

RECORDS RETENTION AND DISPOSITION SCHEDULE



RECORDS OF THE FAMILY COURT

**DIVISION OF COURT OPERATIONS
OFFICE OF RECORDS MANAGEMENT**

Rev. MAY 2008

**RECORDS OF THE
FAMILY COURT**

PLEASE NOTE

A RECORDS DISPOSITION REQUEST FORM must be submitted and approved prior to the disposal of **any** records in accordance with the Records Retention and Disposition Schedules.

Records Disposition Request Forms can be obtained at:

http://www.nycourts.gov/admin/recordsmanagement/too_forms.shtml

Return all completed forms to:

N.Y.S. Office of Court Administration

Division of Court Operations

Office of Records Management

25 Beaver Street - Room 883

New York, NY 10004

TEL: 212- 428-2875

FAX: 212- 428-2880

E-mail: DISPOREQ@courts.state.ny.us

Please Note: This retention schedule is printed in a color format to facilitate identification of purgable records.

Color Codes for Record Series Numbers and Titles:

Red = Permanent Records

Green = Purgable Records

Orange = Both Permanent and Purgable Records

TABLE OF CONTENTS

I. CASE FILES

Adoption "A" Cases	1
Adoption Certifications "AC" Cases	2
Approval of Surrender "AS" Cases	2
Commitment of Guardianship and Custody "B" Cases	2
Conciliation "C" Cases	2
Juvenile Delinquency "D" Cases	3
Designated Felony "E" Cases	3
Support "F" Cases	4
Guardianship of Minors "G" Cases	5
Physically Handicapped "H" Cases	5
Informal "I" Cases	5
Foster Care Review "K" Cases	5
Consent to Placement "L" Cases	5
Consent to Marry "M" Cases	6
Neglect and Child Abuse "N" Cases	6
Family Offense "O" Cases	6
Paternity "P" Cases	6
Mentally Defective/Retarded Children "Q" Cases	7
Referral "R" Cases	7
Persons in Need of Supervision (PINS) "S" Cases	7
Uniform Support of Dependents "U" Cases	8
Custody of Minors "V" Cases	8
Material Witness "W" Cases	8
Miscellaneous "Z" Cases	9

II. SUPPLEMENTAL CASE RECORDS

Court Reporter Notes and All Other Recordings of the Court Not Listed as a Separate Records Series Title	10
Court Reporter Transcripts and Transcripts of All Other Recordings Of the Court Not Listed as a Separate Records Series Title ...	10
Divorce Decrees	10
Exhibits	11
Hearing Examiner Tapes and Support Magistrates Recordings	11
Mental Health Evaluations	11
Remittiturs	12
Subpoenaed Records	12
UCS Domestic Violence Registry Information Sheets	12

III. CASE MANAGEMENT RECORDS

Adoption Order Books 13
Assigned Counsel Log Books 13
Blood Grouping Test Index 13
Calendars 13
Calendars (Adoption Cases) 14
Calendars (Hearing Examiners) 14
Case Control Cards 14
Case Maintenance Aids 15
Designated Felony Log Books 15
Disposition Calendars 15
Divorce Decrees Index 15
Divorce Decrees Log Books 16
Follow-Up Report Logs 16
Hearing Examiner Appointment Log Books 16
Indexes: Adoption 16
Indexes: Case Files 17
Juveniles Under Supervision Runaway Logs 17
Log Books of Subpoenaed Records 17
Log of Order Numbers 18
Motion Logs 18
Order Books 18
Order Recall Books 18
Record of Court Activity 19
Record of Court Activity (Adoption) 19
Return on Warrant Log Books 19
Scheduling Books 20
Served Respondents Address Files 20
Statistical Reporting Forms 20

IV. PREDECESSOR COURTS

A. CHILDREN'S COURT

Annual Reports 21
Case Files 21
Docket Books 22
Fine Books 22
Indexes 22
Judgment Books 22
Orders and Petitions 22
Record of Proceedings 22
Show Cause Orders 22
Support Orders 23

