



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 26, 2014 – 10:00 a.m.  
State Archives Conference Room  
1129 Washington St SE, Olympia, WA 98504

**MEETING MINUTES**

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**Members Present:** Cindy Evans, Chair – State Auditor’s Office; Sharon James – 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 Archivist.

**Guests Present:** Ginger Brooks – Mason County Clerk.

**I. ROUTINE ITEMS**

**A. Call to Order**

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

**B. Adoption of Today’s Agenda**

Evans requested that “Introduction of Guests” be removed as an agenda item. She stated that guests are welcome to share their names when they speak, but they also have the statutory right to remain anonymous if they wish.

Motion to adopt the agenda as amended; Evans; second by Sharon James.

**Resolution:** Motion carried

**C. Approval of Minutes for January 30, 2014**

Motion to approve the minutes as presented: James; second by Steve Excell.

**Resolution:** Motion carried

Evans announced that this is James’ last meeting as the Attorney General’s representative, and because all Local Records Committee (LRC) decisions *must be* unanimous, she will phone in to the next LRC meeting in order to approve the minutes of *today’s* meeting.

**II. NEW BUSINESS/ACTION ITEMS**

**A. County Clerks and Superior Court Records Retention Schedule (Version 7.0) – Julie Blecha**

Blecha thanked Reference Group (RG) members who worked diligently over the past year to update this records retention schedule, including:

- Ginger Brooks, *Mason County Clerk*
- Kim Allen, *Grant County Clerk*
- Mike Killian, *Franklin County Clerk*
- Tammie Ownbey, *Pend Oreille County Clerk*
- Marie Eggart, *Asotin County Clerk*
- Virginia Leach, *Pacific County Clerk*
- Denise Millard (representing Barb Minor, *King Court Superior Court Clerk*)

The RG provided great representation of counties both large and small and both east and west of the mountains, with their individual experiences as Clerks ranging from *many* years to just a few. Additional commendation to Sonja Kraski, past President, and look forward to continuing to work with Ruth Gordon, current of the Washington State Association of County Clerks (WSACC), for prioritizing this project and allocating valuable time at their annual conference in May to do a review of the final draft retention schedule with the entire body of County Clerks. (See agenda packet for Gordon's 6/9/2014 letter on behalf of WSACC requesting approval of version 7.0.)

Evans stated that she reviewed the schedule line by line and, prior to the meeting, had asked Blecha some clarifying questions, all of which were answered to her satisfaction.

James asked for clarification on the retention and disposition language for Exhibits, and Blecha explained that both *exhibits* and *recordings of proceedings* **require** a court order *before* destroying. The complexity of the retention and disposition language reflects the intricate court rules and various state statutes that the Clerk must consider *before* requesting court permission to destroy and/or transfer these records.

Blecha presented two letters submitted to Committee Members - one from Christopher W. Bawn, an attorney in Olympia, which emailed to the Committee yesterday, 6/25. The other, dated 6/11, from Tom Thiersch. (Ruth Gordon was also a recipient of the Thiersch email, and the clarifying comments she provided to him are also included.) While Members reviewed the correspondence, Russell Wood took the opportunity to remind guests to remember to check their "junk mail", as Bawn's email yesterday at 4:45pm was actually found in the junk mail folder.

Members discussed Bawn's concerns that the draft language *eliminates* the 6-year/15-year retention requirement for civil/criminal case files. Because it is ultimately up to the judge to approve destruction of exhibits and recordings *based on existing court rules and state statute*, the draft language accurately reflects court rules and legislative mandate and does not alter the retention requirements.

Thiersch's concern about capital case records being destroyed upon the death of the defendant was discussed. Evans clarified that the *case files* are retained permanently by the court; it is only the *exhibits* and *recordings* that can be considered for destruction. James stated that the retention language mirrors that in Superior Court Special Proceedings Rules – Criminal (SPRC) 7 and that County Clerks retain the authority to determine which cases are historically and/or notorious, and to keep them or transfer them to Washington State Archives (WSA). Excell explained that WSA is not able to store exhibits/recordings for *all cases*, only those identified by the Clerk as noteworthy.

