

Records Retention and Disposition Schedule



Drug Treatment Courts

**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
Drug Treatment Courts
Records Retention and Disposition Schedule**

Case Files

A case file contains all papers and documents relating to the proceedings of a treatment program participant, including any trial case papers forwarded from the originating Family and Criminal Courts. Documents include but are not limited to participant's information intake and/or data sheets; participant's Plea Agreement or Contract; copies of Court Orders from Family or Criminal Court; Department of Social Services' Mental Health Reports; Drug Treatment Court Program Update Biopsychosocial Reports; Treatment Providers' Psychosocial Assessments; Drug Treatment Court Plans Monitoring Reports; copies of participant's medical records and/or reports; Drug Treatment Court Progress Forms; copies of Court Case Summaries of Proceedings: Drug Treatment Court's Weekly Progress Reports; Drug Treatment Court Plans; Treatment Center Referral Forms; participant's Consent and Authorization for Release and/or Disclosure of Confidential Information Forms; copies of pharmaceutical prescriptions, representative counsel letters; alien and/or visa cards; Judge's Participant Progress Reports; Treatment Facility Drug Testing Toxicology Reports; copies of school records, correspondence, and Certificates for Treatment Program Completion.

Note that some Courts currently store some of the documents listed above separately from the case file. These documents have been distinguished as a separate record series in this schedule but have the same retention requirements as the related case file.

DT-010 Drug Treatment Court Program Case Files

Records used for monitoring and/or assessing progress made by alcohol and substance abuse program participants of the Drug Treatment Court.

a) Drug Treatment Court Program Records

Retain for six years after discharge or until completion of all requirements of participant's plea agreement/contract, whichever is later, then destroy.

b) Trial Court Records

Retain until all requirements of the Drug Treatment Court Program Records are completed, then destroy all duplicates immediately and return records to the originating trial court.

Supplemental Case Records

DT-020 Defendant Criminal History Records (also known as “Rap Sheets”)

Arrest and case disposition records of defendants.

Destroy immediately after superseded or after Drug Treatment Court Program Case is completed, whichever is sooner.

DT-030 Universal Treatment Application (UTA) Database

Records used for managing and/or administering information obtained on Drug Treatment Court participants. Information includes but is not limited to participant names and identification numbers; docket numbers; release statuses; top charges; plea conviction charges; participant interview dates; interested programs; case dispositions; dates of drug testing, plea agreement, and drug treatment court hearings; referral treatment plans; participant address(es) and telephone numbers; whether participants can speak, read, and/or write English; birth date, age, county of citizenship of participants, dates of residency; social security numbers; country of birth; races/ethnicity; marital statuses; sexual preferences; assessment locations; whether participants owns an alien green card, valid driver's license and employee identification card; numbers of treatment plans used; participants employment status, primary means of financial support, veteran status, home and social environment; number of children; participants physical and mental health, whether participants was a victim of a crime, used alcohol and/or drugs; past treatment histories and barriers to hinder treatments; requested treatments; comments on participants progress.

a) UTA Treatment Program Case Files

**Considered to be part of the Drug Treatment Court Program Case File.
Retain for same length of time as Drug Treatment Program Case File.**

b) UTA Treatment Program Analysis Reports

**Considered to be part of the Drug Treatment Court Program Case File.
Retain for same length of time as Drug Treatment Program Case File.**

c) UTA Database Entry Forms

Retain until information is entered into UTA Database Files and quality control is conducted, then destroy.

Case Management Records

DT-040 **Statistical/Administrative Reports**

Records created to document the current status of incoming and/or outgoing Drug Treatment Court Program Cases. Information includes but is not limited to Court and location; months and years being reported; status of new and old cases; sex (male/female) of treatment participants, status of intake and eligible determination; number of arraignment charges; age of participants; number by race/ethnicity of participants; primary drugs of choice of participants; number of opened, warranted, graduated, and failed cases.

Retain until updated or until no longer needed, whichever is sooner, then destroy.

Fiscal Records

DT-050 Grant Program Files

Records created to document grant application and/or programs for Federally sponsored Drug Treatment Courts of the Unified Court System. Includes but is not limited to award letters/notices, Categorical Assistance Progress Reports (CAPR), request for grant extensions, Quarterly Financial Statement Reports, approval for budget modifications, process evaluation reports, drug court agreements or contracts for acquiring outside services, rejection grant letters, memorandums, correspondence, and all supporting documentation.

a) Approved Grants

Retain for six fiscal years after lapse of grant or final payment, whichever is later, then destroy.

b) Denied or Unsuccessful Grants

Retain for two fiscal years, then destroy.

DT-060 Performance Based Contract (PBC) Invoices

Documents used by Drug Treatment Courts of New York City to request payment from Federally awarded Grant funds managed by the Mayor's Office. Include but are not limited to correspondence; memorandums; invoices; copies of contracts; list of names and identification number of participants; billing information.

Considered to be part of the Grant Program File. File in Grant Program File. If maintained separately, retain for same length of time as Grant Program File.