

## Request for Records Disposition Authority

Records Schedule Number           DAA-0116-2019-0007  
 Schedule Status                    Modified Approved Version

Agency or Establishment           Administrative Office of the U.S. Courts  
 Record Group / Scheduling Group   Records of the Administrative Office of the U.S. Courts  
 Records Schedule applies to       Major Subdivision  
 Major Subdivision                 Defender Services Office  
 Schedule Subject                 Defender Services Office (DSO)  
 Internal agency concurrences will be provided   No

Background Information           The mission of the Defender Services Office (DSO), part of the Administrative Office of the U.S. Courts, is to ensure right to counsel guaranteed by the Sixth Amendment, the Criminal Justice Act (18 U.S.C. 3006A) and other congressional mandates for those who cannot afford to retain counsel and other necessary defense services. By fulfilling its mission, the Defender Services program helps to (1) maintain public confidence in the nation’s commitment to equal justice under law and; (2) ensure the successful operation of the constitutionally-based adversary system of justice by which both federal criminal law and federally guaranteed rights are enforced. DSO provides a wide range of administrative, legal, financial, management, and services to the Federal Defender Organizations as well as Community Defender Organizations.

DSO is comprised of five divisions: (1) Administrative Support Division; (2) Program and Operations Division; (3) Legal and Policy Division; (4) Training Division; and (5) Communications and Special Projects Division.

### Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
22	2	20	0

### GAO Approval

## Outline of Records Schedule Items for DAA-0116-2019-0007

Sequence Number	
1	a. Supreme Court Advocacy Program Disposition Authority Number: DAA-0116-2019-0007-0001
2	c. Continuing Legal Education (CLE) files – General Disposition Authority Number: DAA-0116-2019-0007-0003
3	d. Mega Cases Disposition Authority Number: DAA-0116-2019-0007-0004
4	e. ODS Newsletters Disposition Authority Number: DAA-0116-2019-0007-0005
5	g. Long Range Planning Disposition Authority Number: DAA-0116-2019-0007-0007
6	h. Death Penalty Resource Counsel Disposition Authority Number: DAA-0116-2019-0007-0008
7	i. Remote Detention Disposition Authority Number: DAA-0116-2019-0007-0009
8	j. Out-of-District Requests Disposition Authority Number: DAA-0116-2019-0007-0010
9	k. Prisoner's Correspondence Files Disposition Authority Number: DAA-0116-2019-0007-0011
10	l. DSO National CJA Panel Attorney Districts Representatives Handbook Disposition Authority Number: DAA-0116-2019-0007-0012
11	m. Establishment/Disestablishment of FDO Disposition Authority Number: DAA-0116-2019-0007-0013
12	n. FPDO and CDO Inquiries Disposition Authority Number: DAA-0116-2019-0007-0014
13	o. Permission to Release Criminal Justice Act Payment Forms Disposition Authority Number: DAA-0116-2019-0007-0015
14	q. Chronological Files Disposition Authority Number: DAA-0116-2019-0007-0017
15	r. Litigation Files for Suits Against Federal Defenders Disposition Authority Number: DAA-0116-2019-0007-0018
16	t. International Prison Transfer Files Disposition Authority Number: DAA-0116-2019-0007-0020
17	u. FD.org (Internet) Website Disposition Authority Number: DAA-0116-2019-0007-0021
18	v. dWeb (Intranet)

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Disposition Authority Number: DAA-0116-2019-0007-0022

w. Training/Conference Records

Disposition Authority Number: DAA-0116-2019-0007-0023

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x. Advisory and Panel Working Groups

