**ARIZONA CODE OF JUDICIAL ADMINISTRATION**
**Part 3: Superior Court**
**Chapter 4: Administration**
**Section 3-402: Superior Court Records Retention and Disposition**

**A. Definitions.** In this section the following definitions apply:

"Case file" means the original documents or other material, regardless of physical form filed in an action or proceeding in a court, either in paper or electronic format.

"Closed" means that the case is no longer subject to modification pursuant to Rule 94(h), Rules of the Supreme Court.

"Date received," means the date records are received by the clerk or court.

"Destruction" or "destroyed" means to discard by burning, shredding, recycling, or by depositing in a public landfill.

"Dispose" means to destroy a record or transfer a record to archives, depending upon the context.

"File" or "filed" means the record was delivered to and file-stamped by the Clerk of Court.

"Historically significant case" means a case involving a unique legal issue or controversy, prominent party, or other high profile or newsworthy aspects, and that has been so designated pursuant to the process established in subsection (F) of this section.

"Landmark case" means a case that meets the requirements of Rule 111(b), Rules of the Supreme Court, has been the subject of a published appellate court opinion as that term is defined by Rule 111(a)(1), and has been so designated pursuant to the process established in subsection (F) of this section.

"Microfilming" means the reproduction on microfilm of the original record in accordance with the minimum standards for microfilming as established by nationally accepted records and information management process standards.

"Purge" means to remove and destroy records in a case file pursuant to subsection (D) of this section.

"Retention period" means the period of time during which records must be kept before they may be disposed of, usually a period of years and sometimes contingent upon an event, such as entry of judgment or after reference value served.

**B. Authority.** Az. Const. Art. 6, §§ 3 and 23 authorize the supreme court to administer the courts of this state and to establish duties for the clerk of the superior court in each county by rule. A.R.S. § 41-1339 requires superior court clerks to transfer permanent files to the Director of the Arizona State Library Archives and Public Records (ASLAPR) at the end of their prescribed retention period, pursuant to court rules. Rule 29, Rules of the Supreme Court requires the court to adopt retention and disposition schedules and purge lists for court records.

**C. Retention and disposition schedule.** Clerks shall retain and dispose of superior court records according to the following schedule:

| **ARIZONA SUPREME COURT**<br>**Records Retention and Disposition Schedule**<br>***FOR USE BY SUPERIOR COURT*** | | |
|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| **1. COURT CASE FILES** | | Case records designated for retention for a period of "50 years (for cases filed after 1959)" must be transferred to the state archivist for permanent storage and not destroyed at the end of the 50 year retention period. For example, in the year 2011, a civil malpractice case record filed in 1960 must be transferred to the state archivist.<br><br>Case records designated for retention for a period of "Permanent (for cases filed prior to 1960)" may be either retained in the custody of the clerk of court or transferred to the state archivist and not destroyed. For example in the year 2011, a civil malpractice case record filed in 1959 may be transferred to the state archivist or retained by the clerk at the clerk's discretion. |

| ARIZONA SUPREME COURT<br>Records Retention and Disposition Schedule<br>*FOR USE BY SUPERIOR COURT* | | |
|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| a. Civil – General<br>Includes:<br>- Administrative review<br>- Contract<br>- Declaratory judgment<br>- Department of Economic Security (DES) instant judgment<br>- Eminent domain<br>- Foreign judgment<br>- Habeas corpus<br>- Malpractice<br>- Name change<br>- Non-general stream adjudication water rights<br>- Quiet title<br>- Restoration of civil rights<br>- Special action appeal<br>- Tax appeal<br>- Tort general (all non-motor vehicle)<br>- Transcript of judgment<br>- Other unspecified non-domestic relations civil case categories | 50 (for cases filed after 1959)<br><br>Permanent (for cases filed prior to 1960) | Retention period begins following year filed.<br><br>As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, transfer these court records to ASLAPR for permanent retention.<br><br>Purging and microfilming are allowed at any point after the case is closed. (See subsection D).<br><br>Purging and microfilming are allowed at any point after the case is closed. (See subsection D). |
| (1) Civil – Other<br>- Forcible detainer<br>- Harassment<br>- Seized vehicle<br>- Tort – motor vehicle | 10 | Retention period begins following year filed.<br><br>Case file may be destroyed at end of retention period.<br><br>Microfilming and/or transfer to ASLAPR not required.<br><br>Applies to all records currently in custody, including pre-1960 records. |
| (2) Domestic Relations Cases - with children<br>- Civil paternity<br>- Domestic custody | 75 (for cases filed after 1959) | Retention period begins following the year filed.<br><br>As provided by Rule 29, Rules of the |

