



STATE OF WASHINGTON

LOCAL RECORDS COMMITTEE

Office of the State Auditor • Office of the Attorney General • Office of the State Archivist
PO Box 40238 • Olympia, Washington 98504-0238 • (360) 586-4900

August 29, 2013 – 10:00 a.m.
Archives Conference Room

1129 Washington St SE, Olympia, WA, 98504

AGENDA

I. ROUTINE ITEMS

- A. Call to Order
- B. Introduction of Guests
- C. Approval of Minutes for June 27, 2013
- D. Adoption of Today's Agenda

II. OLD BUSINESS/ACTION ITEMS

- A. *Prosecuting Attorney Records Retention Schedule (Version 2.0)* – Julie Blecha
 - a. Advice Sheet: *Notorious/Historically Significant Legal Case Files*
 - b. Advice Sheet: *What to do with Public Defender Case Files and Indigence Determination Records*

III. WASHINGTON STATE ARCHIVES UPDATES

- A. Revision of Records Retention Schedules – Julie Blecha
 - a. Advice Sheet: *Washington State Archives' Revision Plan*
- B. Announcements from the State Archivist – Steve Excell

IV. NEXT MEETING – October 31, 2013

V. ADJOURNMENT

I. ROUTINE ITEMS

- A. Approval of Minutes for June 27, 2013



STATE OF WASHINGTON
LOCAL RECORDS COMMITTEE

Office of the State Auditor • Office of the Attorney General • Office of the State Archivist
PO Box 40238 • Olympia, Washington 98504-0238 • (360) 586-4900

June 27, 2013 – 10:00 a.m.
State Archives Conference Room
1129 Washington St SE, Olympia, WA 98504

MEETING MINUTES

Members Present: Cindy Evans (Chair) – State Auditor’s Office; Sharon James (formerly Payant) – Attorney General’s Office; Steve Excell – State Archivist

Staff Present: Russell Wood – State Records Manager; Julie Blecha – Local Government Records Retention Specialist; Tracy Rebstock – Southwest Regional Branch Archives;

Guests Present: Denise Millard – King County Superior Court Clerk’s Office; Patty Holmquist – Tacoma Public Utilities; Carol Shenk and Ryan Wadleigh – King County; Tri Howard – Port of Tacoma; Danelle Court – City of Bellevue; Amy Cleveland – City of Olympia

I. ROUTINE ITEMS

A. Call to Order

Cindy Evans called the meeting to order at 10:00 a.m.

B. Introduction of Guests

C. Approval of Minutes for January 31, 2013

Motion to adopt the minutes as presented; Evans, second by Steve Excell.

Resolution: Motion carried

D. Adoption of June 27, 2013 Agenda

Motion to adopt the agenda as presented; Sharon James, second by Excell.

Resolution: Motion carried

II. NEW BUSINESS

A. Prosecuting Attorney (PA) Records Retention Schedule (Version 2.0) – Julie Blecha

The meeting packet includes the most recent version of the retention schedule, which includes the result of eight months of work by the many attorneys who provided their expertise and guidance which completely transformed the previous version (1.0).

The retention schedule was revised primarily in order to reflect current statute, specifically RCW 13.50.050 relating to juvenile offender records. Thanks to Tsering Kheyap, Assistant Attorney General, who provided guidance regarding the interpretation of RCW 13.50.050 relating to early destruction of some juvenile offender records.

In addition, at the request of local government attorneys, records series were simplified and consolidated into “bigger buckets”. Also, duplications and contradictions were eliminated and gaps were filled, such as victim/witness/survivor advocacy case files.

Several major transformations took place, most notably the removal of records series covering assigned counsel case files.

In September of 2012, 15 attorneys volunteered to be subject matter experts, 4 or 5 from each of the following associations: Washington Association of Prosecuting Attorneys (thanks to Tom McBride, Executive Secretary), Washington Defender Association (thanks to Christie Hedman, Executive Director); and the Washington State Association of Municipal Attorneys (thanks to Pat Mason, Secretary/Treasurer).

By May of 2013, the Washington Defender Association raised concerns about whether public defender records were subject to chapter 40.14 RCW. They consulted with the Washington State Office of Public Defense, who then asked Jeff Evan, Solicitor General with the Office of Attorney General, to review the matter. A meeting took place to discuss this issue on May 23rd and included Jeff Evan, Tsering Kheyap, State Archivist Steve Excell, State Records Manager Russell Wood, and Blecha. It was determined that public defender case files were governed by court rule, the Washington Bar Association, and the rules of profession conduct. Consequently, all records series relating to public defender records were extracted from the retention schedule, and the title and scope were changed to reflect this.

WSA was made aware that agencies, in some cases, were possibly not noticing that civil cases **where the agency is a party to a civil case** are covered in the *Local Government Common Records Retention Schedule (CORE)*, while civil cases **where the agency attorney is acting on behalf of “the people”** are covered in the PA schedule. The significance being that civil cases *where the agency is a party* may have historic value and have, therefore been designated as Archival; the others have a Non-Archival designation.

In early June, it was suggested that perhaps consolidating all agency attorney records into one retention schedule would make it easier for end-users. Having one place to look for agency attorney records could possibly help to prevent the inadvertent early destruction of civil case files *where the agency is a party*. Therefore, two series were removed (and one series discontinued) from *CORE* and put into the draft, renamed as “Attorney Legal Services”. Future revisions to the PA schedule would improve the two series. This is the draft that was distributed in the agenda packet.

Soon thereafter, WSA realized that taking *CORE* series and putting them in the attorney schedule violated the *common records belong in CORE* philosophy. Consequently, the Prosecuting Attorney schedule in the meeting packet is precisely what the reference group finalized, and *CORE 3.0* remains unaltered.

Two letters were submitted in support of the revision project, one from Pat Mason, who commented on the inclusive revision process, the other from Ramsey Ramerman, Assistant City Attorney, City of Everett, who stated his appreciation for the removal of the *CORE* series from the draft.

Regarding AT52-07-04A, *Criminal Case Files - Convictions (Class A Felony and Persistent Offenders)*, Sharon Payant inquired about death penalty cases. Evans stated that this series covers only the prosecutor’s files, and that the court case file would be retained forever. Members felt that any death penalty case files would be covered by AT2013-009, *Notorious/Historically Significant Case Files*, and the advice sheet WSA will issue in conjunction with this revision will be modified to specifically include death penalty cases.

Steve Excell commented that the Governor retains complete extradition case files permanently, so it makes sense that the prosecutors may dispose of their extradition case files after one 1 year.

Cindy Evans inquired about AT52-07-04C, *Criminal Case Files – Convictions (Class C Felony and DUI)* and current discussions in the Legislature about tightening DUI statute. Blecha stated that according to

Grant Blinn (Misdemeanor Division Chief, Pierce County Prosecuting Attorney's Office), the official court record is sufficient to prove previous convictions; the prosecutor's case file is not necessary. The minimum retention requirements of 20 years, 10 years, and 5 years are because those are the maximum sentences for the respective class of crime (Class A Felony, Class B Felony, etc.).

Evans confirmed that all concerns expressed by the legal community about public defender records have been resolved, due to the removal of all public defender records from the retention schedule.

Evans asked if there were any other concerns about the draft as presented; Blecha stated that there were no concerns that she was aware of.

Excell mentioned the robust conversations that took place around the public defender records, including the issue of counties who contract for services with private law firms, and others who have employees. As it turns out, the Bar Association has a formal opinion that says, basically, that client records belong to the client, so they are not government records. It's a moot point for state and local government agencies, because the government is the client.

Two advice sheets are being prepared, the first, entitled "What to do with Public Defender Case Files and Indigence Determination Records" is being reviewed by the Office of Public Defense.

Evans expressed concern that the draft provided in the agenda packet differs from the version put forward at the meeting, asked the other Members if they shared her concern.

Denise Millard, King County Superior Court Clerk's Office, asked why court reporter notes don't have the same retention requirements as the prosecutor case files. Blecha announced that the Superior Court Clerk retention schedule was the very next one being revised, and invited Millard to participate on the reference group, which is having its first meeting on August 21st.

Payant asked the meeting attendees if anyone would have preferred to have more time to review, acknowledging that there are no changes, only omissions. Patty Holmquist, Tacoma Public Utilities, stated that insertion of the two CORE series was the only part they didn't have a chance to review, and since the two series have been removed, that is no longer an issue.

Excell suggested that they could approve the schedule with amendments, since the language was all out there in terms of public notice, but he would defer to the Chair. Evans suggested that out of concern for transparency and openness, the item tabled until the next meeting and notice be provided to the general public to give anyone a chance to review the proposed changes.

Motion to table the *Prosecuting Attorney Records Retention Schedule (Version 2.0)*; Evans, second by Excell.

