

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

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

“Case data” means the electronic information about a case, but not images of documents, maintained by the clerk or the court, generally found in a case management system, and often posted to the or the court’s website.

“Case file” means all documents and other material filed with the clerk of the court in an action or proceeding, either in paper or electronic format, and includes items such as CDs, DVDs, or other material requiring the use of a computer to read, as well as oversized items that do not fit within a typical paper case file or that exceed the size permitted to be filed through the e-filing system, depositions and transcripts. *Case file* includes case management system data but does not include exhibits submitted at a hearing or a trial.

“Clerk of Superior Court” or “Clerk” means the person who is appointed or elected in each county for the purpose of keeping and disposing of all documents, records, instruments, books, papers, depositions, exhibits and transcripts in any action or proceeding in the superior court.

“Records manager” means the person or persons responsible for keeping and disposing of any records held by the superior court or any department of the superior court, other than the records held by the clerk of superior court.

“State Library, Archives, and Public Records (LAPR)” means the division of the Arizona Secretary of State that is the archives for Arizona state government, which is mandated by law to collect, preserve and make available to the public and all branches of government, permanent public records, historical manuscripts, photographs and other materials that contribute to the understanding of Arizona history.

B. General Provisions.

1. Permanent records. At the end of the Retention Period with Court, set forth in the table in section D below, the clerk or the records manager must transfer to LAPR all records, regardless of format, that have a retention period designated as *permanent*, unless otherwise instructed by LAPR. The clerk and the records manager must work with LAPR to follow LAPR’s established requirements for transfer.

2. Early transfer of records to LAPR. Clerks and records managers at courts with insufficient records storage areas may transfer records to LAPR that are within 5 years of the end of their Retention Period with Court.
3. Electronic case files and case data. At the end of the Retention Period with Court, set forth in section D below, the clerk and the records manager must destroy electronic case files and case data not designated as having a retention period of *permanent*. Electronic case files designated as having a retention period of *permanent* must be transferred to LAPR at a time when LAPR has the capacity to accept electronic records.
4. Paper case files and administrative records. At the end of the Retention Period with Court, set forth in section D below, the clerk may destroy case files that are primarily in paper format, and the clerk and the records manager may destroy other records, regardless of format, not designated as having a retention period of *permanent*. Paper case files and other records designated as having a retention period of *permanent* must be transferred to LAPR.
5. Microfilm. Until national standards for the long-term preservation of electronic records are in place, records transferred to LAPR pursuant to the provisions of this schedule shall be in either paper or microfilm format. For any records that are microfilmed, the film negative shall also be sent to LAPR.
6. No duty to migrate to new technology. The clerk and the records manager are not responsible for migrating to new technology any material filed in an action or proceeding that is recorded in a format, such as CD and DVD that must be read by a computer.
7. Conflicting authority. To the extent that the retention periods specified in this schedule vary from any statutory provision, the longer period of retention, whether in statute or the schedule, applies.
8. Sealed files. A case file or portions of a case file sealed by order of the court must remain sealed in perpetuity, unless otherwise ordered by the court that issued the order sealing the case file or portions of the case file.
9. Completeness of schedule. This records retention and disposition schedule is intended to cover all superior court records. If a record cannot be located in this schedule, the clerk or the records manager should use his or her best judgment to place a record within a category that is already identified.
10. LAPR Retention. The column titled LAPR Retention, set forth in the table in section D below, is intended to inform courts about what occurs with court records once the records leave the judicial branch. This code section does not set policy for the executive branch of the State of Arizona.

11. Destruction of non-permanent records. When a paper case file or other paper record is eligible for destruction, the clerk and the records manager shall take proper precautions to protect the privacy of the individuals identified in the case file or other record and destroy the complete case file or other record by shredding, burning, or pulverizing the physical case file or other record. Electronic images of case file documents, data, or other records shall be deleted from all electronic repositories in which they reside, including servers and hard drives. The court may keep a list, containing minimal information, such as case number, case type, party name, and date of destruction, capturing any case files or other records destroyed, so that the court will know that a case file or other record has been destroyed and has not been merely misplaced or never existed.

C. 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. § 41-151.09 requires superior court clerks to transfer all permanent files to LAPR 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 for court records.

D. Retention and Disposition Schedule. The clerk of superior court or the records manager shall retain and dispose of superior court records according to the following schedule:

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
CASE FILES HELD BY THE CLERK OF COURT				
1.	CIVIL CASE FILES, FILED ON OR BEFORE DECEMBER 31, 1959	50 years from the year the case was filed. However, clerks who wish to retain these files in their local office permanently and make them available to the public may retain these files.	Permanent	Clerks may transfer these case files to LAPR at any time.
2.	CIVIL CASE FILES, FILED ON OR AFTER JANUARY 1, 1960	50 years from the year the case was filed	Permanent	Clerks must transfer these case files to LAPR after 50 years.

