as NOTES OF ISSUE)	
	Original copies of notices, sent to participating counsel announcing court dates for argument.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
11470.	OPINIONS/PER CURIAM	
	Documents submitted by the Justices describing the rationale for their decisions. Opinions may be jointly or individually presented by the Justices. Per Curiam opinions are "by the court" and express its decision without identifying the author.	Retain permanently.
11480.	ORDERS	
	Original copies of orders issued by the court. Includes orders issued on appeals and on motions.	a) Retain motion orders for five years, then destroy. b) Retain final orders permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11490.	<p>ORDERS LOG BOOKS</p> <p>Chronological log books, by date of order, of all orders issued by the court. Includes names of appellants and respondents, dates of order and types of order.</p>	<p>Retain for one year, then destroy.</p>
11500.	<p>ORIGINAL PAPERS (also known as JUDGMENT ROLLS)</p> <p>Trial court case files that have been transmitted to the Appellate Court. Contains the transcript, papers of the trial court proceedings and a copy of the Appellate Term's order on the appeal.</p>	<p>After disposition, remit to court of original jurisdiction.</p>

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11510.	<p>RECORD OF COURT ACTIVITY (including NOTICE OF APPEAL LOG BOOKS, PERFECTED APPEALS LOG BOOKS and any other record which serves as the official record of all proceedings of the Appellate Term)</p> <p>Manual or machine-readable records that indicate the title of all proceedings of the court. Includes entries of all actions, papers submitted and dispositions related to the proceedings.</p>	Retain permanently.
11520.	<p>RECORD ON APPEAL</p> <p>Record submitted by the appellant presenting the evidence upon which the appeal is based. (NOTE: One copy of the Record on Appeal is to be included in the remittitur.)</p>	Destroy immediately after disposition.

COUNTY COURT ACTING IN APPELLATE CAPACITY

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11530.	JUSTICE COURT APPELLATE CASE FILES Records of proceedings of an appeal heard in the County Court from a decision of a court of limited jurisdiction. Contains all papers relating to the appeal. Includes, but is not limited to, decision, report from trial court justice, copies of trial court case papers, notice of appeal, transcript, affidavit of errors, record on appeal and briefs.	a. Retain pre-1896 case files permanently. b. Post-1895 case files: Remit decision and lower court case papers to court of original jurisdiction. Retain remainder of case file for five years, then destroy.
11540.	JUSTICE COURT APPELLATE FILE AND ENTRY BOOKS (also known as APPELLATE DOCKET BOOKS) Log books recording all papers submitted in an appeal.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11550.	<p>JUSTICE COURT APPELLATE INDEX</p> <p>Any manual or machine-readable materials that provide information on access to the justice court case files. Includes the respondent names, attorneys, date of filing, date of perfection, date of argument, name of Justice Court, name of Justice.</p>	<p>Retain for five years, then destroy.</p>
11560.	<p>JUSTICE COURT APPELLATE SCHEDULING BOOKS</p> <p>Log books used to distribute incoming Justice Court appeals among county Judges.</p>	<p>Retain for one year or until no longer needed, whichever is shorter, then destroy.</p>

TRIAL COURT RECORDS OF APPEALS

SUPREME COURTS, COUNTY COURTS, SURROGATE'S
COURTS, FAMILY COURTS and COURT OF CLAIMS

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11570.	FILE AND ENTRY BOOKS: CIVIL Log books of all papers filed in civil appeals. (Note: This record may be an extension of the trial court File and Entry Book.)	Retain permanently.
11580.	FILE AND ENTRY BOOKS: CRIMINAL Log books of all papers filed in criminal appeals. (Note: This record may be an extension of the trial court File and Entry Book.)	Retain permanently.
11590.	RECORD ON APPEAL Trial court copy of record on appeal which the appellant had submitted to the Appellate Division. This record describes the appeal and provides supporting documentation.	Considered part of the case file. File in case file. If maintained separately, retain for same length of time as corresponding case file.