B. CITY MAGISTRATES COURT - GIRLS TERM	
Calendars	24
Case Files	24
Docket Books	24
Petitions and Orders	24
C. COURT OF WAYWARD MINORS	
Adjourned Case Books	25
Calendar Books	25
Case Files	25
Judgment Books	25
D. DOMESTIC RELATIONS COURT	
Docket Books	26
Fine Books	26
Marriage Applications	26
E. SPECIAL TERM FAMILY & CHILDRENS' COURT	
Case Files	27
F. GENERAL PREDECESSOR COURT RECORDS	
Cash Control Books	28
Commitment Books	28
Commitment Index	28
Probation Department Reports	28
Return on Cash Bail Books	28
Warrant Receipt Books	28

NOTE: FISCAL RECORDS: see Records Retention Schedule for Administrative Records - FISCAL RECORDS on the internet:

http://www.courts.state.ny.us/admin/recordsmanagement/sch_admin_records.shtml

INDEX	29
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NEW YORK STATE UNIFIED COURT SYSTEM

RECORDS OF THE FAMILY COURT

RECORDS RETENTION AND DISPOSITION SCHEDULE

The following record series refer to the records of the Family Court and to predecessor court records.

ALL RECORDS DATING PRIOR TO 1962 ARE TO BE RETAINED PERMANENTLY.

EXCEPTIONS TO THIS AND OTHER SAMPLING POLICIES WILL BE EVALUATED UPON INDIVIDUAL REQUEST.

CASE FILES

A case file contains petitions; motion papers; affidavits including affirmations; orders, including Orders of Protection (temporary and permanent); records of proceedings, sometimes called endorsement sheets, disposition sheets, or docket sheets; transcripts; summonses; notices; probation records; medical and social evaluations, including any kind of medical, psychiatric, psychological or family evaluations filed by public or private agencies; proofs of income, including statements of net worth, pay stubs, and tax returns. Case files are differentiated by type. Note that some courts currently store some of the documents listed above separately from the case file. These documents have been distinguished as separate record series in these schedules, but have the same retention requirements as the related case file.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40010.	ADOPTION "A" CASES	
	Record of adoption case proceedings.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40011.	ADOPTION CERTIFICATIONS "AC" CASES Case files created in accordance with Domestic Relations Law Section 115 (d).	Retain permanently.
40012.	APPROVAL OF SURRENDER "AS" CASES Case files created in accordance with Social Service Law Section 383(c) for approval of an instrument for original and supplemental petitions and orders which seek the surrender of custody and guardianship of a child in foster care to an authorized agency for the purpose of adoption.	Retain permanently.
40020.	COMMITMENT OF GUARDIANSHIP AND CUSTODY "B" CASES Permanent termination of parental rights to custody of a child.	Retain permanently.
40030.	CONCILIATION "C" CASES Proceedings involving conciliation in marriages.	Retain permanently for research purposes.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40040.	JUVENILE DELINQUENCY "D" CASES	Retain for twenty-five years after date of disposition, then destroy, except for a sample to be retained permanently for research purposes.
40050.	DESIGNATED FELONY "E" CASES	Retain for twenty-five years after date of disposition, then destroy, except for a sample to be retained permanently for research purposes.

SERIES # RECORD SERIES

RETENTION

40060. SUPPORT "F" CASES

Proceedings to compel a person to support the petitioner as required by law.

a) Cases dealing with determination of legal responsibility for child care, e.g. paternity or custody, retain permanently.

b) Cases dealing with spousal support, retain for seventy-five years after date of original order, then destroy.