Disposition Authority Number: DAA-0116-2019-0007-0024

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y. Case Budgeting Files

Disposition Authority Number: DAA-0116-2019-0007-0025

22

aa. Annual Reports

Disposition Authority Number: DAA-0116-2019-0007-0027

## Records Schedule Items

Sequence Number	
1	<p><b>a. Supreme Court Advocacy Program</b></p> <p>Disposition Authority Number      DAA-0116-2019-0007-0001</p> <p>Records consist of program overview; program instructions; information regarding Defender Supreme Court Resource and Assistance Panel (DSCRAP); sample letters from Supreme Court to counsel and from AO training division to counsel; CJA counsel compensation form. Assists federal defender staff and panel attorneys representing Criminal Justice Act (CJA)-eligible defendants in the United States Supreme Court. The program brings together a variety of resources, including Sidley Austin, LLP; DSCRAP; and the Supreme Court Institute at the Georgetown University Law Center.</p> <p>Final Disposition                      Temporary</p> <p>Item Status                                Active</p> <p>Is this item media neutral?            Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?        Yes</p> <p>Do any of the records covered by this item exist as structured electronic data?                            No</p> <p><b>Disposition Instruction</b></p> <p>Retention Period                        Destroy when 5 years old or when superseded.</p> <p><b>Additional Information</b></p> <p>GAO Approval                            Not Required</p>
2	<p><b>c. Continuing Legal Education (CLE) files – General</b></p> <p>Disposition Authority Number      DAA-0116-2019-0007-0003</p> <p>Records consist of attendance forms, state forms and state-based continuing education accreditation requirements as well as an electronic Excel spreadsheet organized by fiscal year that tracks the state to which CLE credits were submitted to for approval and the fee amount paid.</p> <p>Final Disposition                      Temporary</p> <p>Item Status                                Active</p> <p>Is this item media neutral?            Yes</p>

3	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes
	Do any of the records covered by this item exist as structured electronic data?	No
	<b>Disposition Instruction</b>	
	Retention Period	Destroy when 3 years old or when superseded.
	<b>Additional Information</b>	
	GAO Approval	Not Required
	<b>d. Mega Cases</b>	
	Disposition Authority Number	DAA-0116-2019-0007-0004
	Cases that cannot be subsumed within the federal public defender office's (FDO) existing budget and that would exceed the authority delegated to DSO to increase FDO budgets by up to 10 percent or \$500,000, whichever is less. The records include budget increase requests from FDO; spreadsheets, correspondence, background information; narrative; and recommendations to the subcommittee. These records are sensitive.	
	Final Disposition	Temporary
Item Status	Active	
Is this item media neutral?	Yes	
Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes	
Do any of the records covered by this item exist as structured electronic data?	Yes	
<b>Disposition Instruction</b>		
Retention Period	Destroy 10 years after notification from the federal public defender that a verdict has been reached.	
<b>Additional Information</b>		
GAO Approval	Not Required	
4	<b>e. ODS Newsletters</b>	
	Disposition Authority Number	DAA-0116-2019-0007-0005

Records are in paper format from 1977-1979 and in PDF format from 2006-2008. Distributed monthly to federal public defender organizations (FPDOs) and community defender organizations (CDOs) for informational purposes on topics such as annual conference, travel, training, HR, IT and CJA information.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

**Disposition Instruction**

Retention Period Destroy when 3 years old or no longer needed for current business, whichever is later.

**Additional Information**

GAO Approval Not Required

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**g. Long Range Planning**

Disposition Authority Number DAA-0116-2019-0007-0007

Records include correspondence, working drafts, comments received and background information.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

**Disposition Instruction**

Retention Period Destroy 10 year(s) after final plan is approved.

**Additional Information**

GAO Approval Not Required

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#### h. Death Penalty Resource Counsel

Disposition Authority Number DAA-0116-2019-0007-0008

Records include correspondence, quarterly reviews and reports, copies of time and expense reports. DSO provides oversight of the counsel. Expert resource counsel provides advice and assistance to FPDOs and CDOs, panel attorneys, defender services committee and the staff of DSO on matters relating to the provision of defense services to persons who qualify for appointment of counsel in federal capital prosecutions.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

#### Disposition Instruction

Retention Period Destroy when 15 years old.

#### Additional Information

GAO Approval Not Required

7

#### i. Remote Detention

Disposition Authority Number DAA-0116-2019-0007-0009

These records contain letters to district courts, responses from district courts and charts. Beginning in 2008, judiciary and Department of Justice representatives, including the Federal Detention Trustee, met to discuss continuing efforts to address cost implications and other issues arising from the placement of CJA pretrial detainees in remote detention facilities. Based on results of a survey conducted regarding the severity of district detention problems, possible solutions were formulated. The Office of the Federal Detention Trustee created and continues to maintain a website that gives each district access to its respective detention data and survey results and a list of tailored recommendations. The AO continues to review and analyze the costs of remote detention placement decisions and to urge districts to form local stakeholder committees to address district challenges. In 2012, the Committee on Defender Services focused its efforts toward containing expenditures in this area on the targeted court locations that appear to have the highest average travel cost regarding detained CJA clients.

Final Disposition Temporary

Item Status Active  
Is this item media neutral? Yes  
Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes  
Do any of the records covered by this item exist as structured electronic data? No

**Disposition Instruction**

Retention Period Destroy when 10 years old or when no longer needed, whichever is longer.