| ARIZONA SUPREME COURT<br>Records Retention and Disposition Schedule<br>*FOR USE BY SUPERIOR COURT* | | |
|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| - Domestic violence<br>- Reciprocal divorce<br>- Support enforcement | | Supreme Court, at the end of the retention period required by this section, transfer these court records to ASLAPR for permanent retention.<br><br>These files shall not be purged.<br><br>Microfilming is allowed at any point after the case is closed. (See subsection D). |
| | Permanent (for cases filed prior to 1960) | These files shall not be purged.<br><br>Microfilming is allowed at any point after the case is closed. (See subsection D). |
| (3) Domestic Relations Cases – without children<br>- Dissolutions<br>- All other unspecified domestic relations case categories | 50 (for cases filed after 1959) | Retention period begins following the year filed.<br><br>As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, transfer these court records to ASLAPR for permanent retention.<br><br>These files shall not be purged.<br><br>Microfilming is allowed at any point after the case is closed. (See subsection D). |
| | Permanent (for cases filed prior to 1960) | These files shall not be purged.<br><br>Microfilming is allowed at any point after the case is closed. (See subsection D). |
| (4) Dismissed Domestic Relations Cases -- with or without children | 50 (for cases filed after 1959) | Retention period begins following the year filed.<br><br>As provided by Rule 29, Rules of the Supreme Court, at the end of the retention |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| | Permanent (for cases filed prior to 1960) | period required by this section, transfer these court records to ASLAPR for permanent retention.<br><br>Purging and microfilming are allowed at any point after the case is closed. (See subsection D).<br><br>Purging and microfilming are allowed at any point after the case is closed. (See subsection D). |
| (5) Orders of Protection/Injunctions Against Harassment | 5 | Retention period begins following the year filed.<br><br>Case file may be destroyed.<br><br>Microfilming and/or transfer to ASLAPR not required. |
| (6) Demand for Notice (including non-case specific filings, i.e. – Arizona Health Care Cost Containment System (AHCCCS) clients who have died) | 2 | After date received.<br><br>Document may be destroyed. |
| (7) Mental Health | 50 (for cases filed after 1959) | Retention period begins following year filed.<br><br>As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, clerks shall transfer these court records to ASLAPR for permanent retention.<br><br>Not authorized for purging.<br><br>Microfilming is allowed at any point after the case is closed. (See Subsection D). |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| | Permanent (for cases filed prior to 1960) | Not authorized for purging.<br><br>Microfilming is allowed at any point after the case is closed. (See subsection D). |
| (8) Probate<br>Includes:<br>- Conservatorship<br>- Combination Conservatorship/Guardian-ship<br>- Guardianship (adult and juvenile)<br>- Adult adoptions<br>- Non-case specific filings | 100 (for cases filed after 1959) | Retention period begins following the year filed.<br><br>As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, clerks shall transfer these court records to ASLAPR for permanent retention.<br><br>Not authorized for purging.<br><br>Microfilming is allowed at any point after the case is closed. (See Subsection D). |
| | Permanent (for cases filed prior to 1960) | Not authorized for purging.<br><br>Microfilming is allowed at any point after the case is closed. (See subsection D). |
| - Probate vouchers and receipts | 5 | After fiscal year received or after final annual accounting.<br><br>Destroy without microfilming. Refer to Rule 94(h)(2), Rules of the Supreme Court. |
| (9) Abortions | - | Retain and dispose in accordance with court order. |
| (10) General Stream Adjudication | | |
| (a) Contents of the case file, including but not limited to: | Permanent | Not authorized for purging. |

| ARIZONA SUPREME COURT<br>Records Retention and Disposition Schedule<br>*FOR USE BY SUPERIOR COURT* | | |
|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| - statement of claimant<br>- exhibits<br>- written hearing transcripts | | These records are to be permanently maintained by the clerk. Rule 94(h), Rules of the Supreme Court, allows the destruction of original permanent records after microfilming. Microfilming is allowed five years after the year filed.<br><br>After microfilming, the clerk shall automatically transfer the original records to ASLAPR as historically significant records. |
| (b) Office of the Special Master | | The office of the special master shall classify, label, and purge the following records before transferring them to the clerk. |
| - Historical materials<br>- Public information materials<br>- Case management and procedures<br>- Non-Rule 53 Special Master's reports | Permanent | Not authorized for purging by the clerk.<br><br>These records are to be permanently maintained by the clerk. Rule 94(h), Rules of the Supreme Court, allows the destruction of original permanent records after microfilming. Microfilming is allowed five years after the date they are received by the clerk.<br><br>After microfilming, the clerk shall automatically transfer the original records to ASLAPR as historically significant records. |
| - Appellate proceedings<br>- Legislative materials<br>- Legal research materials<br>- Special Master's rules | 25 | After the date they are received by the clerk.<br><br>The records may be microfilmed five years after they are received by the clerk. Rule 94(h), Rules of the Supreme Court, allows the destruction of original permanent records after microfilming.<br><br>Transfer to ASLAPR not required. |
| - Administrative, financial, human resource records | - | Retain and dispose in accordance with the applicable sections of this schedule. |