Court rules and state statute determines under what circumstances a court order to destroy exhibits and recordings can be granted. The retention schedule adds only the *Archival designation for noteworthy cases*, allowing the Clerks to transfer them to WSA, which is not a departure from the current retention schedule.

Motion to approve the *County Clerks and Superior Court Records Retention Schedule (Version 7.0)* as presented; Evans, second by James.

**Resolution:** Motion carried

Blecha thanked AAG Tsering Kheyup for guidance she provided on four issues, and to Dave Reynolds who, as Whatcom County Clerk/Superior Court Clerk/Juvenile Court Administrator, was able to thoroughly review the draft and provide guidance on the incorporation of the Juvenile Court records

Wood thanked Blecha for her hard work on this very complex project.

Evans requested that retention schedules that cite federal or state statute series be reviewed more frequently so that changes in the laws or WACs can be addressed. Blecha shared that the Clerks indicated at their conference that they'd like to review their retention schedule annually.

To provide guidance on determining which exhibits/recordings may be "noteworthy", Washington State Archives issued an advice sheet entitled *Using Records Retention Schedules: Notorious/Historically Significant Court Exhibits & Recordings of Proceedings*.

Additionally, an advice sheet has been drafted to alert local government agencies that chapter 13.50 RCW was restructured during the 2014 Legislative session, but the website has not yet been updated, so the correct citations are not yet available. Evans explained that laws are typically codified by September or October.

**B. Social Services Records Retention Schedule (Version 1.1) – Blecha**

Agenda items B and C were combined because they are so closely intertwined.

**C. Revocation of Juvenile Courts and Services Records Retention Schedule (Version 1.0) (JCSRRS) – Blecha**

Because Juvenile Court (JC) is defined in statute as a division of Superior Court (SC), the Reference Group determined that it made sense to incorporate JC records into the *County Clerks and Superior Court Records Retention Schedule (CCSCRRS)*. Because separate requirements for JC records were not identified in statute or court rule, they consolidated easily with the rest of the SC records. JC case files continue to have a Non-Archival designation, however, and so the (updated) series (DAN CL50-28-10) has been transferred into the CCSCRRS and remains an exception to the Archival Superior Court Case Files series (CL65-01-08).

The records series in the social services section of the JCSRRS have been transferred – without changes to retention requirements - to draft Version 1.1 of the *Social Services Records Retention Schedule (SSRRS)*, which has been submitted for your approval. SSRRS will undergo a complete revision in the near future.

Because all JC records are now covered in the CCSCRRS and social services records have been transferred to the SSRRS, the JCSRRS has been completely superseded and can be revoked.

Motion to approve the *Social Services Records Retention Schedule (Version 1.1)* as presented; James, second by Excell.

**Resolution:** Motion carried

Motion to revoke the *Juvenile Courts and Services Records Retention Schedule (Version 1.0)* in its entirety; Evans, second by James.

**Resolution:** Motion carried

**III. WASHINGTON STATE ARCHIVES UPDATES**

**A. Revision of Records Retention Schedules – Blecha**

*School Districts and ESDs Records Retention Schedule* will likely be submitted for approval at the July meeting.

CORE *Human Resource Management* and *Legal Affairs* are the next major revision projects planned, along with UTILITIES *Sewer and Water*, *Solid Waste*, and *Telecommunications*.

There are currently 2,897 subscribers on the local government listserv, which includes 129 new subscribers since the last LRC meeting.

**B. Announcements from the State Archivist – Steve Excell**

WSA has been focusing energies on its Paper Records Reduction Task Force, which may impact *state* government agencies.

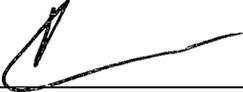
Evans officially thanked Sharon James for serving as the Attorney General’s representative since July of 2012.

**IV. NEXT MEETING – July 31, 2014**

**ADJOURNMENT:** 10:45 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 26, 2014, 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.*

  
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Chair Signature

*9/25/2014*  
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Date