**Additional Information**

GAO Approval Not Required

8

**j. Out-of-District Requests**

Disposition Authority Number DAA-0116-2019-0007-0010

Requests by the federal public defender to work on a case outside their district that must be approved by DSO. Records include request letter from FPD, notification to circuit of request, response from circuit and approval memorandum from DSO.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

**Disposition Instruction**

Retention Period Destroy 5 year(s) after request is granted or denied.

**Additional Information**

GAO Approval Not Required

9

**k. Prisoner's Correspondence Files**

Disposition Authority Number DAA-0116-2019-0007-0011



Records include letters, memorandums, and other communications from and to prisoners. These are not part of the defendant case file.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

Disposition Instruction

Retention Period Destroy when 3 years old or when no longer needed for reference.

Additional Information

GAO Approval Not Required

10 I. DSO National CJA Panel Attorney Districts Representatives Handbook

Disposition Authority Number DAA-0116-2019-0007-0012

The handbook provides information assistance to CJA panel attorneys in representing their clients. Topics include background information on CJA; information regarding CJA rates and case budgeting; administration of CJA, CJA plans, related statutes and guidelines.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

Disposition Instruction

Retention Period Destroy 4 year(s) after superseded or when no longer needed, whichever is later.

Additional Information

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GAO Approval **Not Required**

**m. Establishment/Disestablishment of FDO**

Disposition Authority Number **DAA-0116-2019-0007-0013**

**These files relate to the establishment and disestablishment of FDO offices throughout the U.S. Records include correspondence, handwritten notes, reports, and feasibility studies.**

Final Disposition **Permanent**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **No**

**Disposition Instruction**

Cutoff Instruction **Cutoff when office is disestablished**

Transfer to the National Archives for Accessioning **Transfer to the National Archives 15 year(s) after cutoff**

**Additional Information**

First year of records accumulation **1970**

What will be the date span of the initial transfer of records to the National Archives? **From 1970 To 1990**

How frequently will your agency transfer these records to the National Archives? **Unknown  
Transfers will occur only when office closes.**

	Estimated Current Volume	Annual Accumulation
Electronic/Digital	1 GB	50 MB
Paper	40 Cubic feet	
Microform		

Hardcopy or Analog Special Media		
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**n. FPDO and CDO Inquiries**

Disposition Authority Number      **DAA-0116-2019-0007-0014**

Correspondence and memoranda relating to such topics as CJA related activities, appointment of counsel and other matters that impact FPDOs and CDOs.

Final Disposition                      **Temporary**

Item Status                              **Active**

Is this item media neutral?          **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?      **Yes**

Do any of the records covered by this item exist as structured electronic data?                      **No**

**Disposition Instruction**

Retention Period                      **Destroy when no longer needed.**

**Additional Information**

GAO Approval                          **Not Required**

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**o. Permission to Release Criminal Justice Act Payment Forms**

Disposition Authority Number      **DAA-0116-2019-0007-0015**

Records include permission to release Criminal Justice Act forms signed by a judge. These are in response to infrequent requests from Congress regarding payment data related to a death penalty case. The AO financial office submits a final letter to Congress with data related to those cases whereby permission was granted.

Final Disposition                      **Temporary**

Item Status                              **Active**

Is this item media neutral?          **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?      **Yes**

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Do any of the records covered by this item exist as structured electronic data?

No

**Disposition Instruction**

Retention Period

Destroy 4 year(s) after final letter has been sent to Congress.

**Additional Information**

GAO Approval

Not Required

**q. Chronological Files**

Disposition Authority Number

DAA-0116-2019-0007-0017

Correspondence signed by the Chief or Deputy Chief of the Defender Services Office.

Final Disposition

Temporary

Item Status

Active

Is this item media neutral?

Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?

Yes

Do any of the records covered by this item exist as structured electronic data?

No

**Disposition Instruction**

Cutoff Instruction

Cut off at the end of the calendar year.

Retention Period

Destroy file when 2 years old.

**Additional Information**

GAO Approval

Not Required

15

**r. Litigation Files for Suits Against Federal Defenders**

Disposition Authority Number

DAA-0116-2019-0007-0018

Files concerning suits brought against federal defenders sued in their official capacity. Records include copy of complaint, letter requesting representation for FPD, memorandum, emails and bills for services.

Final Disposition

Temporary

Item Status

Active

Is this item media neutral?

