

Records Retention and Disposition Schedule



Records of the Court of Claims

**Division of Professional and Court Services
Office of Records Management**

Revised April 2023

Procedures for Requesting Disposition Authorization

You must submit a Records Disposition Request Form and receive approval from our office before disposing of **any** records.

You can access a copy of the Records Disposition Request Forms at the following link:

<http://ww2.nycourts.gov/sites/default/files/document/files/2020-12/RDR-fillable20201208.pdf>

Return all completed forms, by mail, fax, or email to one of the following:

NYS Office of Court Administration
Division of Professional and Court Services
Office of Records Management
25 Beaver Street, 7th Floor
New York, NY 10004

Fax: 212-428-2880

E-mail: DISPOREQ@nycourts.gov

You can reach us by phone at 212-428-2875.

This retention schedule is printed with color to help you identify whether a series or sub-series of records is or will be eligible for destruction. The guide below explains the color-coding.

Red: Permanent Records

A records series title and number in red indicate records must be retained permanently.

Green: Non-Permanent Records

A records series title and number in green indicate records may be eligible for destruction, depending on the age of the records.

Orange: Both Permanent and Non-Permanent Records

A records series title and number in orange indicate the records series includes permanent and non-permanent records. Be especially careful when reviewing records in this category.

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**New York State Unified Court System
Records of the Court of Claims
Records Retention and Disposition Schedule**

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

All records dating prior to 1950 are to be retained permanently.

Case Files

Documentary record of a proceeding before the Court of Claims. File papers include Claim, Note of Issue, Bill of Particulars, Affidavits, Motions, Judgments, Orders, Transcripts, Decision, Notice of Appeal, Record on Appeal, and all other papers which must be filed with the court.

60010 Claims Files

Records of proceedings of claims against the State, from commencement of action to final determination. Contains all papers and documents related to a case.

a) Claim, Notice of Intention, Decision, Judgment, Order, and Answer

Retain permanently.

b) Remainder of Claim File

Retain twenty-five years, then destroy.

Supplemental Case Records

60020 Appraisal Reports

Reports filed by claimant and the state assessing damages in an appropriation claim.

- a) Retain for thirty days after disposition, then destroy, unless return is requested by owner. If requested, return to owner.**
- b) Retain other appraisal reports for one year or until no longer needed, whichever is sooner, then destroy.**

60030 Court Reporter Notes and All Other Recordings of the Court Not Listed as a Separate Records Series Title

Stenographic tapes, pads, audio tapes or machine-readable systems that record the proceedings of the court.

Retain for five years, then destroy.

60040 Court Reporter Transcripts and Transcripts of All Other Recordings of the Court Not Listed as a Separate Records Series Title

Transcripts of Court Reporter Notes and transcripts of all other recordings of the Court not listed as a separate record series title.

Considered part of the claim file. File in claim file. If maintained separately, retain for same length of time as claim file.

60050 Exhibits

Exhibits presented as evidence in a case.

Retain for thirty days after disposition, then destroy, unless return is requested by owner. If requested, return to owner.

60055 Filed Answers to Unfiled Claims

Filed answers of the State of New York to claims not filed with the Court of Claims.

Retain for ten years, then destroy.

60060 Notices of Intention

Optional statements notifying the court of a claimant's intention to bring a claim against the state. May include nature of claim, time of and location where claim arose, and the alleged amount of damages or injuries. This record is the first document received by the court when a claim is filed.

a) If Subsequent Claim is Filed

Considered part of the claim file. File in claim file. Retain permanently.

b) If No Subsequent Claim is Filed

Retain for twenty-five years, then destroy.

60070 Record on Appeal

Court of Claims copy of the record on appeal which the appellant submitted to the Appellate Division or the Court of Appeals. This record outlines the nature of the appeal and provides supporting documentation.

Considered part of the claim file. File in claim file. If maintained separately, retain for same length of time as claim file.

60080 Subpoenaed Records

Records which have been subpoenaed by the court from an outside agency, organization, or individual.

Retain for thirty days after disposition, then destroy, unless return is requested by owner. If requested, return to owner.

Case Management Records

60090 Appraisal Cards

Card files documenting the filing and status of appraisal reports in claims cases.

Retain until claim is disposed, then destroy.

60100 Calendar Calls

Case review calendars to assess the status of cases. Includes calendar number, names of claimant and attorney, and amount claimed. Report is used to determine if case is ready for trial, settlement, or removal.

Retain permanently for research purposes.

60110 Calendars

Schedules of cases to be heard before the court.