Resolution: Motion carried

B. Local Government Common Records Retention Schedule (Version 3.1) – Julie Blecha

Proposed changes to *CORE Ver. 3.0* have been withdrawn.

III. WASHINGTON STATE ARCHIVES UPDATES

A. Revision of Records Retention Schedules – Julie Blecha

The *County Clerks and Superior Court Clerks Records Retention Schedule* reference group has been formed. It is comprised of six County Clerks and will have its first meeting on August 21st. Another meeting is scheduled to take place during the Washington Association of County Officials (WACO) conference in October.

The *Housing Authorities Records Retention Schedule* has commenced. Many federal requirements for these records are shorter than our state requirements; Evans cautioned that federal requirements change constantly, and we need to do what is best for Washington's agencies and not *necessarily* reflect the federal requirements in our retention schedule.

The *Coroners and Medical Examiners Records Retention Schedule* is also up for revision, and Blecha has been asked to meet with them at the WACO conference in October. Many of their records are Archival.

CORE – Human Resources is the next CORE functional area up for revision.

WSA staff is awaiting a list of priorities from stakeholders before embarking on the next update to the *Utility Providers Records Retention Schedule*.

Evans requested that a schedule of *tentative* upcoming retention schedule revision projects be posted online. The list should state “best estimate, subject to change” in order to accommodate any alterations to the plan.

There are currently 2,436 subscribers on the local government listserv, including 59 new subscribers since the last meeting. WSA’s long-term goal is to register multiple people from every local government agency so that our bulletins are sure to reach every agency.

Evans stated that SAO is looking for guidance on text messages and the use of private phones for public business. Excell shared that the Office of the Secretary of State (OSOS) has been developing an internal policy on “BYOD” (bring your own device) and texting, and will share the draft with Evans.

Discussion ensued about records management challenges resulting from technological advances, employee lawsuits being filed as a result of BYOD practices, what agency policies should include, challenges retrieving messages from various carriers, the dynamic issues Port of Tacoma has confronted over the years, the problem with co-mingling public and private records, etc.

Excell described two current court cases worth reading that involve public employees using personal devices for business purposes, O’Neill vs. City of Shoreline, and Nissen vs. Pierce County.

B. Announcements from the State Archivist – Steve Excell

Washington State Archives continues to deal with space challenges system wide. The Legislature suggested using the Wheeler Building space, but the floors would not support the weight of the records and a \$6 million dollar structural remodel would be required. The Archives will be completely full in 2014, and a decision package will be prepared to deal with the issue. The Legislature and the Office of Financial Management (OFM) need to be educated about the risk to public records if there’s a moratorium on records intake due to lack of space.

A recent surprise acquisition came from former Senator Gordon Walgren, whose autobiography details his life in public service and his role in Gamscam, the gambling scandal that took place in the late 70’s, early 80’s. He walked into the front door of WSA and delivered boxes of Gamscan tapes that he got from the FBI and Department of Justice, and all of his attorney files.

NEXT MEETING – August date to be determined.

ADJOURNMENT: 10:55 am

CERTIFICATION OF MEETING MINUTES OF THE LOCAL RECORDS COMMITTEE:

I, Cindy Evans, Chair of Local Records Committee, certify that the above is a true and correct transcript of the minutes of a public meeting of the Local Records Committee of the State of Washington held in the State Archives Building conference room on June 27, 2013, and that the public meeting was duly called and held in all respects in accordance with the laws of the State of Washington, and that a quorum was present.

Chair Signature

Date

II. OLD BUSINESS/ACTION ITEMS

A. Prosecuting Attorney Records Retention Schedule (Ver. 2.0)

- Revision Guide
- Letter from David Seaver, Office of King County Prosecuting Attorney
- Advice Sheet: *Notorious/Historically Significant Legal Case Files*
- Advice Sheet: *What to do with Public Defender Case Files and Indigence Determination Records*

LRC AGENDA PACKET DRAFT



Prosecuting Attorney Records Retention Schedule Version 2.0 (August 2013)

This schedule applies to: Prosecuting Attorneys

Scope of records retention schedule

This records retention schedule authorizes the destruction/transfer of the public records of local government agency attorneys (including contractors) relating to the function of appearing for and **representing the counties and State of Washington** pursuant to chapter 36.27 RCW, and **representing the cities of Washington** pursuant to RCW 3.50.020, in actions and proceedings before the courts and judicial officers. It is to be used in conjunction with the *Local Government Common Records Retention Schedule (CORE)*, which authorizes the destruction/transfer of public records common to all local government agencies. *CORE* can be accessed online at: <http://www.sos.wa.gov/archives/recordsretentionschedules.aspx>.

Disposition of public records

Public records covered by records series within this records retention schedule must be retained for the minimum retention period as specified in this schedule. Washington State Archives strongly recommends the disposition of public records at the end of their minimum retention period for the efficient and effective management of local resources.

Public records designated as Archival (Permanent Retention) or Non-Archival (with a retention period of “Life of the Agency” or “Permanent”) must not be destroyed. Records designated as Archival (Appraisal Required) must be appraised by the Washington State Archives before disposition. Public records must not be destroyed if they are subject to ongoing or reasonably anticipated litigation. Such public records must be managed in accordance with the agency’s policies and procedures for legal holds. Public records must not be destroyed if they are subject to an existing public records request in accordance with chapter 42.56 RCW. Such public records must be managed in accordance with the agency’s policies and procedures for public records requests.

In addition to the minimum retention requirements specified in this schedule, there may be additional (longer) retention requirements mandated by federal, state and/or local statute, grant agreement, and/or other contractual obligations.

Revocation of previously issued records retention schedules

All previously approved disposition authorities for records that are covered by this retention schedule are revoked, including those listed in all general and agency unique retention schedules. Local government agencies should take measures to ensure that the retention and disposition of public records is in accordance with current approved records retention schedules.

Authority

This records retention schedule was approved by the Local Records Committee in accordance with RCW 40.14.070 on August 29, 2013.

For the State Auditor: Cindy Evans

For the Attorney General: Sharon James

The State Archivist: Steve Excell

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*Prosecuting Attorney Records Retention Schedule
Version 2.0 (August 2013)*

REVISION HISTORY

Version	Date of Approval	Extent of Revision
1.0	November 29, 2012	First version. Records series imported from the Local Government General RRS (LGRRS) Version 5.2.
2.0	August 29, 2013	Complete revision; all series consolidated and updated. Nine new series – including four relating to the destruction of juvenile records pursuant to RCW 13.50.050 , and one “Archival” series to cover notorious/historically significant case files (AT2013-009). All changes detailed in Revision Guide. NOTE: All previously approved disposition authorities for assigned counsel/public defender records have been removed/revoked. Records retention requirements for these records are regulated by the Washington State Bar Association and the Rules of Professional Conduct .

For assistance and advice in applying this records retention schedule,

please contact Washington State Archives at:

recordsmanagement@sos.wa.gov

or contact your Regional Archivist.

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1. ATTORNEY LEGAL REPRESENTATION

The function of providing legal representation *on behalf of the cities, counties, or State of Washington*, relating to criminal, juvenile offender, or civil matters in family law, juvenile, trial, and appellate courts, and/or administrative forums. Includes agency employees *and attorneys who contract to provide these services*.

1.1 CIVIL CASE FILES – WHERE THE LOCAL GOVERNMENT AGENCY IS NOT A PARTY

Civil court cases where the attorney represents the State of Washington including domestic, guardianship, mental illness & alcohol, adoption and parentage, juvenile dependency, child in need of services (CHINS), dependency, developmental disability placement, termination, truancy, at-risk youth (ARY), reinstatement of parental rights, guardianship for foster children, etc. Also includes traffic infractions and code enforcement where attorneys represent the cities of Washington in municipal courts.

Excludes actions where the local government agency (including agency employees, contractors, & volunteers) is the plaintiff or defendant and actions where the County Prosecutor's office represents another county department/agency. These records are covered in the Legal Affairs section of the Local Government Common Records Retention Schedule (CORE).