c) All other support cases, e.g. child support, retain for twenty-five years after disposition of last order, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40070.	GUARDIANSHIP OF MINORS "G" CASES Proceedings involving the appointment of a guardian and the establishment of custody of a minor under the jurisdiction of the court.	Retain permanently.
40080.	PHYSICALLY HANDICAPPED "H" CASES Proceedings by which educational services are provided by the State for children with handicaps.	Retain for five years from date of disposition, then destroy.
40085.	INFORMAL "I" CASES Cases which have not been docketed and for which no petition has been prepared. May include Information Sheets, Intake Reports and correspondence.	Retain for one year, then destroy.
40090.	FOSTER CARE REVIEW "K" CASES Review of cases in which children have been placed in foster care for eighteen months. Review occurs after eighteen months and every twenty-four months thereafter.	Retain permanently.
40100.	CONSENT TO PLACEMENT "L" CASES Proceedings in which the custody of a child is transferred to an authorized agency.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40110.	CONSENT TO MARRY "M" CASES Proceedings granting permission to marry in cases where the juvenile is between the ages of fourteen and sixteen.	Retain permanently.
40120.	NEGLECT AND CHILD ABUSE "N" CASES Proceedings in which the State intervenes on behalf of the child to protect the child from alleged mistreatment.	Retain for fifty years from entry of original order, then destroy, except for a sample to be retained permanently for research purposes.
40130.	FAMILY OFFENSE "O" CASES Proceedings involving disputes between spouses, parents and children or other members of the same family or household.	Retain for fifty years after final disposition, then destroy, except for a sample to be retained permanently for research purposes.
40140.	PATERNITY "P" CASES Proceedings to establish paternity and if paternity finding is made, to order support and provide for custody and visitation.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40150.	MENTALLY DEFECTIVE/RETARDED CHILDREN "Q" CASES Proceedings in which Family Court may commit a child after finding that the child is mentally retarded.	Retain permanently.
40160.	REFERRAL "R" CASES Cases referred from Supreme Court to decide issues of custody, support, visitation and/or maintenance or distribution award in a matrimonial proceeding.	<p>a) Retain support proceedings according to Schedule for "F" Cases (see SERIES # 40060).</p> <p>b) Retain Habeas Corpus proceedings permanently.</p>
40170.	PERSONS IN NEED OF SUPERVISION (PINS) "S" CASES Proceedings involving persons under sixteen years old, who are alleged to be truants, incorrigible, ungovernable and beyond the lawful control of parents or authority.	Retain for twenty-five years after disposition, then destroy, except for a sample to be retained permanently for research purposes.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40180.	UNIFORM SUPPORT OF DEPENDANTS "U" CASES	<p>a) Cases dealing with determination of legal responsibility for child care, e.g. paternity or custody, retain permanently.</p> <p>b) Cases dealing with spousal support, retain for seventy-five years, then destroy.</p> <p>c) All other support cases, e.g. child support, retain for twenty-five years after disposition of last order, then destroy.</p>
40190.	CUSTODY OF MINORS "V" CASES	Retain permanently.
40200.	MATERIAL WITNESS "W" CASES	Retain for two years after final disposition, then destroy.
Support cases in which the respondent lives outside the petitioner's county.	Proceedings to provide for the temporary or permanent custody of a child.	Proceedings in which the Family Court places a person under sixteen years of age in protective custody because the child is a material witness.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40210.	MISCELLANEOUS "Z" CASES	Retain permanently.
	<p>Proceedings for which the procedure has not been prescribed by provisions of the Family Court Act, the Domestic Relations Law, or the Social Services Law. Includes, but is not limited to: proceedings involving Consent to Marry, Interstate Compact on Juveniles and Material Witnesses.</p>	

SUPPLEMENTAL CASE RECORDS

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40220.	<p>COURT REPORTER NOTES and ALL OTHER RECORDINGS OF THE COURT NOT LISTED AS A SEPARATE RECORDS SERIES TITLE</p> <p>Stenographic tapes, pads, audio tapes, or machine-readable systems that record the proceedings of the court.</p>	<p>Retain for five years from date of hearing, then destroy.</p>
40230.	<p>COURT REPORTER TRANSCRIPTS and TRANSCRIPTS OF ALL OTHER RECORDINGS OF THE COURT NOT LISTED AS A SEPARATE RECORDS SERIES TITLE</p> <p>Transcripts of court reporter notes and transcripts of all other recordings of the court not listed as a separate records series title.</p>	<p>Considered part of the case file. File in case file. If maintained separately, retain for same length of time as the case file.</p>
40240.	<p>DIVORCE DECREES</p> <p>Copies of divorce decrees which have been handed down by the Supreme Court and are filed with Family Court pursuant to state law.</p>	<p>a) If decree results in a court case, retain for same length of time as the case file.</p> <p>b) All others, retain for one year, then destroy.</p>