SUPREME COURT CRIMINAL APPEALS BUREAUS
NEW YORK CITY

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11600.	CRIMINAL APPEALS CASE FILES Case files prepared by the Appeals Bureau and transmitted to the Appellate Division. Contains duplicate of pertinent trial court case papers, notice of appeal and the original transcript of the lower court case proceedings.	a. Destroy duplicate trial court papers after disposition by the Appellate Division or Court of Appeals. b. Retain original file for same length of time as corresponding trial court case file.
11610.	CRIMINAL APPEALS CASE FILE: INDEX Any manual or machine-readable material that provides information on access to the criminal appeals case files. Record may also be used to control the transmittal of case papers from the Appeals Bureau to the Appellate Division and to provide access to the transcripts.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11620.	ORDER FORMS - COURT REPORTER MINUTES Forms used by the Appeals Bureau to monitor the ordering of minutes from the court reporter.	Retain for three years, then destroy.
11630.	RECORD OF APPEALS LOG BOOK Log book containing all appeal cases filed with the Appeals Bureau. Includes the appellant name, Supreme Court Justice's name, indictment number, date of arraignment, date of receipt of remittitur and whether appealed to the Court of Appeals.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11640.	<p>TRANSCRIPTS (MINUTES)</p> <p>Minutes of trial court proceedings recorded and transcribed by the court reporter and submitted to the Appellate Division in lieu of a record on Appeals Book. (Note: Transcripts for the Appellate Division, 1st Department are filed with the New York County Supreme Court Library.) This record series pertains only to those transcripts not filed in the Criminal Appeals Case File.</p>	<p>a. <u>Pre-1951 Transcripts:</u> Retain permanently for research purposes.</p> <p>b. <u>Post-1950 Transcripts:</u> Retain for same length of time as corresponding trial court case file.</p>
11650.	<p>TRANSCRIPTS: INDEXES</p> <p>Any manual or machine-readable materials that provide information on access to the transcripts. This record series may also be used to assign the transcript file number.</p>	<p>Retain permanently for research purposes.</p>

CRIMINAL COURT OF THE CITY OF NEW YORK
APPEALS BUREAU

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
11660.	<p>APPEALS BUREAU CASE FILES</p> <p>Case files prepared by the Criminal Court of the City of New York Appeals Bureau and transmitted to the Appellate Term. Contains a duplicate of all trial court case papers, the original notice of appeal and the original transcript of the trial court case proceedings. (The Appellate Term considers this record the remittitur.)</p>	<p>a. Retain duplicate trial court case papers for one year after disposition by the Appellate Term, then destroy.</p> <p>b. Retain original file for same length of time as corresponding trial court case file.</p>
11670.	<p>RECORD OF APPEALS FROM JUDGMENTS TO THE APPELLATE TERM</p> <p>Log book containing all appeal cases filed with the Appeals Bureau. Includes the Appeals Bureau case number, appellant name, trial court docket number, original judgment, and date of notice of appeal, date of stay (if applicable), date of order pauperis, (if applicable), judgment of appellate court and date of appellate judgment.</p>	<p>Retain permanently.</p>

**RULES OF THE CHIEF JUDGE
PART 38. RETENTION AND DISPOSITION OF THE RECORDS
OF THE COURTS OF THE UNIFIED COURT SYSTEM**

Section 38.1 Rules of the Chief Administrator of the Courts

(a) The Chief Administrator of the Courts, upon consultation with the Administrative Board of the Courts, shall adopt rules providing for the retention and disposition of the records of the courts of the Unified Court System, including (1) schedules for retention of each category of court record, (2) procedures for disposing of court records, (3) procedures for microphotography of court records, and (4) provisions to ensure the confidentiality of court records sealed or otherwise made confidential by law.

(b) Rules and schedules governing retention and disposition of records of the Court of Appeals and Appellate Divisions shall be adopted with the approval of the Chief Judge of the Court of Appeals and the presiding Justices of the Appellate Divisions for the records in their respective courts.

**RULES OF THE CHIEF ADMINISTRATOR
PART 104
RETENTION AND DISPOSITION OF COURT RECORDS**

Section 104.1 Application

(a) These rules shall apply to court records of all the courts of the Unified Court System, including records of commissioners of jurors. Any action taken with respect to the records of the Court of Appeals and Appellate Divisions shall be subject to the approval of the Chief Judge of the Court of Appeals and the Presiding Justices of the Appellate Divisions for the records in their respective courts.

