

Records Retention and Disposition Schedule



Records of the Family Court

**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 Family Court
Records Retention and Disposition Schedule**

The following records 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 records series in these schedules but have the same retention requirements as the related case file.

40010 Adoption “A” Cases

Record of adoption case proceedings.
Retain permanently.

40011 Adoption Certification “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.

- 40040 Juvenile Delinquency “D” Cases**
Proceedings involving minors alleged to have committed an offense punishable as a crime if committed by an adult.
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**
Proceedings involving minors alleged to have committed an offense punishable as a felony if committed by an adult.
Retain for twenty-five years after date of disposition, then destroy, except for a sample to be retained permanently for research purposes.
- 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.
- 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.
- 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 which will 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, 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.
- 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.
- a) Support Proceedings**
Retain according to Schedule for “F” Cases (see series 40060).
- b) Habeas Corpus Proceedings**
Retain permanently.
- 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.
- 40180 Uniform Support of Defendants “U” Cases**
Support cases in which the respondent lives outside the petitioner’s county.
- 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, then destroy.
- c) All Other Support Cases, e.g., Child Support**
Retain for twenty-five years after disposition of last order, then destroy.
- 40190 Custody of Minors “V” Cases**
Proceedings to provide for the temporary or permanent custody of a child.
Retain permanently.
- 40200 Material Witness “W” Cases**
Proceedings in which the Family Court places a person under sixteen years of age in protective custody because the child is a material witness.
Retain for two years after final disposition, then destroy.

40210 Miscellaneous “Z” Cases

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.

Retain permanently.

40215 Transferred Case Files

Exact copies of files transferred to another court *for jurisdiction*.

Retain for one year, then destroy.

Supplemental Case Records

40220 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 from date of hearing, then destroy.

40230 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 records series title.

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

40240 Divorce Decrees

Copies of divorce decrees which have been handed down by the Supreme Court and are filed with Family Court pursuant to state law.

a) If Decree Results in a Court Case

Retain for same length of time as the case file.

b) All Others

Retain for one year, then destroy.

40250 Exhibits

Exhibits presented as evidence in a case.

Return to the 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 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.

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 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 the 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

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 sooner, then destroy.

40310 Assigned Counsel Logbooks

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 sooner, 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 sooner, 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 sooner, then destroy.

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, Support Magistrates)

Daily listings of cases to be heard by Hearing Examiners.

Retain for one year or until no longer needed, whichever is sooner, 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 the 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 database.
Retain for one year or until no longer needed, whichever is sooner, then destroy.
- 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 sooner, then destroy.
- 40380 Designated Felony Logbooks**
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 sooner, 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 sooner, 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.
- 40410 Divorce Decrees Logbook**
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 sooner, 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 reports requested.

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

40430 Hearing Examiner Appointment Logbooks

Chronological logbooks appointing Hearing Examiners to cases.

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

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 sooner, then destroy.

40470 Logbooks 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 sooner, then destroy.

- 40475 Log of Order Numbers (also known as UCS Domestic Violence Registry Log of Order Numbers)**
Form listing order numbers for Orders of Protection which are entered into the UCS Domestic Violence Registry.
Retain for one year, then destroy.
- 40480 Motion Logs**
Chronological list of motions submitted.
Retain for one year or until no longer needed, whichever is sooner, then destroy.
- 40490 Order Books (also known as File and Entry Books)**
Chronological logs of all orders issued by the courts. Includes docket number, name of respondent, order, and date.
Retain for one year or until no longer needed, whichever is sooner, then destroy.
- 40500 Order Recall Books**
Chronological files of all orders that have been recalled.
Retain for one year or until no longer needed, whichever is sooner, then destroy.
- 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 Logbooks**
Chronological logs of warrants which have been returned.
Retain for one year or until no longer needed, whichever is sooner, then destroy.

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 sooner, 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 sooner, then destroy.

40555 Statistical Reporting Forms

Forms which gather case statistical data. Includes OCA/UCS-102, 103, 108, 110, 111, and 112.

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.

Children's Court

- 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's 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.
- 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 Children's 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 Children's Court.
Retain permanently.

40680 Orders and Petitions

Orders and petitions issued by Children's 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.

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

40720 Calendars

Daily log of cases heard in 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

40760 Adjourned Case Books

Chronological logs of adjourned cases.

Retain permanently.

40770 Calendar Books

Daily log 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

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 logbook of fine payments received by the court.

Retain permanently.

40820 Marriage Applications

Retain permanently.

Special Term Family & Children's Court

40830 Case Files

Numerically arranged files containing all documentary papers relating to a case.

Retain permanently.

General Predecessor Court Records

- 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.