| ARIZONA SUPREME COURT<br>Records Retention and Disposition Schedule<br>*FOR USE BY SUPERIOR COURT* | | |
|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| (11) Transcripts and Depositions (all case categories) | _ | These materials are part of the case file and accordingly follow the retention period established for the civil case type in which they were prepared. |
| b. Criminal –<br>(1) General<br>(excluding capital felony cases) | 50 (for cases filed after 1959) | Retention period begins following the year filed.<br><br>As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, clerks shall transfer these court records to ASLAPR for permanent retention.<br><br>Criminal history records produced by DPS and filed with the Superior Court may be destroyed without microfilming 30 days after sentencing provided no appeal filed, or 30 days following appellate court ruling.<br><br>Microfilming is allowed pursuant to Rule 28.1, Rules of Criminal Procedure, and purging is permitted on a very limited basis (See subsection D). |
| | Permanent (for cases filed prior to 1960) | Microfilming is allowed pursuant to Rule 28.1, Rules of Criminal Procedure, and purging is permitted on a very limited basis (See subsection D). |
| (2) Capital Felony Cases | Permanent | Not authorized for purging.<br><br>As provided by Rule 29, Rules of the Supreme Court, clerks shall transfer these records to ASLAPR for permanent retention 100 years after the date of conviction.<br><br>Microfilming is allowed pursuant to Rule 28.1, Rules of Criminal Procedure. |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| (3) Transcripts and depositions (all case categories) | - | These are part of the case file and accordingly follow the criminal case type retention time frame. |
| c. Juvenile (confidential, A.R.S. Title 8, Chapter 1) | | |
| (1) Adoptions, including pre-adoption certifications, motions for birth parent expenses and sealed adoption materials | 100 | Following the granting, denial, dismissal or expiration of the matter as to all children.<br><br>The juvenile court may authorize the microfilming of these cases.<br><br>At end of retention period, all files, records, reports and other documents in possession of the court relating to the adoption must be transferred to ASLAPR. Reference A.R.S. §§ 8-116 and 121. |
| (2) Abortions | - | Microfilm and dispose in accordance with court order**.** |
| (3) Delinquencies (includes citations, juvenile orders of protection, injunctions against harassment, incorrigibility and sealed delinquency materials) | - | After satisfaction of A.R.S. § 8-349 or following juvenile's 30th birthday, A.R.S. § 13-912.<br><br>Microfilm and dispose in accordance with court order. The juvenile court may authorize the microfilming or destruction of these cases or orders of protection /injunctions against harassment issued pursuant to A.R.S. § 13-3602. |
| (4) Dependency (includes Indian Child Welfare Act Cases. Also includes sealed dependency materials) | 100 (for cases filed after 1959) | From date of dismissal as to all children.<br><br>As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, clerks shall transfer these records to ASLAPR for permanent retention.<br><br>Microfilm and dispose in accordance with court order. |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| | Permanent (for cases filed prior to 1960) | Microfilm and dispose in accordance with court order. |
| (5) Severance (includes relinquishments and sealed severance materials) | 100 (for cases filed after 1959) | From date of granting, denial, dismissal or expiration of the matter as to all children.<br><br>As provided by Rule 29, Rules of the Supreme Court, at the end of the retention period required by this section, clerks shall transfer these records to ASLAPR for permanent retention.<br><br>The juvenile court may authorize the microfilming or destruction of these cases. |
| | Permanent (for cases filed prior to 1960) | The juvenile court may authorize the microfilming or destruction of these cases. |
| (6) Juvenile traffic and other violations | - | After child reaches age nineteen.<br><br>Microfilming and/or transfer to ASLAPR not required.<br><br>Violation document may be destroyed. |
| (7) Juvenile case exhibits (applies to all juvenile case categories) | - | May be disposed following dismissal, disposition or final appellate ruling, or the Juvenile Court may otherwise authorize release or destruction of these exhibits in accordance with applicable provisions of the code of judicial administration, administrative order, court rule, or statute. |
| (8) Juvenile case transcripts and depositions (all juvenile case categories) | - | These are part of the case file and accordingly follow the juvenile case type retention time frame. |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| | | The Juvenile Court may authorize earlier destruction. |
| d. Lower Court Appeals - Civil or Criminal | | |
| (1) Remanded civil cases | - | After satisfaction of Rule 12(c), Superior Court Rules of Appellate Procedure – Civil. |
| (2) Remanded criminal cases | - | After satisfaction of Rule 12, Superior Court Rules of Appellate Procedure – Criminal. |
| (3) Remanded case transfer index (and associated remand minute orders) | 5 | Following the date of the remand order.<br><br>Case file may be destroyed. |
| (4) All other categories (including city court cases) | - | Refer to Rule 12, Superior Court Rules of Appellate Procedure – Civil and Criminal for disposition. |
| (5) Photocopies of remanded cases | - | After reference value served.<br>Copies may be destroyed. |
| (6) Trial De Novo | | See Rule 30, Rules of Criminal Procedure. |
| - Criminal traffic and criminal non-traffic, civil traffic and civil non-traffic | 5 | After dismissal, final order, judgment or stipulation. |
| e. Grand Jury Records | | |
| (1) Empanelment documents | 5 | After panel dismissed. Retention period starts at end of empanelment term.<br><br>Empanelment documents may be destroyed. |
| (2) Minutes of grand jury votes | 1 | From date of minutes.<br><br>Minutes may be destroyed. |
| (3) Court reporter notes<br>(a) Where a no true bill issued | 10 | From date of proceeding.<br><br>These notes normally will not have been transcribed, since in these matters no indictment is issued. |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| | | |
| (b) Where a true bill is issued | - | See section 2, Official Court Records (below). Court reporter notes must be transcribed in any grand jury proceeding from which an indictment is issued pursuant to A.R.S. § 21-411 and Rule 12.8(c), Rules of Criminal Procedure. |
| (4) No true bill/admonitions/ readings/dismissed/ miscellaneous documents | 1 | From date of document or dismissal.<br><br>Document may be destroyed. |
| f. Miscellaneous Filings | | |
| (1) Administrative orders | 10 | From date of issue. Provide copy to the current presiding judge for evaluation and re-issue, if contents of order are still valid.<br><br>Transfer original or microfilm of these records to ASLAPR for permanent retention. (See section 6.d. Presiding Judge business papers, below) |
| (2) Landmark cases | Permanent | See subsection F, Historically Significant and Landmark Cases.<br><br>Case file shall be maintained intact, if not already purged at time of designation.<br><br>Microfilming is allowed, but original paper file shall be transferred to ASLAPR, if available, at end of retention period applicable to the case type. |
| (3) Historically Significant Cases | Permanent | See subsection F, Historically Significant and Landmark Cases.<br><br>Case file shall be maintained intact, if not already purged at time of designation.<br><br>Microfilming is allowed, but original paper file should be transferred to ASLAPR if available, at end of retention period |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| | | applicable to the case type. |
| (4) "Sealed by Order of the Court" records | - | Retain and dispose in accordance with applicable case type. |
| (5) Special Warrants | | |
| - Confidential Wire Taps | 1 | Retention period begins following year filed. Return to prosecutor. Confidential. See A.R.S. § 13-3918. |
| - Pen Registers | 1 | Retention period begins following year filed. Return to prosecutor or other responsible agency. |
| (6) Other (Search Warrants, Trap and Trace, Handwriting Exemplars) | 1 | Retention period begins following year filed. See A.R.S. § 13-3918. |
| **2. OFFICIAL COURT RECORD** (including electronic recordings of proceedings) | | |
| a. Criminal -- non-capital cases. These records include all verbatim records of proceedings held in a non-capital criminal case including grand jury, writs of habeas corpus and all other criminal matters. | | In cases where defendant is tried in absentia or where defendant fails to appear for sentencing, court reporter notes must be transcribed. |
| (1) Court reporters' notes (paper or electronic) | 10 | The retention period begins after the date notes taken. |
| (2) Other electronic recordings of proceedings | 10 | After the date proceeding recorded. |
| b. Criminal – capital cases. These records include all verbatim records of proceedings held in a capital case, including grand jury and writs of habeas corpus | | |
| (1) Court reporters' notes (paper or electronic) | 50 | The retention period begins after the date of sentencing. |
| (2) Other electronic recordings of | 50 | After the date of sentencing. |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| proceedings | | |
| c. Juvenile (confidential, A.R.S. § 8-120) | | |
| (1) Court reporters' notes (paper or electronic) | 10 | After the date notes taken. |
| (2) Other electronic recordings of proceedings | 10 | After the date proceeding recorded. |
| d. Non-criminal | | |
| (1) Court reporters' notes (paper or electronic) | 5 | After the date notes taken. |
| (2) Other electronic recordings of proceedings | 5 | After the date proceeding recorded. Rule 43(k), Rules of Civil Procedure, or local rule, whichever retention period is shorter. |
| **3. EXHIBITS** | | |
| a. Civil (includes domestic relations, probate, mental health, arbitration and other civil case types) | - | Following dismissal, disposition or final appellate ruling.<br><br>Retain, return, or destroy in accordance with court order. |
| - With ordered disposition | - | After satisfaction of court order. |
| - Without ordered disposition | 30 days | After mailing notice to responsible parties to claim evidence. (Case must be 30 days post-adjudication and not on appeal.) Rule 94(h), Rules of the Supreme Court. |
| b. Criminal | | |
| - With ordered disposition | - | After satisfaction of court order. |
| - Without ordered disposition | - | After satisfying Rule 28.1, Rules of Criminal Procedure. |
| **4. RECORDS CREATED OR RECEIVED BY CLERK'S OFFICE** | | |
| a. Bail Bondsmen affidavits | 3 | After termination of privileges pursuant to Rule 7.1(f), Rules of Criminal Procedure. |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| b. Dockets and computerized records created in compliance with Rules 94(c) and 94(g), Rules of the Supreme Court | - | After reference value served. |
| - Indices or dockets and registers of action (if used as indices) | Permanent | |
| c. Correspondence concerning copies of records and information | - | After reference value served. |
| d. Criminal or civil cash bonds | 3 | After exonerated. |
| e. Fingerprint cards (administrative purposes) | - | Return to prosecutor or other responsible agency. |
| f. Marriage affidavits | Permanent | Destroy after microfilming. |
| g. Marriage licenses/certificates | Permanent | Destroy or mail to couple after microfilming. |
| h. Notary affidavit applications and bonds | - | After expired. |
| i. Powers of attorney to write bonds | - | After expired or revoked. |
| j. Process server applications | 4 | After expired or new application received. |
| k. Process server investigations/ sanctions | 4 | After completion. |
| l. Public officials financial disclosure statements | 3 | After filed. Refer to A.R.S. §§ 38-541 through -545. |
| m. Wills filed in accordance with A.R.S. § 14-2901(Laws 1973), repealed 1984 | 90 | From the date of the will's creation. |
| **5. COURT FINANCIAL RECORDS** (original and electronic records) | | |
| a. Banking records – All | 3 | After fiscal year prepared or received. |
| b. Cash books and supporting records for non-bond accounts (includes receipts and distribution recordings) | 3 | After fiscal year prepared or received. |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| c. Cash books and receipts for bond trust accounts | 5 | After fiscal year prepared or received. |
| d. Child support payment records | 5 | After fiscal year of payment and satisfaction of arrearages. |
| e. Child support enforcement (including IV-D cases) | | |
| - Computer program conversion data | 3 | After fiscal year conversion of hardware and software completed. 45 C.R.F. § 74.53 |
| - Individual computerized files | 3 | After fiscal year of payment and satisfaction of arrearages. 45 C.F.R. § 74.53 |
| f. Court payment orders (visiting judges, court reporters, law library, attorney fees, etc.) | 3 | After fiscal year paid. |
| g. Expense accounting records | 3 | After fiscal year paid. |
| h. Financial summary reports | | |
| - Budget – operational | 3 | After fiscal year prepared. |
| - Monthly budget reports | 3 | After fiscal year prepared. |
| - Quarterly or annual reports | 5 | After fiscal year prepared. Evaluate for further retention. |
| - Other financial reports | 3 | After fiscal year prepared. |
| i. Journal entries for restitutions, fines and reimbursements | 3 | After fiscal year of payment and satisfaction. |
| j. Juror vouchers | 3 | After fiscal year prepared. |
| k. Minimum accounting standards reports | 3 | After prepared. |
| **6. COURT ADMINISTRATION** | | |
| a. Calendars | - | After reference value served. |
| b. Records of visiting judges | 3 | After fiscal year prepared. |
| c. Court visitor (investigator) files | 10 | After prepared. Reference A.R.S. § 14-5303 |
| d. Former Chief Presiding Judge | - | After satisfaction of term. Arrange transfer to |