(b) The term “court records” shall include all documents and records that are part of the court files of each case and all books, papers, calendars, statistical schedules and reports and other records pertaining to the management of court cases.

(c) The term “alternative format” shall mean a format for the reproduction and maintenance of records, including microphotography and electronic formats, approved by the Deputy Chief Administrator for Management Support.

(d) References to the Deputy Chief Administrator for Management Support shall include a designee of the Deputy Chief Administrator for Management Support.

Section 104.2 Retention Schedules

(a) The Chief Administrator of the Courts shall promulgate schedules for the retention and disposition of court records. These schedules shall include a description of each record and the time period required for its retention. The time periods shall take into account the needs of both the court and the parties appearing before the court, and the historical value of the records for research purposes.

(b) Unless a permanent record in an alternative format first is made and permanently retained, judgment rolls and other records, books and papers that affect the mental illness or the sanity or competency of any person shall be retained for at least 50 years; and that the judgment rolls and other records, books and papers that affect the marital rights or status or the custody of lineage of any person and judgment rolls regardless of their age that affect title to real property shall be retained permanently.

Section 104.3 Procedure for Disposition of Court Records

(a) Any court seeking to dispose of court records shall make a written request for such disposal to the Deputy Chief Administrator for Management Support. The request shall describe in appropriate detail the records sought to be disposed of, including the nature of the records and the range of dates of their filing or creation.

(b) The Deputy Chief Administrator for Management Support shall determine the request based upon the retention schedules created pursuant to section 104.2 of this Part and in accordance with the needs of the courts. The Deputy Chief Administrator may require that a sampling of the records be made, based upon a methodology approved by the Deputy Chief Administrator, and that the sample be retained for research purposes.

(c) Suitability of arrangement for the storage of court records outside of court facilities, including any contracts entered in for such storage, shall be approved by the Deputy Chief Administrator for Management Support.

(d) Nothing in the retention schedules or these rules shall limit the authority of the Deputy Chief Administrator for Management Support to permit the disposition of any court records upon a showing of special circumstances and as permitted by law.

(e) In those actions or proceedings where the retention schedules provide that the period of retention shall commence at the date of disposition of the action or proceeding, where the clerk of any court has opened a case file for such action or proceeding, and where a continuous period of at least five years has elapsed during which such file is totally inactive, there being no additional papers filed therein nor any additional notations made therein or on the file jacket, the required period of retention for such file shall be deemed to have commenced at the end of such five year period and the file may be disposed of in accordance with these rules and the appropriate retention schedules. This provision shall have no effect upon the action or proceeding or any substantive or procedural rights of any of the parties.

Section 104.4 Reproduction of Court Records in an Alternative Format

(a) All contracts, processes, procedures and apparatus for the reproduction of court records in an alternative format shall be subject to prior approval by the Deputy Chief Administrator for Management Support.

(b) Court records that have been reproduced pursuant to subdivision (a) may be disposed of pursuant to section 104.3, provided that the reproductions are satisfactorily identified and indexed, are in a format that allows for accurate reproduction, and are stored in a facility approved by the Deputy Chief Administrator for Management Support.

Section 104.5 Confidentiality

Court records that are reproduced in an alternative format, retained for research purposes or designated for disposition remain subject to all statutory provisions pertaining to access and confidentiality that are applicable to the original records. Arrangements for the reproduction, retention or disposal of court records that are sealed or otherwise deemed confidential must preserve the level of protection and nonaccess required by law.