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT2013-001 Rev. 0	<p>Civil Case Files – General Records relating to legal representation in civil actions <i>where the local government agency represents the cities, counties or State of Washington.</i></p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format). <p>Excludes:</p> <ul style="list-style-type: none"> • Civil suits where the local government agency is the plaintiff or defendant, which are covered by CORE series GS53-02-04; • Notorious/historically significant cases covered by AT2013-009; • Civil case files covered more specifically elsewhere in this section. 	<p>Retain for 3 years after judgment, settlement, dismissal, acquittal, completion of deferral contract, or decline to prosecute, <i>whichever is later then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

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1.1 CIVIL CASE FILES – WHERE THE LOCAL GOVERNMENT AGENCY IS NOT A PARTY

Civil court cases **where the attorney represents the State of Washington** including domestic, guardianship, mental illness & alcohol, adoption and parentage, juvenile dependency, child in need of services (CHINS), dependency, developmental disability placement, termination, truancy, at-risk youth (ARY), reinstatement of parental rights, guardianship for foster children, etc. **Also includes traffic infractions and code enforcement where attorneys represent the cities of Washington in municipal courts.**

Excludes actions where the local government agency (including agency employees, contractors, & volunteers) is the plaintiff or defendant and actions where the County Prosecutor’s office represents another county department/agency. These records are covered in the Legal Affairs section of the Local Government Common Records Retention Schedule (CORE).

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT2013-002 Rev. 0	<p>Civil Case Files – Infractions Records relating to the prosecution of adults and juveniles charged with noncriminal infractions.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format). 	<p>Retain for 30 days after judgment, settlement, dismissal, acquittal, or completion of deferral contract, <i>whichever is later</i> <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR
AT52-07-10 Rev. 1	<p>Civil Case Files – Involuntary Commitment Records relating to the involuntary commitment of a person for possible substance abuse in accordance with <u>RCW 70.96A.140</u> or mental health problems pursuant to chapters <u>71.05</u> or <u>71.34</u> RCW. Includes “72-hour holds”.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Commitment orders, psychiatrist reports, etc. • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format). <p><i>Note: If criminal charges are filed, these records become part of the associated criminal case file.</i></p>	<p>Retain for 3 years after release of individual from hold <i>or</i> 3 years after case closed, <i>whichever is later</i> <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

LRC AGENDA PACKET DRAFT



1.1 CIVIL CASE FILES – WHERE THE LOCAL GOVERNMENT AGENCY IS NOT A PARTY

Civil court cases **where the attorney represents the State of Washington** including domestic, guardianship, mental illness & alcohol, adoption and parentage, juvenile dependency, child in need of services (CHINS), dependency, developmental disability placement, termination, truancy, at-risk youth (ARY), reinstatement of parental rights, guardianship for foster children, etc. **Also includes traffic infractions and code enforcement where attorneys represent the cities of Washington in municipal courts.**

Excludes actions where the local government agency (including agency employees, contractors, & volunteers) is the plaintiff or defendant and actions where the County Prosecutor's office represents another county department/agency. These records are covered in the Legal Affairs section of the Local Government Common Records Retention Schedule (CORE).

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT52-07-09C Rev. 1	<p>Civil Case Files – Social Security Act Title IV-D (Child Support)</p> <p>Records relating to legal representation of the State of Washington in relation to state responsibilities under Title IV, Part D (Title IV-D) of the <i>Social Security Act</i>.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Determination of parentage; • Child support establishment, modification, adjustment, and/or enforcement; • Responding cases. <p><i>Note: Per RCW 4.16.020, the statute of limitations for commencement of action for the collection of past due child support is 10 years after the youngest child named in the child support order reaches age 18.</i></p> <p><i>Note: Per RCW 4.16.360, there is no limitation for initiating legal action for the determination of paternity.</i></p>	<p>Retain for 3 years after youngest child reaches age 18 or 3 years after entry of last order, <i>whichever is later</i></p> <p><i>then</i></p> <p>Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

LRC AGENDA PACKET DRAFT



1.1 CIVIL CASE FILES – WHERE THE LOCAL GOVERNMENT AGENCY IS NOT A PARTY

Civil court cases **where the attorney represents the State of Washington** including domestic, guardianship, mental illness & alcohol, adoption and parentage, juvenile dependency, child in need of services (CHINS), dependency, developmental disability placement, termination, truancy, at-risk youth (ARY), reinstatement of parental rights, guardianship for foster children, etc. **Also includes traffic infractions and code enforcement where attorneys represent the cities of Washington in municipal courts.**

Excludes actions where the local government agency (including agency employees, contractors, & volunteers) is the plaintiff or defendant and actions where the County Prosecutor's office represents another county department/agency. These records are covered in the Legal Affairs section of the Local Government Common Records Retention Schedule (CORE).

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT52-07-09E Rev. 1	<p>Civil Case Files – Juvenile Dependency Records relating to legal representation in relation to dependency actions, including, but not limited to:</p> <ul style="list-style-type: none"> • At-risk youth (ARY); • Child in need of services (CHINS); • Dependency; • Developmental disability placement; • Guardianship for foster children; • Parentage termination for adoption; • Reinstatement of parental rights; • Termination; • Truancy. <p>Excludes <i>Social Security Act</i> Title IV-D cases covered by AT52-07-09C.</p>	<p>Retain for 6 years after case closed <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

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1.2 CRIMINAL CASE FILES

The activity of prosecuting adults (and juveniles tried as adults) in criminal trial or appellate courts.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT52-07-04A Rev. 1	<p><i>Criminal Case Files – Convictions (Class A Felony and Persistent Offenders)</i> Records relating to the prosecution of adults convicted of a Class A felony as defined by RCW 9A.20.020 and/or sentenced as a “persistent offender” as defined by RCW 9.94A.030(37). Includes juveniles tried as adults pursuant to RCW 13.40.110. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format). <p>Excludes notorious/historically significant cases covered by AT2013-009. <i>Note: Sex offender and other “special cases” may be designated by the prosecutor for longer retention.</i></p>	<p>Retain for 20 years after sentencing <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>
AT52-07-04B Rev. 1	<p><i>Criminal Case Files – Convictions (Class B Felony)</i> Records relating to the prosecution of adults convicted of a Class B felony as defined by RCW 9A.20.020. Includes juveniles tried as adults pursuant to RCW 13.40.110. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format). <p>Excludes records covered by AT52-07-04A and notorious/historically significant cases covered by AT2013-009.</p>	<p>Retain for 10 years after sentencing <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

LRC AGENDA PACKET DRAFT



1.2 CRIMINAL CASE FILES

The activity of prosecuting adults (and juveniles tried as adults) in criminal trial or appellate courts.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT52-07-04C Rev. 1	<p><i>Criminal Case Files – Convictions (Class C Felony and DUI)</i> Records relating to the prosecution of adults convicted of a Class C felony as defined by RCW 9A.20.020, Driving Under the Influence (DUI) as defined by RCW 46.61.502, and/or Physical Control of Vehicle Under the Influence as defined by RCW 46.61.504. Includes juveniles tried as adults pursuant to RCW 13.40.110.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format). <p>Excludes records covered by AT52-07-04A, AT52-07-04B, and notorious/historically significant cases covered by AT2013-009.</p>	<p>Retain for 5 years after sentencing <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR
AT2013-003 Rev. 0	<p><i>Criminal Case Files – Other</i> Records relating to the prosecution of adults charged with misdemeanors or gross misdemeanors as defined by RCW 9A.20.020, <i>and any/all criminal cases which do <u>not</u> result in a conviction.</i></p> <p>Cases include:</p> <ul style="list-style-type: none"> • Misdemeanors and gross misdemeanors; • Dismissals and acquittals (any/all charges); • Declined to prosecute (any/all charges); • Pre-prosecution diversions. <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format). <p>Excludes cases covered by AT52-07-04A, AT52-07-04B, AT52-07-04C and notorious/historically significant cases covered by AT2013-009.</p>	<p>Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, <i>whichever is later then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

LRC AGENDA PACKET DRAFT



1.3 JUVENILE OFFENDER CASE FILES

The activity of prosecuting juveniles in juvenile or appellate courts.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT52-07-05A Rev. 1	<p><i>Juvenile Offender Case Files – Adjudicated Guilty (Class A Felony)</i></p> <p>Records relating to the prosecution of juveniles adjudicated guilty of a class A felony as defined by RCW 9A.20.020.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format). <p>Excludes juvenile records destroyed earlier under the following circumstances:</p> <ul style="list-style-type: none"> • Routine destruction allowed pursuant to RCW 13.50.050(22) if agency developed procedures for such routine destruction and if juvenile offender has attained age 23 (see DAN AT2013-006); • Notification of pardon received from the Office of the Governor pursuant to RCW 13.50.050(17)(b) (see DAN AT2013-007); or, • Court order received pursuant to RCW 13.50.050(18) (see DAN AT2013-005). <p>Also excludes notorious/historically significant cases covered by AT2013-009.</p> <p><i>Note: Sex offender and other “special cases” may be designated by the prosecutor for longer retention.</i></p>	<p>Retain for 20 years after sentencing <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