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|---|---|---|
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| business papers. This records series consists of records generated by presiding judges to provide guidance, direction and/or general information related to the administration or non-case related business operations of the court. Business papers include general correspondence and administrative orders. | | ASLAPR.<br><br>These records may be sent to ASLAPR at the discretion of the presiding judge, clerk of court, or court administrator. |
| **7. ADMINISTRATIVE RECORDS** | | |
| a. General correspondence | - | After reference value served. |
| b. Employee time sheets (official copies at county finance) | - | After reference value served. |
| c. Statistical reports | 5 | After prepared. Evaluate for further retention. |
| **8. JURY COMMISSIONER RECORDS** | | Lists generated in accordance with A. R. S. Title 21, Chapters 3 and 4. |
| a. Master jury list | - | Destroy after new list created in accordance A.R.S. § 21-301. |
| b. Master jury file | - | Destroy after new list created. Reference A.R.S. § 21-312. |
| c. Juror questionnaires | 90 days | After receipt. Ref. A.R.S. § 21-314(B). |
| d. Other juror lists (panels, pools, and other records) | | |
| - Juror records containing financial information | 3 years | After fiscal year prepared. |
| - Non-financial juror records | - | After reference value served. |
| **9. COJET RECORDS** | As required by COJET | Reference Administrative Guidelines for Judicial Education in Arizona. |
| **10. HUMAN RESOURCE RECORDS** | | |
| a. Applicant medical certification form | 5 | After termination for employees, or 2 years from date of application for non-employees. |

