

Chief
Office of the ~~General~~ Counsel

1. Legal Matter Files

NOTE: The term "Legal Matter Files" means all completed legal work product created by the office in paper or electronic form, including.

Memoranda or correspondence providing legal opinions, interpretations, advice, and related information on matters falling within the activities and operations of ATF

Legislative proposals and written analytical materials on legislative proposals.

Copies of pleadings, judgements, and correspondence on any judicial or administrative litigation or claim involving ATF in which the office significantly assists with the matter.

Materials pertaining to review and/or clearance of documents prepared in other offices of ATF.

a. Completed legal matter files having significant precedential or historic value. Criteria to include unique records relating to cases that result in court decisions that significantly interpret statutes and regulations; cases that are heard by the Supreme Court; cases that are deemed to be significant for investigative or litigation procedures or other important precedent; cases resulting in significant policy-making decisions; cases that attract national news media attention; and cases resulting in a Congressional investigation. Examples include legal matter files relating to Waco, Ruby Ridge, and interpretations of the Brady Act and other firearm-related legislation and laws.

Disposition: PERMANENT. Break files after legal work product is completed. Transfer to the Washington National Records Center (WNRC) 1 year after break or when no longer needed for current agency business or convenience of reference, whichever is later. Transfer to NARA 20 years after file break.

b Completed legal matter files that are routine in nature and do not have significant precedential or historic value, such as personnel-related matters, tort claims, forfeiture, and ethics.

Disposition: Temporary. Break files after legal work product is completed. Destroy 5 years after break or when no longer needed for convenience of reference, whichever is later

2. Attorney Working Files

Records include drafts, notes, and memoranda, created by the office, as well as background material and reference copies of documents collected by attorneys.

Recordkeeping copies of completed legal work product created by attorneys in the office are placed in the appropriate legal matter file.

Disposition. Temporary. Break files after the legal work product is completed. Screen attorney working papers before destruction and transfer any record-keeping material to appropriate official file. Destroy on site when no longer needed for current agency business or convenience of reference, whichever is later.

3. Chief Counsel Document System (CCDOCS)

Significant opinions and memorandums dating from 1930 to 2000 that relate to ATF's enforcement and administration of firearms, explosives, alcohol, and tobacco laws. Records are maintained in pdf format.

Disposition: PERMANENT Transfer immediately to the National Archives.

4. Case management system.

Database that tracks action on all matters handled by the General Counsel including litigation, opinions, and any other actions by attorneys including training, briefings, and verbal advice and guidance to program offices.

Disposition: Temporary. Delete information from system ²⁰/~~7~~ years after case/assignment is closed/completed, or when no longer needed for administrative purposes, whichever is later.