

This schedule applies to: Court of Appeals

Scope of records retention schedule

This records retention schedule authorizes the destruction/transfer of the public records of the Court of Appeals relating to the unique functions of reviewing trial court procedures and decisions made to determine whether or not the law was applied correctly. The schedule is to be used in conjunction with the *State Government General Records Retention Schedule (SGRRS)*, which authorizes the destruction/transfer of public records common to all state agencies.

Disposition of public records

Public records covered by records series within this records retention schedule (regardless of format) 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 state resources.

Public records designated as “Archival (Permanent Retention)” 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.

Revocation of previously issued records retention schedules

All previously issued records retention schedules to the Court of Appeals are revoked. The Court of Appeals must 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 State Records Committee in accordance with RCW 40.14.050 on June 2, 2021.

Signature on File

**For the State Auditor:
Al Rose**

Signature on File

**For the Attorney General:
Suzanne Becker**

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**The State Archivist:
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REVISION HISTORY

Version	Date of Approval	Extent of Revision
1.0	June 2, 2021	Consolidation of all existing disposition authorities (with some minor revisions).

For assistance and advice in applying this records retention schedule,
please contact the Court of Appeals' Records Officer
or Washington State Archives at:
recordsmanagement@sos.wa.gov

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1. APPEAL PROCEEDINGS

This section covers records relating to reviewing procedures and decisions made in trial court and issuing opinions/judgements.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
91-01-47368 Rev. 1	<p><i>Appearance Docket</i> Records documenting schedules or listings of cases scheduled for appearance before the Court. <i>Note: Retention based on 20-year business need to refer to or research prior cases.</i></p>	<p>Retain for 20 years after calendar year <i>then</i> Transfer to Washington State Archives for permanent retention.</p>	<p>ARCHIVAL (Permanent Retention) ESSENTIAL (for Disaster Recovery) OFM</p>

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
21-06-69639 Rev. 0	<p><i>Civil Case Files (Published Opinion)</i></p> <p>Records relating to the administration of civil court cases by the Appellate Court, such as Notices of Appeal, Notices of Discretionary Review, and Post Sentence Petitions.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Filings; • Pleadings; • Court of Appeals Orders; • Supreme Court Orders; • Rulings; • Related correspondence/communications. <p>Excludes:</p> <ul style="list-style-type: none"> • Records covered by <i>Civil Case Files (Unpublished Opinion or No Opinion) (DAN 91-01-47361)</i>; • Records covered by <i>Opinions (Published or Unpublished) (DAN 91-01-47367)</i>; • Supreme Court copies of Administrative Action Orders and Court Rule Change Orders covered by <i>General Information – External (DAN GS 50004)</i>. <p><i>Note: Retention based on 6-year business requirement to research prior case decisions or appeals.</i></p>	<p>Retain for 6 years after Certificate of Finality or Mandate filed</p> <p><i>then</i></p> <p>Transfer to Washington State Archives for permanent retention.</p>	<p>ARCHIVAL (Permanent Retention) ESSENTIAL (for Disaster Recovery) OPR</p>

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
91-01-47361 Rev. 1	<p><i>Civil Case Files (Unpublished Opinion or No Opinion)</i></p> <p>Records relating to the administration of civil court cases by the Appellate Court, such as Notices of Appeal, Notices of Discretionary Review, and Post Sentence Petitions.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Filings; • Pleadings; • Court of Appeals Orders; • Supreme Court Orders; • Rulings; • Related correspondence/communications. <p>Excludes:</p> <ul style="list-style-type: none"> • Records covered by <i>Civil Case Files (Published Opinion) (DAN 91-01-47361)</i>; • Records covered by <i>Opinions (Published or Unpublished) (DAN 91-01-47367)</i>; • Supreme Court copies of Administrative Action Orders and Court Rule Change Orders covered by <i>General Information – External (DAN GS 50004)</i>. <p><i>Note: Retention based on 6-year business requirement to research prior case decisions or appeals.</i></p>	<p>Retain for 6 years after Certificate of Finality or Mandate filed</p> <p><i>then</i></p> <p>Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
21-06-69640 Rev. 0	<p><i>Criminal Case Files (Published Opinion)</i> Records relating to the administration of criminal court cases by the Appellate Court, such as Notices of Appeal and Notices of Discretionary Review.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Filings; • Pleadings; • Court of Appeals Orders; • Supreme Court Orders; • Rulings; • Related correspondence/communications. <p>Excludes:</p> <ul style="list-style-type: none"> • Records covered by <i>Criminal Case Files (Unpublished Opinion or No Opinion)</i> (DAN 91-01-47362); • Records covered by <i>Opinions (Published or Unpublished)</i> (DAN 91-01-47367); • Supreme Court copies of Administrative Action Orders and Court Rule Change Orders covered by <i>General Information – External</i> (DAN GS 50004). <p><i>Note: Retention based on 15-year business requirement to research prior case decisions or appeals.</i></p>	<p>Retain for 15 years after Certificate of Finality or Mandate filed</p> <p><i>then</i></p> <p>Transfer to Washington State Archives for permanent retention.</p>	<p>ARCHIVAL (Permanent Retention) ESSENTIAL (for Disaster Recovery) OPR</p>