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| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| b. Background investigations | 5 | After termination. |
| c. Classification/re-class of positions | 3 | After request is acted on. |
| d. Criminal history background checks | | |
| - No finding | 6 mos. | After fiscal year prepared. |
| - Finding | 1 | After fiscal year prepared. |
| e. EEOC-4 including background information | 2 | After prepared. |
| f. Employee medical files/ exposure records and pre-employment physicals | 30 | After termination (20 C.F.R. § 1910.20). These records must be retained separately from the employee personnel file. |
| g. Official employee personnel files | 5 | After termination. |
| h. Employee supervisor files | 6 mos. | After termination/transfer. |
| i. Employment eligibility verification form I-9 (proof of legal residency in U.S.A.) | 3 | After employee termination but not less than 3 yrs after date of hire (8 C.F.R. § 274a.2). |
| j. Grievance/appeals and supporting documentation | 3 | After resolution. |
| k. Hiring documents, including application, selection promotion and interview records | 2 | After calendar year received or prepared (29 C.F.R. § 1602.31). |
| l. Judicial certifications | 3 | After filed. |
| m. Layoff/reduction in force (RIF) documents, including computation documents and recap summary) | 5 | After layoff or RIF is complete. |
| n. Occupational safety and health records, including workers' compensation accident reports and annual summaries | 5 | After calendar year reported. (29 C.F.R. § 1952.4). |
| o. Payroll deduction records | 3 | After fiscal year created. |
| p. Position descriptions | 3 | After superseded or abolished. |

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|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| q. Psychological evaluations for applicants | 5 | After termination for employees, or 2 years from date of application for non-employees. |
| r. Psychological evaluations for employees who are applying to carry firearms | 5 | After termination of employment. |
| **11. PRETRIAL SERVICES RECORDS** | | |
| Case supervision files | 1 | After case disposition. |
| **12. ADULT PROBATION RECORDS** | | |
| a. Case files | 3 | After expiration or termination of probation. |
| b. Intensive Probation Supervision (IPS) financial records | 3 | After program completion or termination. |
| c. Progress and activity reports | 2 | After fiscal year prepared. |
| d. Work furlough records | | |
| - Case management files | 1 | After program completion or termination. |
| - Financial records | 3 | After program completion or termination. |
| **13. JUVENILE PROBATION RECORDS** | | |
| a. Juvenile social files | 18th birthday | Rule 19(A)(2), Rules of Procedure for the Juvenile Court. |
| b. Juvenile dependency files | 18th birthday | A.R.S. § 8-349 (For court case files see section (1)(c) of this schedule.) |
| c. Reports and studies | | |
| - Detention | 5 | After fiscal year prepared. |
| - Program Services | 5 | After fiscal year prepared. |
| - Probation | 5 | After fiscal year prepared. |
| - Admin. Services | 5 | After fiscal year prepared. |
| - Intake | 5 | After fiscal year prepared. |
| - Caseload Printout | 5 | After calendar year prepared. |

| ARIZONA SUPREME COURT<br>Records Retention and Disposition Schedule<br>*FOR USE BY SUPERIOR COURT* | | |
|---|---|---|
| **Type of Record** | **Retain (Yrs)** | **Remarks** |
| d. Juvenile Treatment Services Fund (JTSF) records (checking account with original copy retained by supreme court) | 5 | After fiscal year prepared. |
| e. Probation records (working files including psychiatric/psychological evaluations and probation officer reports) | | After fiscal year prepared. |
| - Non-adjudicated juveniles | 45 days | After 18th birthday. |
| - Remanded juveniles | 45 days | After 25th birthday. |
| - Adjudicated juveniles (without criminal records) | 45 days | After 25th birthday. |
| - Adjudicated juveniles (with criminal records) | 45 days | After ordered by the court per A.R.S. § 8-349. |

**D. Case File Purge Procedures.** This list identifies records that can be removed and destroyed from civil, domestic relations, and criminal case files before microfilming. For other types of case files, the determination of what to retain and what to purge after microfilming is left to the discretion of the local court. Destruction of original records is subject to notification requirements of ASLAPR. The method used to destroy records is at local court discretion, however, confidential and sealed records shall be destroyed by shredding, burning, or other means that will obliterate the records.

| CIVIL CASE FILE PURGE LIST | | |
|---|---|---|
| **Documents to be Discarded** | | **Documents to be Retained** |
| For the purposes of this purge list, civil cases are defined as case files that are not domestic relations, probate, mental health, tax appeals, criminal, or juvenile.<br><br>When a civil case is closed, whether by judgment, dismissal or settlement, and all appeals deadlines have passed, the case is "no longer subject to modification," pursuant to Arizona Supreme Court Rule 94(h), and is eligible for purging. The documents listed herein can be purged (removed) from the file and destroyed before microfilming the file content. | | |

| CIVIL CASE FILE PURGE LIST | | |
|---|---|---|
| **Documents to be Discarded** | | **Documents to be Retained** |
| All tagged exhibits must be processed in accordance with the Rules of Civil Procedure. | | |
| **AFFIDAVIT** | | **COMPLAINT** |
| ⊄ Relating to discovery matters | | ⊄ Initial |
| **NOTICE OF**: | | ⊄ amended |
| ⊄ Appointment of auditor/receiver | | **SUMMONS** |
| ⊄ Appearance | | **ACCEPTANCE AND RETURN OF SERVICE** |
| ⊄ Appointment of special process server | | **CROSS CLAIMS** |
| ⊄ Association of counsel | | **COUNTER CLAIMS** |
| ⊄ Change of judge | | **INTERVENORS** |
| ⊄ Delinquent briefs | | **JOINDER OF ADDITIONAL PARTIES** |
| ⊄ Deposition | | **INTERPLEADER** |
| ⊄ Disclosure | | **AFFIDAVITS** |
| ⊄ Filing foreign judgment and affidavit | | ⊄ Keep all affidavits except those relating to discovery matters |
| ⊄ Filing of reporter=s transcript of evidence | | **NOTICES** |
| ⊄ List of witnesses and exhibits | | ⊄ Of appeal |
| ⊄ Sheriff=s sale | | ⊄ Of voluntary discovery |
| ⊄ Trial date | | ⊄ Of filing of bankruptcy |
| ⊄ Witnesses | | ⊄ Of publication |
| ⊄ Receipts (unless return of service of process is indicated) | | ⊄ Of seizure of vehicles |
| ⊄ Acceptance of offer of judgment | | **REQUEST/PETITIONS/DEMANDS** |
| ⊄ Offer of judgment | | ⊄ for writ of assistance and order |
| ⊄ Settlement | | ⊄ intervenor |
| ⊄ Withdrawal of answer | | **ANSWERS/RESPONSES** |
| ⊄ Appointment of guardian ad litem | | ⊄ to complaint, initiating action |
| ⊄ Dismissal | | **REPLIES TO COUNTER CLAIMS** |
| **MOTIONS FOR**: | | **THIRD PARTY ACTIONS** |

| CIVIL CASE FILE PURGE LIST | | |
|---|---|---|
| **Documents to be Discarded** | | **Documents to be Retained** |
| ⊄ Accelerated hearing/trial date | | **STIPULATIONS/CONSENT** |
| ⊄ Change of venue | | ⊄ of dismissal |
| ⊄ Leave to exceed page limitation | | ⊄ keep all judgments and orders even if they are attached to documents that are on the discard list |
| ⊄ Pretrial discovery/disclosure | | Some examples of judgments and orders follow |
| ⊄ Summary judgment | | ⊄ declaratory judgment |
| ⊄ Directed verdict | | ⊄ default judgments |
| ⊄ New trial | | ⊄ dismissals |
| ⊄ Additional disclosure | | ⊄ final order in condemnation |
| ⊄ Failure to join party | | ⊄ release of judgment |
| ⊄ More definite statement | | ⊄ relief from judgment or order |
| ⊄ Reargument | | ⊄ special verdicts |
| ⊄ Voir dire examination | | ⊄ findings of fact, conclusions of law |
| ⊄ Judgment | | ⊄ judgments against garnishee |
| ⊄ Sanctions | | ⊄ in forcible detainer |
| **MOTIONS TO**: | | ⊄ arbitration award |
| ⊄ Dismiss (i.e., for lack of jurisdiction, insufficiency of process, failure to state claim, etc.) | | ⊄ order for name change |
| ⊄ File delayed appeal | | ⊄ judgments |
| ⊄ Quash/prevent issuance of subpoena | | ⊄ verdicts |
| ⊄ Stay proceedings | | ⊄ order for joinder |
| ⊄ Transfer | | ⊄ minute entries that contain the words "ORDER" or "IT IS ORDERED" or similar statements |
| ⊄ Waive applicable time limits | | **WRITS** |
| ⊄ In limine | | **RETURN OF** |
| ⊄ Consolidate | | ⊄ receipts for exhibits or evidence |
| ⊄ Enlarge time for answer | | ⊄ registered mail receipt cards or letters |
| ⊄ Quash warrant/writ | | **SATISFACTION OF** |

| CIVIL CASE FILE PURGE LIST | | |
|---|---|---|
| **Documents to be Discarded** | | **Documents to be Retained** |
| ⊄ Withdraw default/default judgment | | ⊄ judgment |
| ⊄ Compel discovery | | ⊄ judgment against garnishee |
| ⊄ Extended time limits within which to file pre-trial motions | | ⊄ partial satisfaction of amended judgment |
| ⊄ Release bond | | **BOND/DEPOSITS** |
| ⊄ Set trial | | ⊄ except if there is an indication that the bond is exonerated |
| ⊄ Suppress | | **APPELLATE MANDATE** |
| ⊄ Vacate conference/hearing | | **ACCEPTANCE OF SERVICE** |
| ⊄ Demurrer to complaint | | **SUPREME COURT MANDATES** |
| ⊄ Amend complaint | | **MINUTE ENTRIES THAT INCLUDE COURT ORDERS** |
| ⊄ Continue | | **EXHIBITS DISPOSAL PROCEDURES** |
| ⊄ Exonerate bond | | |
| ⊄ Strike | | |
| ⊄ Withdraw counsel | | |
| **REQUEST/PETITIONS FOR**: | | |
| ⊄ Jury trial | | |
| ⊄ Production | | |
| ⊄ Trial | | |
| ⊄ Intervenor | | |
| ⊄ Writ of assistance and order | | |
| ⊄ Leave to file cross-claim | | |
| ⊄ Appointment of private process server | | |
| ⊄ Pre-trial conference | | |
| ⊄ Transcript | | |
| ⊄ Admit | | |
| ⊄ Admission | | |
| ⊄ Relief for judgment or order | | |
| **APPLICATIONS FOR**: | | |

| CIVIL CASE FILE PURGE LIST | | |
|---|---|---|
| **Documents to be Discarded** | | **Documents to be Retained** |
| ⊄ Attorney fees | | |
| ⊄ Certification of interlocutory appeal | | |
| ⊄ Confirmation of arbitration award | | |
| ⊄ Continuing lien on non-exempt earning | | |
| ⊄ Special juries | | |
| ⊄ Supplemental proceeding and order | | |
| ⊄ Garnishment | | |
| **ANSWERS/RESPONSES TO**: | | |
| ⊄ Demand for early trial date | | |
| ⊄ Motion to continue | | |
| ⊄ Motion to demand jury trial | | |
| ⊄ Motion to extend time to file motions | | |
| ⊄ Motion to file delayed appeal | | |
| ⊄ Motion to preserve evidence | | |
| ⊄ Motion to suppress | | |
| ⊄ Notice of change of judge | | |
| ⊄ Request for production | | |
| ⊄ Motion for sanctions | | |
| ⊄ Motion to dismiss | | |
| ⊄ Application for certification of interlocutory appeal | | |
| ⊄ Garnishment | | |
| ⊄ Interrogatories | | |
| ⊄ Motion for new trial | | |
| **REPLIES TO**: | | |
| ⊄ Responses to demand early trial date | | |
| ⊄ Responses to motion to demand jury trial | | |
| **CERTIFICATES**: | | |
| ⊄ Controverting certificates | | |

| CIVIL CASE FILE PURGE LIST | | |
|---|---|---|
| **Documents to be Discarded** | | **Documents to be Retained** |
| ⊄ Of appointment | | |
| ⊄ Of readiness | | |
| ⊄ Of discharge of notice of lis pendens | | |
| **STIPULATION/CONSENT**: | | |
| ⊄ Settlement agreement | | |
| ⊄ To extend time | | |
| ⊄ For substitution of counsel | | |
| ⊄ To substitution of parties | | |
| **JUDGMENTS/ORDERS**: | | |
| ⊄ Executed or quashed body attachments/civil arrest warrants | | |
| **RETURNS**: | | |
| ⊄ Sheriff=s return on execution | | |
| ⊄ Of writs | | |
| ⊄ Of sale of personal property under Special Execution and Order of Sale | | |
| **BONDS/DEPOSITS**: | | |
| ⊄ Bond attachment | | |
| ⊄ Exonerated bond | | |
| **STATEMENTS OF FACT/BRIEFS**: | | |
| ⊄ Statement of Fact | | |
| ⊄ Brief schedule | | |
| ⊄ Briefs | | |
| **FINANCIAL RECORDS**: | | |
| ⊄ Bookkeeping record | | |
| ⊄ Credit memo (e.g., paid answer, appellee fee, cost bond, etc.) | | |
| **CLERK OF COURT WORK SHEETS**: | | |
| (E.g., for arguments, office/pre-trial conference, trials, evidentiary hearings, etc.) | | |

| CIVIL CASE FILE PURGE LIST | | |
|---|---|---|
| **Documents to be Discarded** | | **Documents to be Retained** |
| **CORRESPONDENCE**: | | |
| (E.g., letters of transmittal, confirmation of dates, rescheduling problems, etc.) | | |
| **Depositions** | | |
| **Disclaimer of Process Server** | | |
| **Documents** | | |
| **Impeachment Envelopes and Contents** | | |
| **Interrogatories** | | |
| **Medical Records** | | |
| **Letters/Memoranda** | | |
| **Proposed Jury Instructions/Prayers** | | |
| **Statement of Costs and Notice of Taxation of Costs** | | |
| **Subpoenas** | | |
| **Transcripts:** | | |
| (Except default hearing transcripts) | | |
| **Justice Court Docket Page** | | |
| **Superior Court Appeals Index** | | |
| **Minute Entries That Are Not Orders:** | | |
| (i.e., that do not contain wording Ait is ORDERED . . ") | | |
| **Satisfaction of Judgment for Jury Fees** | | |
| | | |
| | | |

| DOMESTIC RELATIONS CASE FILE PURGE LIST | |
|---|---|
| Domestic Relations cases include Civil Paternity, Dissolutions, Divorce, Domestic Custody, Domestic Relations, Domestic Violence, Reciprocal Divorce, Support Enforcement, and other Unspecified Domestic Relations cases. | |
| **Case Disposition Type** | **Documents to be Retained** |

| | |
|---|---|
| (a) Dismissed cases (of all documents except those listed here are eligible for purging)<br><br>(b) Domestic Relations cases that did not end in dismissal | - Initial petition<br>- Final order of dismissal<br><br>Retain file contents intact, do not purge |

| CRIMINAL CASE FILE PURGE LIST | |
|---|---|
| **Case Disposition Type** | **Documents to be Retained** |
| (a) Cases ending in acquittal of all defendants or dismissal of all defendants (all documents except those listed here are eligible for purging)<br><br>(b) Cases not ending in acquittal or dismissal of all defendants | - Initiating document (i.e. initial indictment, complaint and information sheets)<br>- Verdict (for acquittals)<br>- Judgment/order or minute entry of dismissal/acquittal<br><br>Retain file contents intact, do not purge |

**E. Transfer of Records to Arizona State Library, Archives and Public Records.** Clerks shall comply with the following procedures for transfer of records to ASLAPR**:**

1. Records to be archived. For purposes of this schedule, all superior court records that have a retention period of fifty or more years shall be transferred from the clerk of court to the Archives Division of the Arizona State Library, Archives, and Public Records (ASLAPR) for permanent storage at the end of the retention period. To assist courts with inadequate file storage facilities, ASLAPR will accept records for archiving that are within five years of the end of their retention period.