Yes

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Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **No**

**Disposition Instruction**

Retention Period **Destroy 3 year(s) after the case is closed.**

**Additional Information**

GAO Approval **Not Required**

**t. International Prison Transfer Files**

Disposition Authority Number **DAA-0116-2019-0007-0020**

**Files relating to the appointment and compensation of counsel in International Prisoner Transfer proceedings. Records include request of counsel from prisoner, attorney designation, copies of travel vouchers, and consent verification hearing lists and after-action reports.**

Final Disposition **Temporary**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **No**

**Disposition Instruction**

Retention Period **Destroy 5 year(s) after prison transfer.**

**Additional Information**

GAO Approval **Not Required**

17

**u. FD.org (Internet) Website**

Disposition Authority Number **DAA-0116-2019-0007-0021**

**Provides substantive legal information and resources to practitioners appointed under the Criminal Justice Act; advertises and provides online registration for training branch events; and informs practitioners about the other resources**

provided by the training branch. Information items located on the website are copies and the official copy is maintained elsewhere.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

**Disposition Instruction**

Retention Period Destroy when superseded or no longer needed.

**Additional Information**

GAO Approval Not Required

18

**v. dWeb (Intranet)**

Disposition Authority Number DAA-0116-2019-0007-0022

Provides substantive information on policies and procedures, announcements, reference documents, other online resources for CJA panel attorneys and FDO staff. Information items located on website are copies and the official record is maintained elsewhere.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

**Disposition Instruction**

Retention Period Destroy when superseded or no longer needed.

**Additional Information**

GAO Approval Not Required

19

**w. Training/Conference Records**

Disposition Authority Number DAA-0116-2019-0007-0023

Record copy of manuals, syllabuses/agendas and other training aids for federal defender conference, administrative officers conference and orientation seminar for new assistant federal defenders, and other similar events.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

GRS or Superseded Authority Citation NC1-116-85-04/4

**Disposition Instruction**

Retention Period Destroy when 5 years old or when no longer needed, whichever is later.

**Additional Information**

GAO Approval Not Required

20

**x. Advisory and Panel Working Groups**

Disposition Authority Number DAA-0116-2019-0007-0024

Records are maintained by the AO office that established the advisory group or panel and consist of charters/mission statements, membership lists, meeting summaries/minutes, selected correspondence and memoranda and other related documents. Examples include Defender Services Performance Measurement; Defender Service Automation and Long-Range Planning on Death Penalty Representation.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

21	Do any of the records covered by this item exist as structured electronic data?	No
	<b>Disposition Instruction</b>	
	Retention Period	Delete when 3 years old or after the group has disbanded, whichever is applicable.
	<b>Additional Information</b>	
	GAO Approval	Not Required
	<b>y. Case Budgeting Files</b>	
	Disposition Authority Number	DAA-0116-2019-0007-0025
	Records include evaluation criteria, cost containment strategies, pilot meeting notes, evaluation criteria, pilot reports, MOUs, CBA expansion, requests for additional CBAs in circuits, CBA job announcements, correspondence with circuit executives, and workload reports.	
	Final Disposition	Temporary
	Item Status	Active
Is this item media neutral?	Yes	
Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes	
Do any of the records covered by this item exist as structured electronic data?	No	
<b>Disposition Instruction</b>		
Retention Period	Destroy when 10 years old or when no longer needed, whichever is later.	
<b>Additional Information</b>		
GAO Approval	Not Required	
22	<b>aa. Annual Reports</b>	
	Disposition Authority Number	DAA-0116-2019-0007-0027
	The reports are submitted to the AO DSO budget unit at the end of the fiscal year for the budget year just completed. It documents the activities of the FPDO during the past year and serves as a historical record of the office. Includes summary reports from FPDO district offices.	
Final Disposition	Permanent	



Item Status **Active**

Is this item media neutral? **No**

Explanation of limitation **Electronic records only**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **No**

GRS or Superseded Authority Citation **DAA-0021-2013-0006-0003**

**Disposition Instruction**

Cutoff Instruction **Cut off at the end of the calendar year.**

Transfer to the National Archives for Accessioning **Transfer to the National Archives in 5 year blocks 25 year(s) after block closes**

**Additional Information**

First year of records accumulation **2000**

What will be the date span of the initial transfer of records to the National Archives? **From 2000 To 2005**

How frequently will your agency transfer these records to the National Archives? **Every 5 Years**

	Estimated Current Volume	Annual Accumulation
Electronic/Digital	1 GB	25 MB
Paper		
Microform		
Hardcopy or Analog Special Media		

## Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

## Signatory Information

Date	Action	By	Title	Organization
12/18/2018	Certify	Omar Herran	Judiciary Records Officer	DPS - CSO
09/25/2019	Submit for Concurrence	David Weber	Senior Appraisal Archivist	National Archives and Records Administration - Records Management Services
09/30/2019	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
10/01/2019	Concur	Laurence Brewer	Chief Records Officer	National Records and Archives Administration - National Records and Archives Administration
10/02/2019	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist