

Red NCD 7/1/80

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

LEAVE BLANK	
JOB NO	NCL-21-80-5
DATE RECEIVED	3-31-80
NOTIFICATION TO AGENCY	
In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10	
Date <u>4-9-80</u>	<u>James E. O'Keefe</u> Archivist of the United States

TO GENERAL SERVICES ADMINISTRATION,
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408

1 FROM (AGENCY OR ESTABLISHMENT)
Federal Judiciary

2 MAJOR SUBDIVISION
District & Bankruptcy Courts, Court of Claims, &

3 MINOR SUBDIVISION Customs Court

4 NAME OF PERSON WITH WHOM TO CONFER
Ann Longanbach

5 TEL EXT
633-6184

6 CERTIFICATE OF AGENCY REPRESENTATIVE

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of 9 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

A Request for immediate disposal.

B Request for disposal after a specified period of time or request for permanent retention.

C DATE <u>3/26/80</u>	D SIGNATURE OF AGENCY REPRESENTATIVE <u>Rick McBride</u>	E TITLE Records Management Officer
--------------------------	---	---------------------------------------

7 ITEM NO	8 DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9 SAMPLE OR JOB NO	10 ACTION TAKEN
	<p><u>Records of U.S. District Courts, Court of Claims, Customs Court,* Bankruptcy Courts, and Territorial District Courts</u></p> <p>This request for records disposition authority covers the records of the U.S. and territorial district courts, Court of Claims, Customs Court, and U.S. bankruptcy courts, but excludes the personal files of Federal judges and the records of Federal public defenders. The attached schedule, as approved by the Judicial Conference of the United States, supersedes all previously approved disposition schedules for these components of the judiciary.</p> <p>* U.S. Customs Court: records of this court described under items of the attached schedule are not approved for disposition.**</p>		<p>DISPOSITION NOT APPROVED FOR CUSTOMS COURT RECORD</p> <p>48 items</p>

115-107 ** Ann Longanbach of Administrative Office of U.S. Courts notified of this change on April 5, 1980.

Copies to NWB/NWG/NNF 5-1-80 E Cop. to 4/11/80

SCHEDULE FOR THE DISPOSITION OF THE
RECORDS OF UNITED STATES DISTRICT COURTS, COURT OF CLAIMS,
CUSTOMS COURT, BANKRUPTCY COURTS, AND TERRITORIAL DISTRICT COURTS

INTRODUCTION:

This schedule for the disposition of the records of the United States district courts, Court of Claims, Customs Court, the bankruptcy courts, and territorial district courts has been established by the Judicial Conference of the United States. This schedule is mandatory. It is intended to apply to all existing records of these courts, except the personal files of judges of the district courts, Court of Claims and Customs Court; bankruptcy judges; territorial district judges; and the records of federal public defenders. It does not supersede any provision of law requiring the retention of a document or record for a specified period. To the extent that the retention periods specified in this schedule vary from any statutory provision, the longer period of retention, whether in the statute or in the schedule, shall apply.

Records of historical value are designated "Permanent" in this schedule generally at the request of the National Archives and Records Service. Such records normally are offered for transfer to the legal custody of the National Archives and Records Service when 25 years old, but may be transferred earlier if the court no longer has administrative or legal need for them. Records designated "Disposal Not Authorized" in this schedule are those determined by the Judicial Conference of the United States to require continued preservation for legal or other purposes. Records designated "Permanent" and "Disposal Not Authorized" may not be destroyed or alienated from Federal custody under any circumstances. The National Archives and Records Service will select historical records from the old case files in the records centers and its personnel may wish to consult with the courts as to the disposition of the old records.

The "date of final action" as used in the schedule means the date of the docket entry closing the case in the court, or recording the mandate of an appellate court affirming court action.

DISPOSITION SCHEDULE

<u>Type of Record</u>	<u>Disposition</u>
A. <u>Case Records</u>	
All records resulting from the docketing and processing of a case in a court that pertain to that particular case	

<u>Type of Record</u>	<u>Disposition</u>
1. Expunged records	Destroy upon entry of court order of expunction
2. Sealed records - those case records which have been sealed by court order while such court order is in effect. Keep all sealed records at the court unless the court otherwise directs	Disposal not authorized, unless order sealing records (1) is vacated by the court, or (2) provides for disposal in accordance with the provisions of this schedule
3. Criminal case files, including transcripts	
a. Case files dated 1911 or earlier	Permanent
b. Case files dated between 1912 and 1979 resulting in appeals or acquittals	Permanent
c. Case files dated 1980 or later which are significant cases selected by circuit Archives History Committees	Permanent
d. All other cases	Dispose 23 years after date of final action, unless donated to a college, university, historical society, or similar organization
4. Civil case files, including transcripts	
a. Domestic relations, adoption, mental incompetency, and probation files of the District of Columbia and territorial district courts	Disposal Not Authorized
b. Other civil case files	