RECORDS DISPOSITION REQUEST

FOR OCA USE

Court Code (if known): __ __ / __ __ / __ __ / __ __

Request # _____ Date Received _____

- 1. Court/OCA Office _____
 Address _____ (Zip Code) _____
 Contact Person _____ Title _____
 Phone () _____ Fax () _____
- 2. Record Series Title _____
- 3. Record Series No. _____ () 4. Dates _____
- 5. A record copy is defined as the copy that you use to produce a certified copy
 This is the record copy This is not the record copy
- 6. The record copy is in:
 Paper Format
 Micrographics Format - **Attach MICROFILM QUALITY TESTING REPORT**
 Microfilm roll numbers: _____
 Electronic Format* - **Attach RECORDS MANAGEMENT CERTIFICATION FOR ELECTRONIC RECORDS FORM**
 if upgrading, migrating or otherwise reformatting an electronic record.
- 7. Volume of records to be destroyed _____ cubic feet
(Provide volume only if you are requesting to dispose of paper records)

DO NOT WRITE BELOW THIS LINE

This request was reviewed by the Office of Court Administration. The following action was taken:

- APPROVED APPROVED CONDITIONALLY (see below): NOT APPROVED (see below)

COMMENT(S):

Signed _____ (OCA) Date _____

Return forms to: Office of Court Administration
 Division of Court Operations
 Office of Records Management
 25 Beaver Street - Room 883
 New York, New York 10004
 Phone #(212) 428-2875 - FAX #(212) 428-2880
 E-Mail - DISPOREQ@courts.state.ny.us

* If scanning, minimum "Native Optical Resolution" must not be less than 200 D.P.I.

COURT RECORDS DISPOSITION REQUEST - INSTRUCTIONS

A "Court Records Disposition Request" must be submitted to and approved by the Office of Court Administration prior to the destruction or other disposition of any UCS record, including records that have been micro-photographed or are in electronic format. The disposition request form and procedure will insure that records are disposed or in accordance with 22 NYCRR Part 104, "Retention and Disposition of Court Records".

1. **Identifying Information** - Enter name and address of the court and the name, title, phone and fax number of the contact person (usually the Chief Clerk).
2. **Record Series Title** - *A separate form must be submitted for each record series.* The title should be as it appears on the schedule. If your court identified this record by a different title, include both the schedule title and your local title.
3. **Record Series Number** - The number that appears to the left of the title on the schedule. If there are multiple retention periods, enter the appropriate letter (a, b, c) or description.
4. **Dates** - Specify beginning and ending dates of the records.
5. **Record Copy or Non Record Copy** - Check appropriate box.
6. **Record Format** - Check appropriate box. If record is in Microfilm or Electronic Format attach MICROFILM QUALITY TESTING REPORT or RECORDS MANAGEMENT CERTIFICATION FOR ELECTRONIC RECORDS FORM. If Microfilm Quality Testing Report does not indicate the year of records filmed, indicate corresponding microfilm roll numbers.
7. **Volume of Records** - The volume of records should be expressed as a numeric in cubic feet. The table below reflects Cubic Foot Equivalents:

<u>FILE FOLDER DRAWERS</u>	<u>CUBIC FEET</u>	<u>CARD FILE DRAWERS</u>	<u>CUBIC FEET</u>
Letter	1.5	3" X 5" X 26" long	0.2
Letter Transfile	2.0	3" X 5" X 14" long	0.1
Legal	2.0	3.5" X 7.5" X 26" long	0.4
Legal Transfile	2.5	3.5" X 7.5" X 14" long	0.2
Ledger	3.0	4" X 6" X 26" long	0.6
Jumbo	4.0	4" X 6" X 14" long	0.2
<u>SHELF UNITS</u>	<u>CUBIC FEET</u>	5" X 8" X 26" long	0.6
Letter, 36" long	2.4	5" X 8" X 14" long	0.3
Legal, 36" long	3.0	6" X 9" X 26" long	0.8
<u>RECORDS CENTER CONTAINERS</u>	<u>CUBIC FEET</u>	6" X 9" X 14" long	0.4
10" X 12" X 15" - standard	1.0	8" X 8" X 26" long	1.0
3.5" X 8" X 14" - tab	0.2	8" X 8" X 14" long	0.5
3.5" X 8" X 24" - check	0.4		
6" X 6" X 36" - map	0.7	<u>OTHER SITUATIONS:</u>	<u>CUBIC FEET</u>
6" X 6" X 48" - map	1.0	<i>Length X Width X Height</i> (inches) divided by 1728 =	
4" X 4" X 48" - map	0.4		

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