

# RECORDS RETENTION AND DISPOSITION SCHEDULE



## RECORDS OF THE JURY SYSTEM

DIVISION OF COURT OPERATIONS  
OFFICE OF RECORDS MANAGEMENT

Rev. October 2005

**ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**

Pursuant to the authority vested in me, I hereby repeal the July 1989 schedule for the retention and disposition of records of the Jury System and substitute the attached schedule, effective immediately. Disposition of records pursuant to these schedules shall be in accordance with part 104 of the Rules of the Chief Administrator.

**Jonathan Lippman  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**

Dated: April 22, 1999

AO/188/99

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NEW YORK STATE UNIFIED COURT SYSTEM

RECORDS OF THE JURY SYSTEM

RECORDS RETENTION AND DISPOSITION SCHEDULE

ALL RECORDS CREATED PRIOR TO 1916 SHOULD BE RETAINED PERMANENTLY FOR RESEARCH PURPOSES.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90005.	QUESTIONNAIRES  Questionnaires sent to prospective jurors in order to evaluate their qualifications to serve. May request information on name, age, residence, citizenship, literacy, disability, criminal record, prior service and occupation.	Retain QUESTIONNAIRES until information is entered into MAINFRAME DATASET FILES (#90230) and quality control is completed, then destroy.
90010.	GRAND JUROR QUESTIONNAIRES  <i>Replaced by 90005 QUESTIONNAIRES</i>	
90020.	PETIT JUROR QUESTIONNAIRES  <i>Replaced by 90005 QUESTIONNAIRES</i>	

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90030.	<p>REQUALIFICATION QUESTIONNAIRES</p> <p><i>Replaced by 90005 QUESTIONNAIRES.</i></p>	
90040.	<p>ABSENTEE REPORTS</p> <p><i>Replaced by 90325b REPORTS - MANAGEMENT REPORTS</i></p>	
90045.	<p>CIVIL JURY SELECTION DATA FORMS (UCS-114)</p> <p>Forms collecting information on all voir dire. Information includes : index/case/calender number, case name, judge, county code, county, supreme or county court, case type, number of plaintiffs, number of trial days, jury selection method, type of alternates used, whether time limits were imposed on attorneys, whether a JUROR VOIR DIRE QUESTIONNAIRE was used, voir dire beginning/end date, judicial participation, number of jurors on voir dire, case outcome and date trial began.</p>	<p>Retain until no longer needed, then destroy.</p>

<b><u>SERIES #</u></b>	<b><u>RECORD SERIES TITLE</u></b>	<b><u>RETENTION</u></b>
<b>90050.</b>	<b>COUNTY JURY BOARD MINUTES</b>	
	<b>Records of the annual meetings of the County Jury Board.</b>	<b>Retain permanently.</b>
<b>90060.</b>	<b>COURT ORDERS</b>	
	<b>Orders directing the Commissioner of Jurors to draw grand and trial jurors. Includes: reporting date, number of jurors drawn, drawing date, and reference number assigned to each juror.</b>	<b>Retain for fifty years, then destroy.</b>
<b>90070.</b>	<b>CRIMINAL HISTORY SEARCH FILES</b>	
	<b>Files containing requests and responses to/from the State Division of Criminal Justice Services or local police agencies re: criminal records of potential jurors.</b>	<ul style="list-style-type: none"> <li><b>a. If response is negative, destroy immediately.</b></li> <li><b>b. If response is positive, retain documentation until information is entered into RECORD OF SERVICE DATASET FILES (#90232) and quality control is completed, then destroy.</b></li> </ul>

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90080.	DEFENDANT CRIMINAL HISTORY RECORDS ("RAP SHEETS")  <i>Replaced by 90070 CRIMINAL HISTORY SEARCH FILES</i>	
90090.	DELINQUENT REPORTS  <i>Replaced by 90325b REPORTS - MANAGEMENT REPORTS</i>	
90100.	EXCUSED JUROR REPORTS  <i>Replaced by 90325b REPORTS - MANAGEMENT REPORTS.</i>	
90105.	EXCUSED JUROR DOCUMENTATION  Documentation required by the Commissioner of Jurors to excuse a juror from serving.	Retain documentation until information is entered into RECORD OF SERVICE DATASET FILES (#90232) and quality control is completed, then destroy.
90110.	EXEMPT AFFIDAVITS  <i>Replaced by 90105 EXCUSED JUROR DOCUMENTATION</i>	

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90120.	EXEMPT LIST  <i>Replaced by 90105 EXCUSED JUROR DOCUMENTATION</i>	
90130.	GRAND JUROR ELIGIBLE LIST  List of persons eligible for grand jury service. Includes names and addresses.	Retain for five years, then destroy.
90140.	GRAND JURY RESOLUTIONS  <i>Deleted from schedule</i>	
90150.	IMPANEL FORMS (also known as CASE SHEETS)  Forms listing names of jurors and alternates selected to serve on a case.	Retain with court case file. All other copies, destroy when no longer needed.
90160.	JUROR BALLOT CARDS  Cards used for juror identification, selection of jurors for summoning or notation of juror attendance.	a. If used only for summoning or voir dire selection, destroy at end of term.  b. If used to note attendance, retain for six years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90170.	JUROR CORRESPONDENCE  Correspondence regarding jury service. (Does <i>not</i> include correspondence related to qualifications, excuses, postponements, or payments.)	Retain for one year or until no longer needed, whichever is shorter, then destroy.
90180.	JUROR MINUTES/ JUROR PANEL SHEETS (also known as ATTENDANCE REGISTERS, MINUTES, MINUTES OF DRAWING and COMPLETED PANEL)  Randomly drawn lists of all jurors who have been summoned to a particular pool. May include: name; address; occupation; attendance, including those excused; and payroll information.	<p>a. Retain records created prior to 1951 permanently for research purposes. (May consider sampling if volume is too large.)</p> <p>b. Retain records created after 1950 for fifty years, then destroy.</p>
90190.	JUROR QUESTIONNAIRE STATISTICAL REPORTS  <i>Replaced by 90325b REPORTS - MANAGEMENT REPORTS</i>	

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90200.	JUROR UTILIZATION REPORTS  Commissioners of Jurors' copies of juror utilization reports that are filed with the Office of Court Administration.	Retain for one year, then destroy.
90210.	LIST - QUALIFIED  List in either manual or electronic form of all jurors who are qualified to serve in local courts. Includes names and addresses.	Retain for two years, then destroy.
90220.	LOCAL COURT ELIGIBLE JUROR LIST  List of jurors by municipality, in either manual or electronic form, who are eligible to serve in local courts. Includes names and addresses.	Retain for two years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90225.	<p>JUROR REQUEST AND TRANSMITTAL FORMS (UCS-118) (also known as JURY DRAW REQUESTS)</p> <p>Requests for qualified jurors from local courts to the Commissioner of Jurors. Includes transmittal and statistical reporting information.</p>	<p>Retain for two years, or until no longer needed, whichever is longer, then destroy.</p>
90230.	<p>MAINFRAME DATASET FILES (formerly known as MASTER ELIGIBLE JUROR LIST)</p> <p>Dataset of prospective residents who have been sent QUESTIONNAIRES. Includes QUESTIONNAIRE and RECORD OF SERVICE DATASET FILES.</p>	<p>See #90231 QUESTIONNAIRE DATASET FILES and #90232 RECORD OF SERVICE DATASET FILES, for retention periods.</p>

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90231.	<p>QUESTIONNAIRE DATASET FILES</p> <p>Files containing demographic information and eligibility status for each juror and prospective juror.</p>	
	a. Questionnaires Returned Qualified - Not Yet Summoned	a. Retain for two years, then destroy.
	b. Questionnaires Returned Not Qualified	b. Retain until status changes, then destroy.
	c. Questionnaires Returned Bad Address	c. Destroy immediately.
	d. Questionnaires No Response	d. Retain for eight months, then destroy.
90232.	<p>RECORD OF SERVICE DATASET FILES</p> <p>Files containing juror service history.</p>	
	a. Records containing demographic and service information.	a. Retain for twenty years, then destroy.
	b. Records containing record of payment for juror service.	b. Retain for six years, then destroy.

<b><u>SERIES #</u></b>	<b><u>RECORD SERIES TITLE</u></b>	<b><u>RETENTION</u></b>
<b>90235.</b>	<b>PROSPECTIVE ELIGIBLE JUROR LIST</b>  <b>List of residents who may be eligible to serve as jurors.</b>	<b>Retain until new source list is created, then destroy.</b>
<b>90240.</b>	<b>NOTICES OF NON-ATTENDANCE</b>  <b>Notices of non-attendance and fines sent to summoned jurors who did not appear.</b>	<b>Retain for two years, then destroy.</b>
<b>90250.</b>	<b>PANEL - COMPLETE</b>  <b>Listings of all jurors summoned for a term. Includes: name, address, town, occupation, date of birth, prior service, deferments, juror index number, and term drawn.</b>	<b>Retain permanently for research purposes.</b>
<b>90260.</b>	<b>PANEL LISTINGS</b>  <b>Listings of jurors drawn to serve on a voir dire. Includes names and addresses of jurors.</b>	<b>Retain until no longer needed, then destroy.</b>