<u>Type of Record</u>	<u>Disposition</u>
(1) Case files dated 1911 or earlier	Permanent
(2) Case files dated between 1912 and 1979 which resulted in appeals or dealt with reapportionment	Permanent
(3) Case files dated 1980 or later which are significant cases selected by circuit Archives History Committees	Permanent
(4) Files of cases requiring enforcement of injunctive degrees or involving title to real property, and files required to be retained under state law, not covered by 4.b.(1), (2), and (3) above	Dispose 10 years after date of final action or a longer period as the court may direct
(5) All case files other than those covered in 4.b(1) thru (4)	Dispose 10 years after date of final action, unless donated to a college, univeristy, historical society, or similar organization
c. Case files of the Court of Claims	Permanent

<u>Type of Record</u>	<u>Disposition</u>
5. Bankruptcy case files	
a. Case files created under the Bankruptcy Acts of 1800, 1841, and 1867	Permanent
b. Case files created under the 1898 Bankruptcy Act and subsequent bankruptcy acts, except 5.c. below	Dispose 20 years after date of final action, unless donated to a college, university, historical society or similar organization
c. Case files dated 1980 or later which are significant cases selected by the circuit Archives History Committees	Permanent
6. Bankruptcy claims registers, if maintained separately	Dispose 10 years after date of final action
7. Magistrates case files	
a. Minor and petty offense case files	Dispose 5 years after date of final action
b. Violation notices	Dispose 90 days after posting and forfeiture of collateral or dismissal
8. Docket sheets	
a. Dockets of U.S. Commissioners and magistrates in petty offense cases	Dispose 5 years after final action
b. Dockets of U.S. Commissioners and magistrates in minor offense cases	Disposal Not Authorized

<u>Type of Record</u>	<u>Disposition</u>
c. All other docket sheets	Permanent
9. Case Indices	Permanent
10. Judgment and order books	
a. Records dated 1911 or earlier	Permanent
b. Records postdating 1911	Disposal Not Authorized
11. Probation files	
a. Supervisory case files, including investigation and supervision data	Dispose 10 years after termination of supervision
b. Investigation files on individuals not under supervision of probation office, including files of Pretrial Services Agencies	Dispose 10 years after completion of investigation
12. Court reporters' records	
a. Original notes of proceedings, 28 U.S.C. §753(b)	Dispose when 10 years old
b. Sound recordings of arraignments, pleas, and sentences in criminal cases	Dispose 23 years after date of final action
c. Recordings (tape) used as back-up to notetaking	Dispose when 6 months old (tapes may be erased and reused)
B. <u>Miscellaneous Records</u>	
All records other than case records which pertain to the proceedings of the court	

<u>Type of Records</u>	<u>Disposition</u>
1. Minute sheets	Permanent, if maintained outside the case file
2. Jury records. All records and papers compiled and maintained by the jury commission or clerk before the master wheel is emptied, 28 U.S.C. 1868	Dispose 4 years after the master jury wheel is emptied and refilled
3. Grand jury proceedings. Note: The recording or reporters' notes, or any transcript prepared therefrom, remain in the custody or control of the attorney for the government unless otherwise ordered by the court in a particular case. Rule 6 (e) (1), F.R.Cr.P.	Dispose as directed by the court
4. Attorney admission records	
a. Rolls of Attorneys	
(1) Records dated 1911 or earlier	Permanent
(2) Records post-dating 1911	Disposal Not Authorized
b. Records relative to disciplinary actions	Disposal Not Authorized
c. Other records	Dispose when 5 years old
5. Naturalization records. Petitions for naturalization, declarations of intention, naturalization certifications, and index to certificates, 18 U.S.C. 1450	Permanent

<u>Type of Record</u>	<u>Disposition</u>
6. Notices of Federal tax liens	Disposal Not Authorized
7. Appointments of process agents by surety companies	Disposal Not Authorized
8. Documents required by law to be filed with the clerk	Disposal Not Authorized
C. <u>Administrative Records</u>	
All records relating to personnel, finance, and other administrative activities commonly performed by all federal agencies	
1. Personnel	
a. Leave slips	Dispose when 1 year old
b. Leave charts and records	Dispose 3 years after date of record
c. Working files for court personnel	Dispose 1 year after separation of employee
2. Financial records	Dispose 7 years after date of final transaction
3. Personal property records, including documents relating to acquisition and disposition of property	Dispose 7 years after date of final transaction
4. General correspondence files, including all other administrative records	Dispose 5 years after close of file
5. Records Transmittal and Receipt (SF135)	Disposal Not Authorized

NOTE: The Archivist of the United States retains the authority to accession as part of the National Archives of the United States any records having historical or other value upon the expiration of the retention period specified in this schedule. See Chapter 33 of Title 44, United States Code. The recommendations of the circuit Archives History Committees are advisory only and are not binding on the National Archives and Records Service.