LRC AGENDA PACKET DRAFT



1.3 JUVENILE OFFENDER CASE FILES

The activity of prosecuting juveniles in juvenile or appellate courts.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT52-07-05B Rev. 1	<p><i>Juvenile Offender Case Files – Adjudicated Guilty (Class B Felony)</i> Records relating to the prosecution of juveniles adjudicated guilty of a Class B felony as defined by RCW 9A.20.020.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format). <p>Excludes juvenile records destroyed earlier under the following circumstances:</p> <ul style="list-style-type: none"> • Routine destruction allowed pursuant to RCW 13.50.050(22) if agency developed procedures for such routine destruction and if juvenile offender has attained age 23 (see DAN AT2013-006); • Notification of pardon received from the Office of the Governor pursuant to RCW 13.50.050(17)(b) (see DAN AT2013-007); or, • Court order received pursuant to RCW 13.50.050(18) (see DAN AT2013-005). <p>Also excludes case files covered by AT52-07-05A and notorious/historically significant cases covered by AT2013-009.</p>	<p>Retain for 10 years after sentencing <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

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1.3 JUVENILE OFFENDER CASE FILES

The activity of prosecuting juveniles in juvenile or appellate courts.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT52-07-05C Rev. 1	<p>Juvenile Offender Case Files – Adjudicated Guilty (Class C Felony and DUI)</p> <p>Records relating to the prosecution of juveniles adjudicated guilty of a Class C felony as defined by RCW 9A.20.020, Driving Under the Influence (DUI) as defined by RCW 46.61.502, and/or Physical Control of Vehicle Under the Influence as defined by RCW 46.61.504.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format). <p>Excludes juvenile records destroyed earlier under the following circumstances:</p> <ul style="list-style-type: none"> • Notification of destruction eligibility received from the juvenile court pursuant to RCW 13.50.050(17)(a) (see DAN AT2013-004); • Routine destruction allowed pursuant to RCW 13.50.050(22) if agency developed procedures for such routine destruction and if juvenile offender has attained age 23 (see DAN AT2013-006); • Notification of pardon received from the Office of the Governor pursuant to RCW 13.50.050(17)(b) (see DAN AT2013-007); or, • Court order received pursuant to RCW 13.50.050(18) (see DAN AT2013-005). <p>Also excludes case files covered by AT52-07-05A, AT52-07-05B, and notorious/historically significant cases covered by AT2013-009.</p>	<p>Retain for 5 years after sentencing <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

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1.3 JUVENILE OFFENDER CASE FILES

The activity of prosecuting juveniles in juvenile or appellate courts.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT52-07-05F Rev. 1	<p>Juvenile Offender Case Files – Other</p> <p>Records relating to the prosecution of juveniles charged with misdemeanors or gross misdemeanors as defined by RCW 9A.20.020, and any/all juvenile offender cases which are <u>not adjudicated guilty</u>.</p> <p>Cases include:</p> <ul style="list-style-type: none"> • Misdemeanors and gross misdemeanors; • Dismissals and acquittals (any/all charges); • Declined to prosecute (any/all charges); • Pre-prosecution diversions. <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format)). <p>Excludes juvenile records destroyed earlier under the following circumstances:</p> <ul style="list-style-type: none"> • Notification of destruction eligibility received from the juvenile court pursuant to RCW 13.50.050(17)(a) (see DAN AT2013-004); • Routine destruction allowed pursuant to RCW 13.50.050(22) if agency developed procedures for such routine destruction <u>and</u> if juvenile offender has attained age 23 (see DAN AT2013-006); • Notification of pardon received from the Office of the Governor pursuant to RCW 13.50.050(17)(b) (see DAN AT2013-007); or, • Court order received pursuant to RCW 13.50.050(18) (see DAN AT2013-005). <p>Also excludes case files covered by AT52-07-05A, AT52-07-05B, AT52-07-05C, and notorious/historically significant cases covered by AT2013-009.</p>	<p>Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, <i>whichever is later then</i></p> <p>Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

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1.4 JUVENILE OFFENDER RECORDS ELIGIBLE FOR EARLY DESTRUCTION PURSUANT TO [RCW 13.50.050](#)

This section covers juvenile records which may otherwise have a longer retention, but which are eligible for early destruction pursuant to [RCW 13.50.050](#).

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT2013-004 Rev. 0	<p>Juvenile Records – Destruction Eligibility Notification Received from Juvenile Court Juvenile records identified by the Juvenile Court as eligible to be destroyed in accordance with RCW 13.50.050(17)(a) and where the records have not already been destroyed in accordance with another current, approved disposition authority. Excludes the notification of eligibility <u>and</u> the records documenting the destruction of the juvenile records, which are covered by CORE series GS50-09-06, <i>Destruction of Public Records</i>.</p>	<p>Retain until notification of destruction eligibility received from Juvenile Court <i>then</i> Destroy within 90 days.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR
AT2013-005 Rev. 0	<p>Juvenile Records – Destruction Notification Received by Court Order Juvenile records ordered to be destroyed by the court in accordance with RCW 13.50.050(18), or any (other) court order and where the records have not already been destroyed in accordance with another current, approved disposition authority. Excludes the notification of destruction <u>and</u> the records documenting the destruction of the juvenile records, which are covered by CORE series GS50-09-06, <i>Destruction of Public Records</i>.</p>	<p>Retain until court order received <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR
AT2013-006 Rev. 0	<p>Juvenile Records – Juvenile Attains Age 23 Records relating to juvenile offenses and diversions where the juvenile has attained 23 years of age <u>and</u> where the local government agency has developed procedures for the routine destruction of certain records in accordance with RCW 13.50.050(22) and where the records have not already been destroyed in accordance with another current, approved disposition authority. Excludes records documenting the destruction of the juvenile records, which are covered by CORE series GS50-09-06, <i>Destruction of Public Records</i>.</p>	<p>Retain until juvenile attains 23 years of age <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

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1.4 JUVENILE OFFENDER RECORDS ELIGIBLE FOR EARLY DESTRUCTION PURSUANT TO [RCW 13.50.050](#)

This section covers juvenile records which may otherwise have a longer retention, but which are eligible for early destruction pursuant to [RCW 13.50.050](#).

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT2013-007 Rev. 0	<p>Juvenile Records – Pardon Notification Received from Office of the Governor</p> <p>Juvenile records relating to an individual who has been granted a full and unconditional pardon by the Governor, and where the Office of the Governor has notified the agency in accordance with RCW 13.50.050(17)(b) and where the records have not already been destroyed in accordance with another current, approved disposition authority.</p> <p>Excludes the notification of pardon <u>and</u> the records documenting the destruction of the juvenile records, which are covered by CORE series GS50-09-06, <i>Destruction of Public Records</i>.</p>	<p>Retain until pardon notification received from the Office of the Governor <i>then</i> Destroy within 30 days.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

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1.5 OTHER ATTORNEY CASE FILES

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT52-07-08 Rev. 1	<p>Extradition Case Files Records relating to the extradition of individuals in accordance with the Uniform Criminal Extradition Act pursuant to chapter 10.88 RCW or the Uniform Interstate Compact on Juveniles pursuant to chapter 13.24 RCW, where no criminal charges have been filed in Washington State.</p> <p>Excludes juvenile records destroyed earlier under the following circumstances:</p> <ul style="list-style-type: none"> • Notification of destruction eligibility received from the juvenile court pursuant to RCW 13.50.050(17)(a) (see DAN AT2013-004); • Routine destruction allowed pursuant to RCW 13.50.050(22) if agency developed procedures for such routine destruction and if juvenile offender has attained age 23 (see DAN AT2013-006); • Notification of pardon received from the Office of the Governor pursuant to RCW 13.50.050(17)(b) (see DAN AT2013-007); or, • Court order received pursuant to RCW 13.50.050(18) (see DAN AT2013-005). <p>Excludes notorious/historically significant cases covered by AT2013-009.</p> <p><i>Note: If criminal/juvenile offender charges are filed in Washington State, these records become part of the associated case file.</i></p>	<p>Retain for 1 year after extradition case completed <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

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1.5 OTHER ATTORNEY CASE FILES

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT2013-008 Rev. 0	<p>Litigation Materials – Development/Drafts Records relating to the development/drafting of litigation materials concerning any matter in litigation where the agency represents the State of Washington.</p> <p>Cases may include civil, criminal, juvenile offender, acquittals on grounds of insanity (RCW 10.77.080), etc.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none">• Draft versions of pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits;• Internal agency correspondence regarding the draft documents (regardless of format). <p>Excludes final litigation materials, which are included in the associated case file series.</p>	<p>Retain until no longer needed for agency business <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

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1.5 OTHER ATTORNEY CASE FILES