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90270.	PANEL SHEETS - GRAND JURY (also known as ATTENDANCE REGISTERS, MINUTES, MINUTES OF JURY DRAWINGS and COMPLETED PANELS)  <i>Replaced by 90180 JUROR MINUTES/ JUROR PANEL SHEETS</i>	
90280.	PANEL SHEETS - PETIT JURY (also known as ATTENDANCE REGISTERS, MINUTES, MINUTES OF JURY DRAWINGS and COMPLETED PANELS)  <i>Replaced by 90180 JUROR MINUTES/ JUROR PANEL SHEETS</i>	
90290.	POSTPONEMENT REQUESTS  Requests received from summoned jurors requesting a postponement of service.	Retain request until information is entered into RECORD OF SERVICE DATASET FILES (#90232) and quality control is completed, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90300.	<p>RECORDS OF FINES PAID</p> <p>Lists of fines paid by jurors.</p> <p>a. Lists created in County Court pre-1951, Court of Sessions, Circuit Court, Court of Oyer and Terminer.</p> <p>b. Lists created after 1950.</p>	<p>a. Retain permanently for research purposes.</p> <p>b. Retain for six years, then destroy.</p>
90310.	<p>RECORDS OF SERVICE</p> <p><i>Replaced by 90232 RECORD OF SERVICE DATASET FILES</i></p>	
90315.	<p>REDUCTION OF INELIGIBILITY PERIOD REQUESTS</p> <p>Requests made by jurors to reduce their service ineligibility period.</p>	<p>Retain for six years, then destroy.</p>

<b><u>SERIES #</u></b>	<b><u>RECORD SERIES TITLE</u></b>	<b><u>RETENTION</u></b>
<b>90320.</b>	<b>REGISTER OF PETIT AND GRAND JUROR BOOKS</b>  <b>Annual listings of county residents who are available for jury duty. Includes: names, addresses, and occupations.</b>	<b>Retain permanently for research purposes.</b>
<b>90325.</b>	<b>REPORTS</b>  <b>Reports used to manage the selection and payment of jurors. <i>(Does not include reports already specified in schedule)</i></b>  <b>a. Financial Reports</b>	<b>a. Retain for six years, then destroy.</b>

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90325.	<p>REPORTS (continued)</p> <p>b. Management Reports: Includes, but is not limited to: Absentee, Case &amp; Part Reports, Delinquent, Juror Index Lists (List of Serving Jurors, List of Serving Jurors by Term), Missing Service Information, Final Update Report, Update Call In Report, Held Over Grand Jurors by Date, Grand Jury Pool, Grand Jury Twice Served, Grand Juror Index List, List of Jurors over 75 Years of Age, One step Final Update Report, and List of Outstanding Prospective Jurors.</p> <p>c. Statistical Reports related to Questionnaires, Petit Jury, and Grand Jury. Includes, but is not limited to: demographic breakdowns (sex, percentages); numbers sent, deferred, summoned, served, delinquent, exempt, absent, expected in court; Reverse Pick.</p>	<p>b. Retain until no longer needed, then destroy.</p> <p>c. Retain until no longer needed, then destroy.</p>

<b><u>SERIES #</u></b>	<b><u>RECORD SERIES TITLE</u></b>	<b><u>RETENTION</u></b>
<b>90330.</b>	<p>SHERIFF'S AFFIDAVIT OF SERVICE (also known as SHERIFF'S RETURN OF SUMMONED JURORS)</p> <p>Affidavit completed by the sheriff attesting that prospective jurors were served with a summons for jury duty. May include reasons for failure of service and lists of jurors successfully served with summons.</p>	<p>Retain for two years, then destroy.</p>
<b>90340.</b>	<p>SUMMONSES</p> <p>Documents used to notify prospective jurors that they have been summoned to serve.</p>	<p>a. If used to note attendance, retain for six years, then destroy.</p> <p>b. If not used to note attendance, retain for one year or until no longer needed, whichever is shorter, then destroy.</p>

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90345.	<p>VOIR DIRE QUESTIONNAIRES: CIVIL (UCS-137), CRIMINAL (UCS-133), CIVIL AND CRIMINAL COMBINED (UCS-140)</p> <p>Questionnaires completed by prospective jurors. Information may include: name and address, town/village, years of residency, years of education, occupation, employment, occupation of family members, gender, ages of children, hobbies, previous service on state or federal jury, case type, date of service, whether any relative has sued for damages or personal injury, whether they have been involved in a suit and affirmation and signature.</p>	<p>a. <u>Civil</u> - Destroy immediately.</p> <p>b. <u>Criminal</u> -</p> <ol style="list-style-type: none"> <li>1. If case results in a conviction, retain for one year, then destroy.</li> <li>2. If case results in an acquittal or dismissal, retain for thirty days, then destroy.</li> </ol>

## FISCAL RECORDS

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
90430.	GROUP CONTROL REPORTS  Reports detailing, by group number, the processing status of each payroll batch.	Retain for one year, then destroy.
90450.	JUROR PAYMENT GROUP SUMMARY REPORTS  Reports summarizing payment to jurors. Includes: term dates, group number, total fares, total group payment, voucher number, audit control data and payment date.	Retain for one year, then destroy.
90490.	PAYROLL SUMMARY REPORTS  Reports summarizing payroll, by voucher number, detailing the vouchers paid in the preceding three months.	Retain for one year, then destroy.

**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.**



## 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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