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40250.	EXHIBITS Exhibits presented as evidence in a case.	Return to party who introduced it immediately after disposition unless otherwise directed by the court. If not claimed, retain for ninety days, then destroy, provided express notice has been given.
40260.	HEARING EXAMINER TAPES and SUPPORT MAGISTRATES RECORDINGS Audio tapes and electronic recordings of support proceedings.	Retain for five years from the date of hearing, then erase and reuse.
40270.	MENTAL HEALTH EVALUATIONS Reports of mental health evaluations.	Considered part of the case file. File in case file. If maintained separately, retain for same length of time as case file.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40280.	REMITTITURS Copies of case files and evidence for cases on appeal. Files returned from the Appellate Division with a copy of the appeal decision.	File appellate decision in the case file. Maintain for same length of time as case file. Destroy photocopy of original case file immediately upon return.
40290.	SUBPOENAED RECORDS Records which have been subpoenaed from an outside agency, organization or individual.	Return to party who introduced it immediately after disposition unless otherwise directed by the court. If not claimed, retain for ninety days, then destroy, provided express notice has been given.
40295.	UCS DOMESTIC VIOLENCE REGISTRY INFORMATION SHEETS; (also known as FAMILY PROTECTION REGISTRY INFORMATION SHEETS and INFORMATION SHEETS); ADDENDUM TO INFORMATION SHEETS Forms attached to the Orders of Protection sent to the Family Protection Registry Center for entry into the UCS Domestic Violence Registry. Contains pedigree and case processing information.	Retain for one year, then destroy.