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT2013-009 Rev. 0	<p>Notorious/Historically Significant Case Files Records relating to the prosecution of adults and/or juveniles whose cases have gained contemporary public notoriety or significance (as defined by the local government agency). Cases may include civil, criminal, juvenile offender, acquittals on grounds of insanity (RCW 10.77.080), etc.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Pleadings, memoranda, briefs, declarations, discovery materials, reports, notes, trial notebooks, exhibits, and correspondence (regardless of format); • Working copies of police files. <p>Excludes juvenile records destroyed under the following circumstances:</p> <ul style="list-style-type: none"> • Notification of destruction eligibility received from the juvenile court pursuant to RCW 13.50.050(17)(a) (see DAN AT2013-004); • Notification of pardon received from the Office of the Governor pursuant to RCW 13.50.050(17)(b) (see DAN AT2013-007); or, • Court order received pursuant to RCW 13.50.050(18) (see DAN AT2013-005). <p><i>Note: For guidance on how to identify notorious or historically significant cases, please refer to Washington State Archives' published advice sheet Notorious/Historically Significant Legal Case Files.</i></p>	<p>Retain until no longer needed for agency business <i>then</i> Transfer to Washington State Archives for permanent retention.</p>	<p>ARCHIVAL (Permanent Retention) NON-ESSENTIAL OPR</p>

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2. VICTIM/SURVIVOR AND WITNESS ADVOCACY

The activity of providing advocacy and services to victims of, survivors of, and witnesses to crime within the local government agency's jurisdiction.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
AT52-07-14 Rev. 1	<p><i>Victim/Survivor/Witness Advocacy Case Files</i></p> <p>Records relating to advocacy on behalf of and the provision of services to victims of, survivors of, and witnesses to crimes, pursuant to <u>RCW 7.69.030</u>.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none">• Notifications relating to case disposition, statements of rights, available services, etc.;• Perpetrator information (prior violations, copies of court records, etc.);• Provided services relating to physical, emotional and/or financial recovery (counseling, resource identification, personal protection orders, return of personal property, compensation, employer intercession, etc.);• Records of conversations (interview notes, personal notes, etc.);• Notes and correspondence (regardless of format).	<p>Retain for 6 years after last activity <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>

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*Prosecuting Attorney Records Retention Schedule
Version 2.0 (August 2013)*

For assistance and advice in applying this records retention schedule,
please contact Washington State Archives at:

recordsmanagement@sos.wa.gov

or contact your Regional Archivist.

SUMMARY OF CHANGES

This retention schedule has been completed revised and covers only the records of *prosecuting attorneys appearing for and representing the counties and State of Washington* pursuant to [chapter 36.27 RCW](#), and the *cities of Washington* pursuant to [RCW 3.50.020](#).

- Disposition authority for records where the attorney is **providing legal counsel to or is representing the local government agency in its own legal matters** is provided in the Legal Affairs section of the [Local Government Common Records Retention Schedule \(CORE\)](#).
- **NOTE: All (nine) previously approved disposition authorities for assigned counsel/public defender records have been removed/revoked.** Records retention requirements for these records are regulated by the [Washington State Bar Association](#) and the [Rules of Professional Conduct](#).
- The title of the retention schedule has been modified from *Prosecuting Attorney and Assigned Counsel Records Retention Schedule (Version 1.0)* to ***Prosecuting Attorney Records Retention Schedule (Version 2.0)*** to correctly reflect the scope of this retention schedule.

All records series have been updated, consolidated, and streamlined, including:

- ✓ 4 series added to provide disposition authority for juvenile offender records **eligible for early destruction** pursuant to [RCW 13.50.050](#);
- ✓ 1 series designated “Archival – Permanent Retention” added to cover notorious and historically significant case files (AT2013-009);
- ✓ 1 series added to cover draft litigation materials (AT2013-008);
- ✓ 3 series created to consolidate multiple existing series;
- ✓ 12 series enhanced/revised to provide better clarity and guidance;
- ✓ 19 additional series discontinued due to consolidation and/or because the records are covered in the Financial Management section of the [Local Government Common Records Retention Schedule \(CORE\)](#).

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NEW RECORDS SERIES

Activity	Title and Description	NEW DAN	Minimum Retention and Disposition	Designations	Rationale
Civil Case Files	Civil Case Files – General	AT2013-001 p. 4	Retain for 3 years after judgment, settlement, dismissal, acquittal, completion of deferral contract, or decline to prosecute, whichever is later then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR	Consolidation/clarification. This series covers <i>general</i> civil case files where the local government agency is not a party to the case. Excludes civil cases covered more specifically elsewhere in the Civil section. (CORE series GS53-02-04 covers all agency litigation case files and is designated “Archival – Appraisal Required”.)
	Civil Case Files – Infractions	AT2013-002 p. 5	Retain for 30 days after judgment, settlement, dismissal, acquittal, or completion of deferral contract, whichever is later then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR	Provides disposition authority for civil infraction case files for adults and juveniles.
Criminal Case Files	Criminal Case Files - Other	AT2013-003 p. 9	Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, whichever is later then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR	Consolidation. Provides disposition authority for criminal case files for misdemeanors, gross misdemeanors, dismissals and acquittals (any/all charges), declined to prosecute, and pre-prosecution diversions.
Juvenile Offender Records Eligible for Early Destruction	Juvenile Records – Destruction Eligibility Notification Received from Juvenile Court	AT2013-004 p. 14	Retain until notification of destruction eligibility received from Juvenile Court then Destroy within 90 days.	NON-ARCHIVAL NON-ESSENTIAL OPR	Provides disposition authority for the early destruction of juvenile records where destruction eligibility notification is received from the juvenile court in accordance with RCW 13.50.050(17)(a) , and <i>where the records have not already been destroyed in accordance with another current, approved disposition authority.</i>
	Juvenile Records – Destruction Notification Received by Court Order	AT2013-005 p. 14	Retain until court order received then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR	Provides disposition authority for the early destruction of juvenile records where a destruction notification is received by court order in accordance with RCW 13.50.050(18) , and <i>where the records have not already been destroyed in accordance with another current, approved disposition authority.</i>

NEW RECORDS SERIES

Activity	Title and Description	NEW DAN	Minimum Retention and Disposition	Designations	Rationale
Juvenile Offender Records Eligible for Early Destruction	Juvenile Records – Juvenile Attains Age 23	AT2013-006 p. 14	Retain until juvenile attains 23 years of age then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR	Provides disposition authority for the early destruction of juvenile records where the juvenile has attained 23 years of age <u>AND</u> where the local government agency has developed procedures for the routine destruction of certain records in accordance with RCW 13.50.050(22) , and <i>where the records have not already been destroyed in accordance with another current, approved disposition authority.</i>
	Juvenile Records – Pardon Notification Received from Office of the Governor	AT2013-007 p. 15	Retain until pardon notification received from the Office of the Governor then Destroy within 30 days.	NON-ARCHIVAL NON-ESSENTIAL OPR	Provides disposition authority for the early destruction of juvenile records upon receipt of a pardon notification from the Governor in accordance with RCW 13.50.050(17)(b) , and <i>where the records have not already been destroyed in accordance with another current, approved disposition authority.</i>
Other Attorney Case Files	Litigation Materials – Development/ Drafts	AT2013-008 p. 17	Retain until no longer needed for agency business then Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR	Provides disposition authority for preliminary drafts of litigation materials – and correspondence relating to the preliminary drafts.
Other Attorney Case Files	Notorious/ Historically Significant Case Files	AT2013-009 p. 18	Retain until no longer needed for agency business then Transfer to WSA for permanent retention.	ARCHIVAL (Permanent Retention) NON-ESSENTIAL OPR	These records have been determined to have historical significance by the State Archivist in accordance with RCW 40.14.070(2)(a)(iii) . Cases may include civil, criminal, juvenile offender, acquittals on grounds of insanity (RCW 10.77.080), etc. Working copies of police reports are included since a case determined to be “notorious/historically significant” by the Prosecuting Attorney may not necessarily be designated as such by the law enforcement agency. <i>Note: For guidance on how to identify notorious or historically significant cases, please refer to WSA’s published advice sheet Notorious/Historically Significant Legal Case Files.</i>

REVISED RECORDS SERIES

The records series listed below have been revised; changes and rationale are provided.