2. Format of records. Until national standards for the long-term preservation of electronic records are in place, records transferred shall be in either paper or microfilm format. The film negatives of microfilmed records, if available, shall be sent to ASLAPR. If not available, ASLAPR will accept the use/diazo copy. If a film negative is transferred, the clerk may request a copy from ASLAPR in the event the clerk has retained a use/diazo copy that has become unusable due to physical deterioration. Prior to microfilming and purging paper records, the clerk

shall notify the ASLAPR as required by Rule 29(E), Rules of the Supreme Court ("destruction notice").

3. Indexing and packaging. Each record transfer shall be accompanied by a master index that identifies the cases being transferred by case number, initial caption, filing date, case type, and county. Identification of any historic or landmark cases shall also be noted on the index. The recommended means of packaging records for transfer to ASLAPR is:
    - an acid-free cardboard carton with the following dimensions: 18x15x12, although other types and sizes of cartons will be accepted.
    - records boxed in an upright position with file tabs easily visible.

4. Transfer notice and scheduling delivery. Each time records are transferred for permanent archiving, the record custodian shall complete the "Agreement to Transfer Records" form available on the ASLAPR website. Delivery and transfer of legal custody of records to the ASLAPR shall be done in accordance with processes established by ASLAPR. ASLAPR will charge no fees in connection with pickup, delivery and maintenance of permanently- archived court records.

5. Frequency of transfer. ASLAPR will accept records from the same county up to four times a year.

**F. Historically Significant and Landmark Cases**. Clerks shall comply with the following procedures for designating and archiving historically significant and landmark cases:

1. Designation of historically significant cases

    a. Purpose. Certain cases filed in Arizona courts may be identified as historically significant because of the unique legal issue or controversy involved, the prominence of one or more of the parties to the action, or because of other high profile or newsworthy reasons. When there is reason to believe that a case falls into this category, the following procedures shall be observed to ensure these records are maintained for historical purposes, rather than destroyed under the term found in the records retention schedule.

    b. Procedure for designating an historically significant case. A motion to designate a case as historically significant shall be filed either by a member of the public or on the court's own motion. The motion shall identify one or more reasons for designating the case as historical.

    c. Processing and archiving. The motion requesting historical case designation shall be filed prior to the transfer of the case file to ASLAPR. The clerk shall file the original order granting or denying the motion for historical case designation in the case file. The presiding judge or justice of the peace shall decide the motion. If the motion is granted, the clerk shall transfer the

original intact case file, if any, and the microfilm, if any, to ASLAPR for permanent retention in accordance with the applicable schedule. Identification of the case as historically significant shall be prominently noted on the master index transferred along with the case file to the ASLAPR.

2. Designation of landmark cases

a. Identifying landmark cases

(1) The following factors shall be considered in deciding whether a case is a landmark case:

(a) The frequency with which the case has been cited;
(b) Whether the case has been designated as historically significant;
(c) Whether the case caused a change in policies or laws;
(d) Whether the case affected a large portion of the community and was controversial;
(e) Whether the case is generally viewed by the community as important;
(f) Whether the case involved a famous or notorious individual or was the subject of a well-known book or feature film; and
(g) Any other factor considered relevant.

(2) Any case that has been the subject of a published opinion of the United States Supreme Court shall be designated as a landmark case.

b. Procedure for designating a landmark case.

(1) The Arizona Historical Records Advisory Board shall designate landmark cases eligible under section (F)(2)(a)(1) in consultation with a committee convened by the Board for this purpose. The committee shall consist of Board members, retired appellate court judges or justices, law professors, historians, or other like persons who have objective, informed views about the long-term significance and effect of eligible published appellate opinions. The committee shall meet periodically to review all published appellate opinions no less than five years and no more than nine years after they are issued to determine which cases should be designated as landmark cases.

(2) No more than ten years after the opinion was issued, and with the Board's approval, the Director of the Division of Arizona History and Archives shall provide written notice of landmark designation to the clerk of the superior court in the county of origin, the clerk of the appropriate division of the court of appeals, and the clerk of the supreme court who shall apply the process for landmark case file processing contained in retention and disposition schedules applicable to their respective courts.

(3) Landmark designation under subsection (1)(B) herein shall be made by the clerk of the superior court in the county of origin.

c. Processing and archiving. The landmark case designation shall be made prior to the transfer of the case file to the Arizona State Library and Archives. The clerk shall file the original notice of designation in the case file. If the case file has not yet been purged, the clerk shall transfer the original intact case file and microfilm, if any, to the Arizona State Library, Archives and Public Records for permanent retention in accordance with the applicable schedule. Identification of the case as a landmark case shall be prominently noted on the master index transferred along with the case file to the ASLAPR.

*Adopted by Administrative Order 2006-29 effective March 21, 2006. Superseded by Administrative Order 2014-117 except for records of adult and juvenile probation.*