CASE MANAGEMENT RECORDS

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40300.	ADOPTION ORDER BOOKS Chronological files of copies of orders of adoption issued by judge. Maintained in addition to final orders found in case file.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40310.	ASSIGNED COUNSEL LOG BOOKS Records of assignments arranged alphabetically by counsel name. Includes date, judge, docket number and respondent.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40320.	BLOOD GROUPING TEST INDEX Filing system used to check the status of paternity cases with outstanding blood grouping tests.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40330.	CALENDARS Daily listing of cases to be heard. Includes respondent name, docket number, date of petition, petitioner name, attorney name, judge name, part, schedule date and type of hearing or trial.	Retain for one year or until no longer needed, whichever is shorter, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40340.	CALENDARS (ADOPTION CASES) Daily listings of adoption cases to be heard. Includes case number, docket number, child name, adoptive parents, attorney, type, judge and disposition.	Destroy immediately.
40350.	CALENDARS (HEARING EXAMINERS) Daily listings of cases to be heard by Hearing Examiners.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40360.	CASE CONTROL CARDS (also known as COURT CARDS, CASE STATUS CARDS and CASE CONTROL FORMS) Administrative devices for tracking the status of cases. Includes name of respondent, petitioner, parents (for juveniles), law guardian, petitioner's attorney, parents' attorney (for juveniles), complete record of adjournments and disposition. May be used to update a manual docket book or computerized data base.	Retain for one year or until no longer needed, whichever is shorter, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40370.	CASE MAINTENANCE AIDS (also known as CALENDAR BOOKS and CALENDAR LOGS) Chronological logs used to note the status or special needs of the case or the location of the case file. Includes records of outstanding warrants, interpreter requests, USDL Petitions incoming and outgoing, supplemental or new petitions, arrests, referrals from the Supreme Court, etc.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40380.	DESIGNATED FELONY LOG BOOKS Chronological logs of juveniles who have been given designated felony status. Includes respondent name, docket number, date filed, fact finding date, date of birth, disposition date, allegation, petitioner name and disposition.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40390.	DISPOSITION CALENDARS Daily calendars which have been annotated to reflect dispositions.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40400.	DIVORCE DECREES INDEX Alphabetical name index to divorce decrees. Includes spouse name, divorce decree number, date of filing and index number.	Retain for one year, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40410.	DIVORCE DECREES LOG BOOKS Chronological list recording the submission of copies of divorce decrees with Family Court by Supreme Court.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40420.	FOLLOW-UP REPORT LOGS Chronological log listing court-ordered agency follow-up reports. Used to monitor receipt of reports, reports due and records requested.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40430.	HEARING EXAMINER APPOINTMENT LOG BOOKS Chronological log books appointing Hearing Examiners to cases.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40440.	INDEXES: ADOPTION Any manual or machine-readable material which provides information on access to the case file. Includes child adoptive name, date, number, date finalized, and child's original name. Also date of birth, petitioner name and address, judge, attorney, number and date of order. Some courts may also maintain index by child name.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40450.	INDEXES: CASE FILES Any manual or machine- readable material which provides information on access to case files. Includes respondent's name and address, docket number, date of petition or initial document filed, name of petitioner and for juveniles, name and address of parents, earlier cases, date and final disposition. Index may be divided by case type, juvenile and adult, active and inactive.	Retain permanently.
40460.	JUVENILES UNDER SUPERVISION RUNAWAY LOGS Chronological logs of juveniles who have absconded from a supervising agency.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40470.	LOG BOOKS OF SUBPOENAED RECORDS Chronological logs recording the receipt of records received from outside agencies.	Retain for one year or until no longer needed, whichever is shorter, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40475.	<p>LOG OF ORDER NUMBERS (also known as UCS DOMESTIC VIOLENCE REGISTRY LOG OF ORDER NUMBERS)</p> <p>Form listing order numbers for Orders of Protection which are entered into the UCS Domestic Violence Registry.</p>	<p>Retain for one year, then destroy.</p>
40480.	<p>MOTION LOGS</p> <p>Chronological list of motions submitted.</p>	<p>Retain for one year or until no longer needed, whichever is shorter, then destroy.</p>
40490.	<p>ORDER BOOKS (also known as FILE AND ENTRY BOOKS)</p> <p>Chronological logs of all orders issued by the courts. Includes docket number, name of respondent, order and date.</p>	<p>Retain for one year or until no longer needed, whichever is shorter, then destroy.</p>
40500.	<p>ORDER RECALL BOOKS</p> <p>Chronological files of all orders that have been recalled.</p>	<p>Retain for one year or until no longer needed, whichever is shorter, then destroy.</p>

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40510.	RECORD OF COURT ACTIVITY (also known as DOCKET BOOKS, DOCKET LOGS and PETITION SHEETS)	
	Manual or machine-readable material containing a summary of actions in a case. Includes names of petitioner and respondent, docket number and date of assignment. May also include age, warrant, judge, date of disposition and disposition.	Retain permanently.
40520.	RECORD OF COURT ACTIVITY (ADOPTION)	
	Manual or machine-readable material containing a summary of actions in a case. Includes docket number, child name, agency, child date and place of birth, adoptive parents, name of child after adoption, date investigation is ordered, date investigation received, judge name, date order signed and disposition.	Retain permanently.
40530.	RETURN ON WARRANT LOG BOOKS	
	Chronological logs of warrants which have been returned.	Retain for one year or until no longer needed, whichever is shorter, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40540.	SCHEDULING BOOKS (also known as LOG SHEETS) Chronological logs by hearing date, used to assist in the scheduling of cases for a court hearing.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40550.	SERVED RESPONDENTS ADDRESS FILES Alphabetical files containing the last known address of respondents who have been served a summons or for whom a warrant has been issued.	Retain for one year or until no longer needed, whichever is shorter, then destroy.
40555.	STATISTICAL REPORTING FORMS Forms which gather case statistical data. Includes OCA 108, 110, 111, 112, UCS 102 and 103.	Retain for one year, then destroy.

PREDECESSOR COURTS

The following list identifies the record series and recommended retention periods for courts which exercised jurisdiction over Family Court matters prior to the 1962 Family Court Act.