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
91-01-47362 Rev. 1	<p><i>Criminal Case Files (Unpublished Opinion or No Opinion)</i> Records relating to the administration of criminal court cases by the Appellate Court, such as Notices of Appeal and Notices of Discretionary Review.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Filings; • Pleadings; • Court of Appeals Orders; • Supreme Court Orders; • Rulings; • Related correspondence/communications. <p>Excludes:</p> <ul style="list-style-type: none"> • Records covered by <i>Criminal Case Files (Published Opinion) (DAN 91-01-47362)</i>; • Records covered by <i>Opinions (Published or Unpublished) (DAN 91-01-47367)</i>; • Supreme Court copies of Administrative Action Orders and Court Rule Change Orders covered by <i>General Information – External (DAN GS 50004)</i>. <p><i>Note: Retention based on 15-year business requirement to research prior case decisions or appeals.</i></p>	<p>Retain for 15 years after Certificate of Finality or Mandate filed</p> <p><i>then</i></p> <p>Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR
91-01-47367 Rev. 1	<p><i>Opinions (Published or Unpublished)</i> Records documenting original decisions of a three judge panel for Notice of Appeal, Notice of Discretionary Review if review is granted, Personal Restraint Petitions, and Post Sentence Petitions decided on the merits.</p>	<p>Retain for 15 years after Certificate of Finality or Mandate filed</p> <p><i>then</i></p> <p>Transfer to Washington State Archives for permanent retention.</p>	<p>ARCHIVAL (Permanent Retention) ESSENTIAL (for Disaster Recovery) OFM</p>

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
21-06-69641 Rev. 0	<p><i>Personal Restraint Petition Case Files (Published Opinion)</i></p> <p>Records relating to requests submitted by individuals for relief from restraint in accordance with Rules of Appellate Procedure (RAP) 16.4.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Filings; • Pleadings; • Court of Appeals Orders; • Supreme Court Orders; • Rulings; • Related correspondence/communications. <p>Excludes:</p> <ul style="list-style-type: none"> • Records covered by <i>Opinions (Published or Unpublished) (DAN 91-01-47367)</i>; • Records covered by <i>Personal Restraint Petition Case Files (Unpublished Opinion or No Opinion) (DAN 91-01-47364)</i>; • Supreme Court copies of Administrative Action Orders and Court Rule Change Orders covered by <i>General Information – External (DAN GS 50004)</i>. <p><i>Note: Retention based on 15-year business requirement to research prior case decisions or appeals.</i></p>	<p>Retain for 15 years after Certificate of Finality or Mandate filed</p> <p><i>then</i></p> <p>Transfer to Washington State Archives for permanent retention.</p>	<p>ARCHIVAL (Permanent Retention) ESSENTIAL (for Disaster Recovery) OPR</p>

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
91-01-47364 Rev. 1	<p><i>Personal Restraint Petition Case Files (Unpublished Opinion or No Opinion)</i></p> <p>Records relating to requests submitted by individuals for relief from restraint in accordance with Rules of Appellate Procedure (RAP) 16.4.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Filings; • Pleadings; • Court of Appeals Orders; • Supreme Court Orders; • Rulings; • Related correspondence/communications. <p>Excludes:</p> <ul style="list-style-type: none"> • Records covered by <i>Opinions (Published or Unpublished) (DAN 91-01-47367)</i>; • Records covered by <i>Personal Restraint Petition Case Files (Published Opinion) (DAN 91-01-47364)</i>; • Supreme Court copies of Administrative Action Orders and Court Rule Change Orders covered by <i>General Information – External (DAN GS 50004)</i>. <p><i>Note: Retention based on 15-year business requirement to research prior case decisions or appeals.</i></p>	<p>Retain for 15 years after Certificate of Finality or Mandate is filed</p> <p><i>then</i></p> <p>Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR

2. CEREMONIALS AND APPOINTMENTS

This section covers records relating to officiating ceremonies and appointing judicial officials.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
91-01-47371 Rev. 1	<p>Appointments of Pro Tem Judges for the Court of Appeals</p> <p>Orders appointing Superior Court judges to temporary positions on the Court of Appeals that have been approved by the Court of Appeals' Chief Judge.</p> <p>Excludes appointments approved by the Supreme Court covered by <i>Reporting to External Agencies (Mandatory) (DAN GS 19004)</i>.</p> <p><i>Note: Retention based on length of time records requests are received regarding the appointment of temporary judges.</i></p>	<p>Retain for 6 years after end of calendar year</p> <p><i>then</i></p> <p>Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OFM</p>
91-01-47369 Rev. 1	<p>Ceremonials</p> <p>Records relating to the investiture swearing in ceremonies of judges, and memorial services in accordance with Court of Appeals Administrative Rules (CAR) 20.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Ceremony invitation and programs. <p><i>Note: Retention based on need to reference materials when planning future ceremonial events.</i></p>	<p>Retain for 5 years after the official leaves office</p> <p><i>then</i></p> <p>Transfer to Washington State Archives for permanent retention.</p>	<p>ARCHIVAL (Permanent Retention) NON-ESSENTIAL OFM</p>

GLOSSARY

Appraisal

The process of determining the value and disposition of records based on their administrative, legal, and fiscal use; their evidential and informational or research value; and their relationship to other records.

Archival (Appraisal Required)

Designation for public records that may possess enduring legal and/or historical value and must be appraised by the Archives. Such records are to be evaluated, sampled, and weeded according to archival principles by Archives staff. Records appraised as non-archival may be destroyed after their retention has been met.

Archival (Permanent Retention)

Designation for public records that possess enduring legal and/or historical value and must not be destroyed. State government agencies must transfer these records to the Archives at the end of their minimum retention period. Local government agencies must either transfer these records to the Archives or retain and preserve them according to archival best practice until transferred to the Archives. Other than removing and disposing of duplicates, the Archives will not sample, weed, or otherwise dispose of records with this designation.

Disposition

Actions taken with records when they are no longer required to be retained by an agency. Possible disposition actions include transfer to the Archives and destruction.

Disposition Authority Number (DAN)

Control number for a specific records series in a retention schedule that authorizes a retention period and disposition action for records belonging to that series.

Essential Records

Public records that agencies must have in order to maintain or resume business continuity or to document the legal standing and rights of individuals and organizations. While the retention requirements for essential records may range from very short-term to archival, these records are necessary for an agency to resume its core functions following a disaster. Security backups of these public records should be created and may be deposited with the Archives in accordance with chapter 40.10 RCW. Copies of master indexes, lists, registers, tracking systems, databases, and other finding aids should also be transferred with the records.

Local Records Committee

Committee established by RCW 40.14.070 to review and approve disposition of local government records through records retention schedules. The Committee's three members include the State Archivist and one representative each from the Office of the Attorney General and the State Auditor.

Non-Archival

Designation given to public records that do not possess sufficient historical value to be designated as "Archival." Agencies must retain these records for the minimum retention period specified by the appropriate current records retention schedule. Agencies should destroy these records after their minimum retention period expires, provided the records are not required for litigation, public records requests, or other purposes required by law.

Non-Essential Records

Public records which are not required in order for an agency to resume its core functions following a disaster, as described in chapter 40.10 RCW.

OFM (Office Files and Memoranda)

Public records not defined and classified as official public records in RCW 40.14.010 and other documents or records as determined by the records committee to be office files and memoranda.

OPR (Official Public Records)

Public records necessary to document transactions relating to public property, public finances, and other agency business, or records determined by the records committee to be official public records.

Public Records

Records that have been created or received by any government agency in Washington State in connection with the transaction of public business regardless of physical form or characteristics.

Records Series

A group of records performing a specific function, which is used as a unit, filed as a unit, and may be transferred or destroyed as a unit. A records series may consist of a single type or a number of different types of documents that are filed together to document a specific function.

State Records Committee

Committee established by RCW 40.14.050 to review and approve disposition of state government records. Its four members include the State Archivist and one representative each from the Office of the Attorney General, Office of the State Auditor, and the Office of Financial Management.

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