DAN	Version 1.0 Title	Version 1.0 Retention	Version 2.0 Title (If different)	Version 2.0 Retention (If Different)	Version 2.0 Change and/or rationale
AT52-07-04A Ver. 1 p. 4 Ver. 2 p. 8	CRIMINAL CASE FILES – ADULTS – PROS. ATTN Y – CLASS “A” FELONIES/ MAJOR CASES - CONVICTIONS	20 years after sentencing	<i>Criminal Case Files - Convictions (Class A Felony and Persistent Offenders)</i>	Retain for 20 years after sentencing then Destroy.	Modified titles; enhanced descriptions and cut-offs.
AT52-07-04B Ver. 1 p. 5 Ver. 2 p.8	CRIMINAL CASE FILES – ADULTS – PROS. ATTN Y – CLASS “B” FELONIES - CONVICTIONS	10 years after sentencing	<i>Criminal Case Files - Convictions (Class B Felony)</i>	Retain for 10 years after sentencing then Destroy.	AT52-07-04C also covers Physical Control of Vehicle Under the Influence.
AT52-07-04C Ver. 1 p. 5 Ver. 2 p. 9	CRIMINAL CASE FILES – ADULTS – PROS. ATTN Y – CLASS “C” FELONIES AND DUI - CONVICTIONS	5 years after sentencing	<i>Criminal Case Files - Convictions (Class C Felony and DUI)</i>	Retain for 5 years after sentencing then Destroy.	
AT52-07-05A Ver. 1 p. 6 Ver. 2 p. 10	CRIMINAL CASE FILES – JUVENILES - CLASS 'A' FELONIES / MAJOR CASES - CONVICTIONS	20 years after sentencing	<i>Juvenile Offender Case Files – Adjudicated Guilty (Class A Felony)</i>	Retain for 20 years after sentencing then Destroy.	
AT52-07-05B Ver. 1 p. 6 Ver. 2 p. 11	CRIMINAL CASE FILES – JUVENILES - CLASS 'B' FELONY CONVICTIONS	10 years after sentencing	<i>Juvenile Offender Case Files – Adjudicated Guilty (Class B Felony)</i>	Retain for 10 years after sentencing then Destroy.	All series exclude notorious/ historically significant case files covered by AT2013-009.
AT52-07-05C Ver. 1 p. 7 Ver. 2 p. 12	CRIMINAL CASE FILES – JUVENILES - CLASS 'C' FELONY CONVICTIONS	5 years after sentencing	<i>Juvenile Offender Case Files – Adjudicated Guilty (Class C Felony and DUI)</i>	Retain for 5 years after sentencing then Destroy.	AT52-07-05C description enhanced to include Physical Control of Vehicle Under the Influence.
AT52-07-05F Ver. 1 p. 7 Ver. 2 p. 13	CRIMINAL CASE FILES – JUVENILES – MISDEMEANORS AND GROSS MISDEMEANORS	3 years after sentencing	<i>Juvenile Offender Case Files – Other</i>	Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, whichever is later if applicable then Destroy.	AT52-07-05F now covers gross misdemeanors and misdemeanors; any/all cases which are NOT adjudicated guilty; dismissals, acquittals, decline to prosecute, and pre-prosecution diversions.

REVISED RECORDS SERIES

The records series listed below have been revised; changes and rationale are provided.

DAN	Version 1.0 Title	Version 1.0 Retention	Version 2.0 Title (If different)	Version 2.0 Retention (If Different)	Version 2.0 Change and/or rationale
AT52-07-08 Ver. 1 p. 8 Ver. 2 p. 16	EXTRADITIONS	1 year	<i>Extradition Case Files</i>	Retain for 1 year after extradition case completed then Destroy.	Modified title; enhanced description and cut-off.
AT52-07-09C Ver. 1 p. 8 Ver. 2 p. 6	FAMILY LAW FILES – SUPPORT ENFORCEMENT FILES	3 years after entry of last order, or until youngest child is 18	<i>Civil Case Files – Social Security Title IV-D (Child Support)</i>	Retain for 3 years after youngest child reaches age 18 or 3 years after entry of last order, whichever is later then Destroy.	Modified title, description, and cut-off. Records must be retained until youngest child reaches age 21. Includes records from discontinued series AT52-07-09D (support modification, contempt, and dissolution response files) and AT52-07-09A (paternity).
AT52-07-09E Ver. 1 p. 9 Ver. 2 p. 7	FAMILY LAW FILES – DEPENDENCY CASE FILES	6 years	<i>Civil Case Files – Juvenile Dependency</i>	Retain for 6 years after case closed then Destroy.	Modified title; enhanced description and provided cut-off. Covers multiple dependency actions, including at-risk youth (ARY), child in need of service (CHINS), developmental disability placement, guardianship for foster children, termination and reinstatement of parental rights, and truancy, etc.
AT52-07-10 Ver. 1 p. 9 Ver 2. p. 5	INVOLUNTARY COMMITMENT CASE FILES	3 years after case closed	<i>Civil Case Files – Involuntary Commitment</i>	Retain for 3 years after release of individual from hold or 3 years after case closed, whichever is later then Destroy.	Modified title; enhanced description and cut-off. Covers discontinued series AT52-06C-09.
AT52-07-14 Ver. 1 p. 9 Ver 2. p. 19	VICTIM/WITNESS CASE FILES	6 years	<i>Victim/Survivor/Witness Advocacy Case files</i>	Retain for 6 years after last activity then Destroy.	Enhanced description and cut-off.

DISCONTINUED DISPOSITION AUTHORITY NUMBERS (DANS)

Version 1.0 records series listed on the left have been discontinued. Current approved DANDs that cover the records are on the right.

Discontinued DAN Ver 1.0	Version 1.0 Title	Version 1.0 Retention	Activity	Version 2.0 DAN	Version 2.0 Title	Version 2.0 Retention and Disposition	Rationale
AT52-07-15 p. 4	CIVIL LITIGATION FILES	Retain 10 years after case closed then Transfer to WSA for appraisal and selective retention. Archival-AR	CORE: Agency Mgmt: Legal Affairs	CORE GS53-02-04 p. 32	Litigation Case Files	Retain for 10 years after case closed then Transfer to WSA for appraisal and selective retention.	CORE series GS53-02-04 covers civil litigation where the agency is the plaintiff or defendant.
			Pros Attny: Attorney Legal Rep: Civil Case Files – Where the Local Gov't Agency is Not a Party	AT2013-001 p. 4	Civil Case Files - General	Retain for 3 years after judgment, settlement, dismissal, acquittal, completion of deferral contract, or decline to prosecute, <i>whichever is later then</i> Destroy.	AT2013-001 covers civil cases litigated on behalf of the people of the state of Washington, or its counties.
			Pros Attny: Attorney Legal Rep: Other Attorney Case Files	AT2013-009 p. 18	Notorious/ Historically Significant Case Files	Retain until no longer needed for agency business then transfer to WSA for permanent retention.	Case files which have been determined to have notorious/historical significance are covered by AT2013-009.
AT52-07-04E p. 4	CRIMINAL CASE FILES – ADULTS – PROS ATTNY – CASES DECLINED	3 years	Criminal Case Files	AT2013-003 p. 9	Criminal Case Files - Other	Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, whichever is later then Destroy.	Consolidation.
AT52-07-04D p. 5	CRIMINAL CASE FILES – ADULTS – PROS. ATTNY – CASES DISMISSED AND ACQUITTALS	3 years after case dismissed or acquittal					
AT52-07-04F p. 6	CRIMINAL CASE FILES – ADULTS – PROS ATTNY – MISDEMEANORS AND GROSS MISDEMEANORS	3 years after sentencing					

DISCONTINUED DISPOSITION AUTHORITY NUMBERS (DANS)

Version 1.0 records series listed on the left have been discontinued. Current approved DANs that cover the records are on the right.

Discontinued DAN Ver 1.0	Version 1.0 Title	Version 1.0 Retention	Activity	Version 2.0 DAN	Version 2.0 Title	Version 2.0 Retention and Disposition	Rationale
AT52-07-07D p. 7	DISTRICT COURT CASE FILES – INFRACTIONS AND MISDEMEANORS	30 days after sentencing, dismissed, or declined	Civil Case Files	AT2013-002 p. 5	<i>Civil Case Files - Infractions</i>	Retain for 30 days after judgment, settlement, dismissal, acquittal, or completion of deferral contract, whichever is later then Destroy.	Civil infractions are covered by AT2013-002.
			Criminal Case Files	AT2013-003 p. 9	<i>Criminal Case Files - Other</i>	Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, whichever is later then Destroy.	Criminal misdemeanor case files are covered by AT2013-003.
			Juvenile Offender Case Files	AT52-07-05F p. 13	<i>Juvenile Offender Case Files – Other</i>	Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, whichever is later then Destroy.	Juvenile offender misdemeanor case files are covered by AT52-07-05F.
AT52-07-05E p. 6	CRIMINAL CASE FILES – JUVENILE – CASES DECLINED	3 years	Juvenile Offender Case Files	AT52-07-05F p. 13	<i>Juvenile Offender Case Files – Other</i>	Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, whichever is later then Destroy.	Consolidation.
AT52-07-05D p. 7	CRIMINAL CASE FILES – JUVENILES – CASES DISMISSED AND ACQUITTALS	3 years after case dismissed or acquittal					
AT52-07-07B p. 7	DISTRICT COURT CASE FILES – DUI	5 years	Criminal Case Files	AT52-07-04C p. 9	<i>Criminal Case Files – Convictions (Class C Felony and DUI)</i>	Retain for 5 years after sentencing then Destroy.	Consolidation.
			Juvenile Offender Case Files	AT52-07-05C p. 12	<i>Juvenile Offender Case Files – Adjudicated Guilty (Class C Felony and DUI)</i>	Retain for 5 years after sentencing then Destroy.	