CHILDRENS' COURT

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40620.	ANNUAL REPORTS Annual reports of caseload activity in the court. Includes, monthly summaries of activity and breakdowns by sex, race, religion, and nativity. Report may also contain brief outline of the cases, including the defendant name, age, address, charge, complaint and disposition.	Retain permanently.
40630.	CASE FILES Numerically arranged files containing all documentary papers relative to a case. The files may include, but are not limited to, petitions, complaints, orders, dispositions, notices and reports.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40640.	DOCKET BOOKS Numerically arranged books designed to regulate the assignment of docket numbers and to track the status of a case.	Retain permanently.
40650.	FINE BOOKS Chronological log of fines and payments received by Childrens' Court.	Retain permanently.
40660.	INDEXES Any manual or machine- readable material which provides information on access to the case file.	Retain permanently.
40670.	JUDGMENT BOOKS Petitions and judgments issued by the Childrens' Court.	Retain permanently.
40680.	ORDERS AND PETITIONS Petitions and orders issued by Childrens' Court.	Retain permanently.
40690.	RECORD OF PROCEEDINGS Summary of case proceedings includes name of respondent and petitioner, witnesses, disposition, and commitment.	Retain permanently.
40700.	SHOW CAUSE ORDERS Copies of show cause orders for children.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40710.	SUPPORT ORDERS	
	Copies of orders to compel a person to support the petitioner as required by law.	Retain permanently.

CITY MAGISTRATES COURT - GIRLS TERM

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40720.	CALENDARS Daily logs of cases heard by the court.	Retain permanently.
40730.	CASE FILES Numerically arranged files containing all documentary papers relating to a case.	Retain permanently.
40740.	DOCKET BOOKS Numerical system used to regulate the assignment of docket numbers to a case and to track the status of a case.	Retain permanently.
40750.	PETITIONS AND ORDERS Petitions and orders issued by the court.	Retain permanently.

COURT OF WAYWARD MINORS

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40760.	ADJOURNED CASE BOOKS Chronological logs of adjourned cases.	Retain permanently.
40770.	CALENDAR BOOKS Daily logs of cases heard in the court.	Retain permanently.
40780.	CASE FILES Numerically arranged files containing all documented papers relative to a case.	Retain permanently.
40790.	JUDGMENT BOOKS Petitions and judgments issued by the court.	Retain permanently.

DOMESTIC RELATIONS COURT

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40800.	DOCKET BOOKS Numerically arranged book designed to regulate the assignment of docket numbers and to track the status of a case.	Retain permanently.
40810.	FINE BOOKS Chronological log book of fine payments received by the court.	Retain permanently.
40820.	MARRIAGE APPLICATIONS	Retain permanently.

SPECIAL TERM FAMILY & CHILDRENS' COURT

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
40830.	CASE FILES Numerically arranged files containing all documentary papers relating to a case.	Retain permanently.

GENERAL PREDECESSOR COURT RECORDS

SERIES #	RECORD SERIES	RETENTION
40840.	CASH CONTROL BOOKS	Destroy immediately.
40850.	COMMITMENT BOOKS	Retain permanently.
40860.	COMMITMENT INDEX	Retain permanently.
40870.	PROBATION DEPARTMENT REPORTS Statistical summary, usually issued monthly, detailing status of case before the court.	Destroy immediately.
40880.	RETURN ON CASH BAIL BOOKS	Destroy immediately.
40890.	WARRANT RECEIPT BOOKS	Destroy immediately.