Retain for one year or until no longer needed, whichever is sooner, then destroy.

60120 Calendars – Bi-Annual

Bi-annual lists of claims filed with the court. Includes claimant name, claim number, date of claim, and amount claimed.

Retain permanently for research purposes.

60130 Calendars – Bi-Annual Index

Any indexing material which provides information on access to the bi-annual calendars.

Retain permanently for research purposes.

60140 Caseload Activity Reports – Office of Court Administration

Court copies of caseload activity reports filed with the Office of Court Administration.

File original with Office of Court Administration.

Retain court copy for one year, then destroy.

60150 Claims Books

File and entry books listing papers submitted with claims. May include order, motions, and decisions. Books also log the types of papers and dates of filing.

Retain permanently.

- 60160 Claims: Index (also known as Claim Card and Prisoner Pro Se Index)**
Indexing material which provides information on access to the claims files. Includes name of claimant, claim number, note of issue number and date of filing, name of claimant's attorney and address, nature of claim and date of occurrence, date claim heard, findings, and judgment.
Retain permanently.
- 60170 Correspondence: Prisoner**
Correspondence from prisoners requesting information on filing claims, transfers to other facilities, representation by an attorney, and notices of intention to file a claim.
Retain for three years, then destroy.
- 60180 Daily Reports (also known as Court Stenographer's Minutes)**
Reports prepared by the court stenographer of daily activity in each part.
- a) Pre-1986 Daily Reports**
Retain permanently.
- b) Post-1985 Daily Reports**
Retain for one year or until no longer needed, whichever is sooner, then destroy.
- 60190 Judgment Books**
Books containing copies of all judgments rendered by the court.
Retain permanently.
- 60200 Judgment Books: Index**
Indexing material which provides information on access to the judgment books.
Retain permanently.
- 60210 Judgments: Daily Listing**
Lists prepared daily of judgments rendered by the court. Includes type of claim, claim number, name of claimant, date judgment entered, amount of award plus interest, and total award.
Retain for one year or until no longer needed, whichever is sooner, then destroy.
- 60220 Motion Books**
Logbooks recording the filing of motions with the court.
Retain for five years from date of last entry, then destroy.

- 60230 Motion Cards**
Card files documenting the filing and status of motions with the court.
Retain until decision is filed, then destroy.
- 60240 Motions (No Claim)**
Applications to the court requesting an order or rule in favor of the applicant. These motion papers do not relate to an existing claims case and are not part of the claims case file.
Retain for five years from date of disposition, then destroy.
- 60250 Motions: Index**
Any indexing material which provides information on access to motions. This record is also used to record motion numbers.
Retain for five years from date of disposition, then destroy.
- 60260 Notices of Intention Card Files**
Card files recording information found on Notices of Intention.
Retain permanently.
- 60270 Notices of Intention Logbooks**
Logbooks which record the filing of Notices of Intention with the court.
Retain permanently.
- 60280 Office Record Blank for Cases on Appeal**
Forms used by the court to monitor the status of cases appealed to the Appellate Division and Court of Appeals.
Retain for one year after appellate decision, then destroy.
- 60290 Office Record Blank for Stenographer's Minutes**
Forms used by the court to monitor the ordering and distribution of transcripts from the court reporter.
Retain for one year or until no longer needed, whichever is sooner, then destroy.
- 60300 Order Books**
Books containing copies of all orders rendered by the court.
Retain permanently.
- 60310 Order Books: Index**
Any indexing material which provides information on access to the order books.
Retain permanently.

60320 Receptionist Record Books

Logbook recording the date and time of in-person claims filings.

Retain for six years from date of last entry, then destroy.

60330 Undecided Trial Books

Logbooks tracking undecided trials, using the form “Office Record for Briefs and Requests to Find.”

Retain until decision is filed, then destroy.

Predecessor Court Records

The predecessor courts of the Court of Claims include Canal Appraisers (1817-1821), Canal Commissioners and Canal Board (1821-1870), Board of Canal Appraisers (1870-1878), State Board of Audit (1876-1878), Board of Claims (1878-1897), Court of Claims (1897-1911), and Board of Claims (1911-1915).

60340 Claims Files

Records of the settlement of claims. Includes awards for the condemnation of property and for damages caused to property.

Retain permanently for research purposes.

60350 Statement of Canal Awards

Lists awards made by canal appraisers. Includes names of claimants, dates of award, nature of appropriation, amounts, and towns and counties of origin.

Retain permanently for research purposes.