DISCONTINUED DISPOSITION AUTHORITY NUMBERS (DANS)

Version 1.0 records series listed on the left have been discontinued. Current approved DANS that cover the records are on the right.

Discontinued DAN Ver 1.0	Version 1.0 Title	Version 1.0 Retention	Activity	Version 2.0 DAN	Version 2.0 Title	Version 2.0 Retention and Disposition	Rationale
AT52-07-07E p. 8	DISTRICT COURT CASE FILES – E. CIVIL CASE FILES	30 days after case sentencing, dismissed, or declined	Civil Case Files	AT2013-001 p. 4	Civil Case Files – General	Retain for 3 years after judgment, settlement, dismissal, acquittal, completion of deferral contract, or decline to prosecute, whichever is later then Destroy.	AT2013-001 covers civil case files <i>where the agency is not a party</i> (e.g. domestic, guardianship, mental illness & alcohol, adoption & parentage, juvenile dependency, etc.). AT2013-002 covers infractions.
				AT2013-002 p. 5	Civil Case Files - Infractions	Retain for 30 days after judgment, settlement, dismissal, acquittal, or completion of deferral contract, whichever is later then Destroy.	
AT52-07-09A p. 8	FAMILY LAW FILES – PATERNITY CASE FILES	Until child is age 19	Civil Case Files	AT52-07-09C p. 6	Civil Case Files – Social Security Title IV-D (Child Support)	Retain for 3 years after youngest child reaches age 18 or 3 years after entry of last order, whichever is later then Destroy.	Consolidation. Retention increased from age 19 to age 21.

DISCONTINUED DISPOSITION AUTHORITY NUMBERS (DANS)

Version 1.0 records series listed on the left have been discontinued. Current approved DANS that cover the records are on the right.

Discontinued DAN Ver 1.0	Version 1.0 Title	Version 1.0 Retention	Activity	Version 2.0 DAN	Version 2.0 Title	Version 2.0 Retention and Disposition	Rationale
AT52-07-07A p. 8	DISTRICT COURT CASE FILES – CRIMINAL CASES FOR WHICH PERMANENT ORDERS HAVE BEEN GRANTED	3 years after case sentencing, dismissed, or declined	Criminal Case Files	AT52-07-04C p. 9	<i>Criminal Case Files – Convictions (Class C Felony and DUI)</i>	Retain for 5 years after sentencing then Destroy.	Criminal DUIs are covered by AT52-07-04C.
				AT2013-003 p. 9	<i>Criminal Case Files - Other</i>	Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, whichever is later then Destroy.	Criminal gross/misdemeanors are covered by AT2013-003.
AT52-07-07C p. 8	DISTRICT COURT CASE FILES – CRIMINAL CASES FOR WHICH PERMANENT ORDERS HAVE NOT BEEN GRANTED	30 days after case sentencing, dismissed, or declined	Juvenile Offender Case Files	AT52-07-05C p. 12	<i>Juvenile Offender Case Files – Adjudicated Guilty (Class C Felony & DUI)</i>	Retain for 5 years after sentencing then Destroy.	Juvenile Offender DUIs are covered by AT52-07-05C.
				AT52-07-05F p. 13	<i>Juvenile Offender Case Files – Other</i>	Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/diversion contract, or decline to prosecute, whichever is later then Destroy.	Juvenile offender gross misdemeanors and misdemeanors are covered by AT52-07-05F.
AT52-07-09B p. 8	FAMILY LAW FILES – IV-D PROGRAM FILES	6 years	CORE: Agency Mgmt: Contracts & Agreements	CORE GS50-01-11 p. 91	<i>Contracts and Agreements – General</i>	Retain for 6 years after completion of transaction or termination/expiration of instrument then Destroy.	Social Security Act Title IV-D (Child Support) administrative and fiscal records are covered by records series in the <u>Local Government Common Records Retention Schedule (CORE)</u> . The IV-D case files are covered by AT52-07-09C.
			CORE: Financial Mgmt: Accounting	CORE GS2011-184 p. 91	<i>Financial Transactions – General</i>	Retain for 6 years after end of fiscal year then Destroy.	
			CORE GS50-03A-15 p. 92	<i>General and Subsidiary Ledgers</i>	Retain for 6 years after end of fiscal year or 6 years after final bond payment or 6 years after completion of levy/grant project or terms of grant agreement, whichever is later then Destroy.		

DISCONTINUED DISPOSITION AUTHORITY NUMBERS (DANS)

Version 1.0 records series listed on the left have been discontinued. Current approved DANDs that cover the records are on the right.

Discontinued DAN Ver 1.0	Version 1.0 Title	Version 1.0 Retention	Activity	Version 2.0 DAN	Version 2.0 Title	Version 2.0 Retention and Disposition	Rationale
AT52-07-09D p. 9	FAMILY LAW FILES – SUPPORT MODIFICATION, CONTEMPT, AND DISSOLUTION RESPONSE FILES	3 years after entry of last order, or until youngest child is 18	Civil Case Files	AT52-07-09C p. 6	Civil Case Files – Social Security Title IV-D (Child Support)	Retain for 3 years after youngest child reaches age 18 or 3 years after entry of last order, whichever is later then Destroy.	Consolidation.
AT52-06C-09 p. 9	INVOLUNTARY COMMITMENT ORDERS (A.K.A. 72 HOUR HOLDS)	3 years after release from hold	Civil Case Files	AT52-07-10 p. 5	Civil Case Files – Involuntary Commitment	Retain for 3 years after release of individual from hold or 3 years after case closed, whichever is late then Destroy.	Consolidation.
AT52-07-13 p. 9	JUVENILE CASE FILES – PRE-PROSECUTION DIVERSION BILLING AND SUPPORT FILES	6 years	CORE: Financial Mgmt: Accounting	CORE GS2011-184 p. 91	Financial Transactions – General	Retain for 6 years after end of fiscal year then Destroy.	Consolidation. These financial records are covered by CORE series GS2011-184.
AT52-07-12 p. 9	JUVENILE CASE FILES – PRE-PROSECUTION DIVERSION CASE FILES	1 year after completion of diversion contract	Juvenile Offender Case Files	AT52-07-05F p. 13	Juvenile Offender Case Files – Other	Retain for 3 years after judgment, sentencing, dismissal, acquittal, completion of deferral/ diversion contract, or decline to prosecute/defend, whichever is later then Destroy.	Consolidation. Enhanced descriptions and cut-offs pursuant to <u>RCW 13.50.050</u> .
AT50-30-04 p. 11	PROMISSORY NOTES PUBLIC DEFENDER	Payment in full or breach plus 6 years	CORE: Agency Mgmt: Contracts & Agreements	CORE GS50-01-11 p. 91	Contracts and Agreements – General	Retain for 6 years after completion of transaction or termination/expiration of instrument then Destroy.	Consolidation. The local government agency's contracts and agreements are covered by CORE series GS50-01-11.
AT50-30-05 p. 11	PROMISSORY NOTES CASH TRANSMITTALS AND RECORDS PUBLIC DEFENDER	6 years	CORE: Financial Mgmt: Accounting	CORE GS2011-184 p. 91	Financial Transactions – General	Retain for 6 years after end of fiscal year then Destroy.	Consolidation. The local government agency's financial records are covered by CORE series GS2011-184.

DISCONTINUED DISPOSITION AUTHORITY NUMBERS (DANS) – ASSIGNED COUNSEL

Case files of public defenders are not subject to [RCW 40.14.070](#); all related records series have been revoked.
For answers to questions about the retention of records relating to indigent client defense, please consult the [Washington State Bar Association](#) and the [Washington State Court Rules of Professional Conduct](#).

For additional guidance, please refer to WSA’s published advice sheet *What to do with Public Defender Case Files and Indigence Determination Records*.