INDEX

Adjourned Case Books (Court of Wayward Minors) 25

Adoption "A" Cases 1

Adoption Certifications "AC" Cases 2

Adoption Order Books 13

Annual Reports (Children's Court) 21

Approval of Surrender "AS" Cases 2

Assigned Counsel Log Books 13

Blood Grouping Test Index 13

Calendar Books: see Case Maintenance Aids 15

Calendar Books (Court of Wayward Minors) 25

Calendar Logs: see Case Maintenance Aids 15

Calendars 13

Calendars (Adoption Cases) 14

Calendars (City Magistrates Court - Girls Term) 24

Calendars (Hearing Examiners) 14

Case Control Cards 14

Case Control Forms: see Case Control Cards 14

Case Files (Children's Court) 21

Case Files (City Magistrates Court - Girls Term) 24

Case Files (Court of Wayward Minors) 25

Case Files (Special Term) 27

Case Maintenance Aids 15

Case Status Cards: see Case Control Cards 14

Cash Control Books (Predecessor Court) 28

Commitment Books (Predecessor Court) 28

Commitment Index (Predecessor Court) 28

Commitment of Guardianship and Custody "B" Cases 2

Conciliation "C" Cases 2

Consent to Marry "M" Cases 6

Consent to Placement "L" Cases 5

Court Cards: see Case Control Cards 14

**Court Reporter Notes and All Other Recordings of the Court
Not Listed as a Separate Records Series Title 10**

Court Reporter Transcripts 10

Custody of Minors "V" Cases 8

Designated Felony "E" Cases 3

Designated Felony Log Books 15

Disposition Calendars 15

Divorce Decrees 10

Divorce Decrees Index	15
Divorce Decree Log Books	16
Docket Books: see Record of Court Activity	19
Docket Books (Children's Court)	22
Docket Books (City Magistrates Court - Girls Term)	24
Docket Books (Domestic Relations Court)	26
Docket Logs: see Record of Court Activity	19
Domestic Violence Registry Log of Order Numbers: see Log of Order Numbers	18
Exhibits	11
Family Offense "O" Cases	6
Family Protection Registry Information Sheets: see UCS Domestic Violence Registry Information Sheets	12
File and Entry Books: see Order Books	18
Fine Books (Children's Court)	22
Fine Books (Domestic Relations Court)	26
Follow-up Report Logs	16
Foster Care Review "K" Cases	5
Guardianship of Minors "G" Cases	5
Hearing Examiner Appointment Log Books	16
Hearing Examiner Tapes and Support Magistrates Recordings	11
Indexes: Adoption	16
Indexes: Case Files	17
Indexes (Children's Court)	22
Informal "I" Cases	5
Information Sheets: see UCS Domestic Violence Registry Information Sheets	12
Judgment Books (Children's Court)	22
Judgment Books (Court of Wayward Minors)	25
Juvenile Delinquency "D" Cases	3
Juveniles Under Supervision Runaway Logs	17
Log Books of Subpoenaed Records	17
Log of Order Numbers	17
Log Sheets: see Scheduling Books	18
Marriage Applications (Domestic Relations Court)	20
Material Witness "W" Cases	8
Mental Health Evaluations	11
Mentally Defective/Retarded Children "Q" Cases	7
Miscellaneous "Z" Cases	9
Motions Logs	18
Neglect and Child Abuse "N" Cases	6
OCA 108, 110, 111, 112: see Statistical Reporting Forms	20
Order Books	18

Order Recall Books	18
Orders and Petitions (Children's Court)	22
Paternity "P" Cases	6
Persons in Need of Supervision (Pins) "S" Cases	7
Petition Sheets: see Record of Court Activity	19
Petitions (Children's Court):	
see Orders and Petitions (Children's Court)	22
Petitions and Orders (City Magistrates Court - Girls Term)	24
Physically Handicapped "H" Cases	5
Probation Department Reports (Predecessor Court)	28
Record of Court Activity	19
Record of Court Activity (Adoption)	19
Record of Proceedings (Children's Court)	22
Referral "R" Cases	7
Remittiturs	12
Return on Cash Bail Books (Predecessor Court)	28
Return on Warrant Log Books	19
Scheduling Books	20
Served Respondents Address Files	20
Show Cause Orders (Children's Court)	22
Statistical Reporting Forms	20
Subpoenaed Records	12
Support "F" Cases	4
Support Magistrates Recordings:	
see Hearing Examiner Tapes and Support Magistrates Recordings	11
Support Orders (Children's Court)	23
UCS 102, 103: see Statistical Reporting Forms	20
UCS Domestic Violence Registry Information Sheets	12
UCS Domestic Violence Registry Log of Order Numbers:	
see Log of Order Numbers	18
Uniform Support of Defendants "U" Cases	8
Warrant Receipt Books (Predecessor Court)	28