Discontinued DAN Ver 1.0	Version 1.0 Title	Version 1.0 Retention
AT50-30-01 p. 10	DEFENDANT INTERVIEW CARDS & SHEETS	Destroy when obsolete or superseded
AT50-30-02A p. 10	INDIGENT CLIENT DEFENSE FILES – ADULTS - A. CLASS 'A' FELONIES / MAJOR CASES-CONVICTIONS	20 years after sentencing
AT50-30-02B p. 10	INDIGENT CLIENT DEFENSE FILES– ADULTS - B. CLASS 'B' FELONIES	10 years after case dismissed or acquittal
AT50-30-02C p. 11	INDIGENT CLIENT DEFENSE FILES – ADULTS - C. CLASS 'C' FELONIES AND DUI	5 years after sentencing
AT50-30-02D p. 10	INDIGENT CLIENT DEFENSE FILES – ADULTS - D. CASES DISMISSED AND ACQUITTALS	3 years after sentencing
AT50-30-03A p. 11	INDIGENT CLIENT DEFENSE FILES – JUVENILE - A. CLASS 'A' FELONIES / MAJOR CASES-CONVICTIONS -	20 years after sentencing
AT50-30-03B p. 10	INDIGENT CLIENT DEFENSE FILES - JUVENILE - B. CLASS 'B' FELONIES	10 years after case dismissed or acquittal
AT50-30-03C p. 11	INDIGENT CLIENT DEFENSE FILES – JUVENILE - C. CLASS 'C' FELONIES AND DUI	5 years after sentencing
AT50-30-03D p. 11	INDIGENT CLIENT DEFENSE FILES – JUVENILE - D. CASES DISMISSED AND ACQUITTALS	3 years after sentencing

From: [Seaver, David](#)
To: [Archives - Local Records Committee](#)
Subject: Prosecuting Attorneys Retention Schedule
Date: Monday, July 01, 2013 12:14:41 PM

Dear Members of the Local Records Committee:

I am writing in support of the most recent version (2.0) of the retention schedule for prosecuting attorneys, which was recently submitted to your committee for review. I apologize for not writing to you sooner, and was sad to hear that adoption of the new schedule has been tabled for several weeks.

The new version of the schedule contains welcome changes to the pre-existing model, and was the product of much collaboration between the archivist's office representative and a number of attorneys throughout the state. Ms. Blecha, in particular, deserves recognition for her hard work and willingness to consider input from nosy types like me.

I hope that at your next meeting, you adopt the proposed updating of this schedule. Please feel free to contact me if you have any questions or concerns.

Sincerely,

David Seaver
Senior Deputy Prosecuting Attorney
Civil Division
Office of the King County Prosecuting Attorney
(206) 296-9052
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Office of the Secretary of State
Washington State Archives

Records Management Advice

To Be Issued: August, 2013

Using Records Retention Schedules: Notorious/Historically Significant Legal Case Files

Purpose: Provide guidance to agency attorneys on the identification and retention of notorious/historically significant case files.

The *Prosecuting Attorney Records Retention Schedule* includes a records series with an “Archival – Permanent Retention” designation that covers notorious and historically significant case files as *defined by the local government agency* (DAN AT2013-009).

Cases include civil, criminal, juvenile offender, or any other type of case.

The following list provides criteria that should be considered when evaluating whether case files should be considered notorious or historically significant.

- Did the case attain contemporary public notoriety?
- Did the case receive significant media coverage?
- Did the case cause local agencies to develop or utilize new methods or technologies?
- Is the case frequently cited in scholarly or professional literature or other resources?
- Has the case caused a change in policies or laws?
- Did the case affect a large portion of the community?
- Was the case controversial?
- Was the case generally viewed by the community as important or significant?
- Was the defendant acquitted of serious charges on grounds of insanity?
- Was the case a three-strikes/life imprisonment or death penalty case?
- Was the case the subject of a well-known book or feature film?
- Did the case incur large restitution amounts?

If a case meets one or more of the above criteria, it must not be destroyed. Instead, the agency should contact Washington State Archives to arrange for archival transfer.

**Additional advice regarding the management of public records is available from
Washington State Archives:**

**www.sos.wa.gov/archives
recordsmanagement@sos.wa.gov**



Office of the Secretary of State
Washington State Archives

Records Management Advice

To Be Issued: August 2013

Using Records Retention Schedules: What to do with Public Defender Case Files and Indigence Determination Records

Purpose: Provide guidance to counties and cities on the retention and disposition of public defender case files and indigence determination records.

From 2001 to 2012, the *Local Government General Records Retention Schedule (LGRRS)* included records series for assigned counsel case files. In November of 2012, they were transferred to the *Prosecuting Attorney and Assigned Counsel Records Retention Schedule (Version 1.0)*.

In June 2013, it was determined that public defender client case files should not be considered “public records”, since they are not created or received in the transaction of public business as defined by [RCW 40.14.010](#).

For questions about retention requirements for public defender client case files, agencies should consult the [Washington State Bar Association](#) and the [Washington State Court Rules of Professional Conduct](#).

Since public defender client case files **are not** public records for purposes of [RCW 40.14.070](#), all records series relating to them were removed from the *Prosecuting Attorney Records Retention Schedule (Version 2.0)*.

Indigence determination records are also regulated by court rule pursuant to [RCW 10.101.020](#). According to the [Washington State Office of Public Defense](#), the court’s presiding judge should be consulted on all matters relating to the retention and disposition of indigence determination records.

Financial records that document payment by the local government agency to public defenders for legal services rendered **are** public records.

Contracts and agreements between the local government agency and other parties should be retained by the agency in accordance with GS50-01-11, **Contracts and Agreements – General**, which is located in the [Local Government Common Records Retention Schedule \(CORE\)](#).

Records documenting all resources received and expended by the agency should be retained by the agency in accordance with GS2011-184, **Financial Transactions – General**, which can also be found in the [Local Government Common Records Retention Schedule \(CORE\)](#).

**Additional advice regarding the management of public records is available from
Washington State Archives:**

www.sos.wa.gov/archives
recordsmanagement@sos.wa.gov

III. WASHINGTON STATE ARCHIVES UPDATES

A. Revision of Records Retention Schedules – Julie Blecha

- Advice Sheet: *Washington State Archives' Revision Plan*



Office of the Secretary of State
Washington State Archives

Records Management Advice

To Be Issued: August 2013

Developing Records Retention Schedules: Washington State Archives' Revision Plan

Purpose: Provide guidance to local government agencies about Washington State Archives' plans to revise local government retention schedules.

To better assist local government agencies in the retention, destruction, and transfer of their public records, Washington State Archives (WSA) is continually updating and revising records retention schedules to submit to the Local Records Committee for approval pursuant to [RCW 40.14.070](#).

On a daily basis, local government agencies suggest improvements to records retention schedules ranging from gaps (lack of disposition authority for one of the agency's records), minor errors (such as typographical), and obsolete information (minimum requirements that do not reflect current statutory responsibilities), to incomplete or unclear descriptions or cut-offs. All suggestions and comments are reviewed, and revisions to retention schedules are prioritized based on several factors, including:

- ❖ Potential risk to the record (possible inappropriate/inadvertent destruction); and,
- ❖ Potential risk to the agency (confusing information puts agency at risk).

While some retention schedules need only a minor adjustment and can be completed rather quickly, others require such a complex overhaul that many months are necessary to produce an accurate and up-to-date product that benefits not only the end-users, but also the public. A reference group of subject-matter experts is critical to the development of quality retention schedule.

Once a retention schedule (or section of one) has been identified as needing a revision, a reference group is convened. Typically, a listserv bulletin is distributed, asking for volunteers. If you are not currently registered on the local government listserv, you may do so by clicking the link on our [webpage](#). (On occasion, we procure reference group members through professional associations.) Local government agency employees are always given an opportunity to comment on drafts, which are distributed in the [Local Records Committee](#) agenda packets, also available on our website.

The following records retention schedules have been scheduled for revision; timeframes are vague in consideration of other responsibilities and emergent needs that (may) arise:

Current Records Retention Schedule (RRS) Revision Projects (2013-2014):

Animal Services RRS

Hospital Districts RRS

Housing Authorities RRS

County Clerks and Superior Court Clerks RRS

School Districts and Educational Service Districts RRS

(Continued next page)



Office of the Secretary of State
Washington State Archives

Records Management Advice

To Be Issued: August 2013

Upcoming Records Retention Schedule (RRS) Revision Projects (2013-2014):

Local Government Common RRS (CORE) – Human Resource Management

Local Government Common RRS (CORE) – Agency Management (Legal Affairs)

Coroners and Medical Examiners RRS

Utility Services RRS – Sewer and Water Systems

Utility Services RRS – Telecommunications (cable, internet, telephone, cellular)

Next in Line (2014-2015):

County Assessors RRS

County Treasurers RRS

Land Use Planning and Permitting RRS

Licensing, Permitting and Taxation RRS

NOTE: This list is subject to change.

**Additional advice regarding the management of public records is available from
Washington State Archives:**

**www.sos.wa.gov/archives
recordsmanagement@sos.wa.gov**