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
3.	FAMILY LAW CASE FILES, including paternity, and all other matters arising out of Title 25, A.R.S., FILED ON OR BEFORE DECEMBER 31, 1959	50 years from the year the case was filed. However, clerks who wish to retain these files in their local office permanently and make them available to the public may retain these files.	Permanent	Clerks may transfer these case files to LAPR at any time.
4.	FAMILY LAW CASE FILES, including paternity, and all other matters arising under Title 25, A.R.S., FILED ON OR AFTER JANUARY 1, 1960	50 years from the year the case was filed	Permanent	Clerks must transfer these case files to LAPR after 50 years.
5.	ORDER OF PROTECTION CASE FILES	50 years from the year the case was filed	N/A	Clerks of court wish to separate order of protection case files from injunction against harassment and injunction against workplace harassment case files. Injunction against harassment and injunction against workplace harassment case files are to be treated as civil case files.
6.	MENTAL HEALTH CASE FILES FILED ON OR BEFORE DECEMBER 31, 1959	50 years from the year the case was filed. However, clerks who wish to retain these files in their local office permanently and make them available to the public may retain these files.	Permanent	Clerks may transfer these case files to LAPR at any time.
7.	MENTAL HEALTH CASE FILES FILED ON OR AFTER JANUARY 1, 1960	50 years from the year the case was filed	Permanent	Clerks must transfer these case files to LAPR after 50 years.

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
8.	PROBATE CASE FILES, including guardianships, conservatorships, decedents' estates, trusts, and related matters, as well as proceedings to challenge or enforce the decision of one authorized to make health care decisions for a patient, FILED ON OR BEFORE DECEMBER 31, 1959	75 years from the year the case was filed. However, clerks who wish to retain these files in their local office permanently and make them available to the public may retain these files.	Permanent	Clerks may transfer these case files to LAPR at any time. Pursuant to Rule 94(h)(2), Rules of the Supreme Court, the clerk may destroy any voucher filed in support of an account by a trustee, personal representative, or any litigant. Under this rule, the destruction may occur 5 years after the fiscal year received.
9.	PROBATE CASE FILES, including guardianships, conservatorships, decedents' estates, trusts, and related matters, as well as proceedings to challenge or enforce the decision of one authorized to make health care decisions for a patient, FILED ON OR AFTER JANUARY 1, 1960	75 years from the year the case was filed	Permanent	Clerks must transfer these case files to LAPR after 75 years. Pursuant to Rule 94(h)(2), Rules of the Supreme Court, the clerk may destroy any voucher filed in support of an account by a trustee, personal representative, or any litigant. Under this rule, the destruction may occur 5 years after the fiscal year received.
10.	GENERAL STREAM ADJUDICATION CASE FILES	25 years from the year the case was filed or 5 years from the date of the final non-appealable order, whichever is later	Permanent	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
11.	CRIMINAL CASE FILES, except capital felony case files, FILED ON OR BEFORE DECEMBER 31, 1959	50 years from the year the case was filed. However, clerks who wish to retain these files in their local office permanently and make them available to the public may retain these files.	Permanent	Clerks may transfer these case files to LAPR at any time.
12.	CRIMINAL CASE FILES, except capital felony case files, FILED ON OR AFTER JANUARY 1, 1960	50 years from the year the case was filed	Permanent	Clerks must transfer these case files to LAPR after 50 years.
13.	CRIMINAL CAPITAL FELONY CASE FILES	On the death of the defendant	Permanent	Clerks must transfer these case files to LAPR on the death of the defendant.
14.	JUVENILE ADOPTION, SEVERANCE, AND DEPENDENCY CASE FILES	100 years from the granting, denial, dismissal, or expiration of the matter as to all children	Permanent	Clerks must transfer these case files to LAPR after 100 years.
15.	JUVENILE DELINQUENCY CASE FILES	After satisfaction of A.R.S. § 8-349 or 25 years following the year the case was filed	N/A	
16.	JUVENILE ABORTION CASE FILES	7 years after the ruling on the petition, motion, or final appeal, or 5 years after the date of the minor's 18 th birthday, whichever is later	N/A	
17.	JUVENILE TRAFFIC CASE FILES, when filed in the superior court	Until the minor reaches age 19	N/A	
18.	APPEAL FROM A LOWER COURT CASE FILES, both civil and criminal	5 years after the superior court issues its order disposing of the case	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
FINANCIAL AND MISCELLANEOUS RECORDS HELD BY THE CLERK OF COURT				
19.	CASE FINANCIAL RECORDS, not part of a case file			Any records of receipt and disbursement of child support, fines, fees, restitution, and reimbursement payments that are not part of a case file are working files of the clerk and are, therefore, not covered by this schedule. The clerk may destroy such files when the reference value has been served.
	a. Bank account reconciliations, record of outstanding checks, record of deposits in transit, bank statements, canceled checks, canceled deposit slips, bank issued debit and credit memos, and any documentation that requests the adjustment or void of a case financial record	5 years after the fiscal year received or prepared	N/A	This retention period is established to satisfy the requirements of a contract between the Fines/Fees and Restitution Enforcement (FARE) program and an outside vendor.
	b. Expenditure records, including vouchers, invoices, purchase orders, authorizations, reimbursement requests, etc.	5 years after the fiscal year received or prepared	N/A	
	c. Periodic financial reports to federal, state, and local agencies	5 years after the fiscal year prepared	N/A	
	d. Triennial, external review report required by the minimum accounting standards	Retain until subsequent audit received	N/A	
	e. Procurement records			
	i. Solicitation canceled before vendor responses are opened	1 year after cancelation	N/A	
	ii. Solicitation canceled after vendor responses are opened	3 years after cancelation	N/A	
	iii. Documents related to successful vendor where contract executed	6 years after end of contract	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
	iv. Documents related to unsuccessful vendor where contract executed	3 years after contract or other agreement signed with competing vendor	N/A	
	v. Documents related to award made yet contract cannot be executed	3 years after contract negotiations end	N/A	
	vi. Protests, protest records, and court response	3 years after contract or other agreement signed with competing vendor	N/A	
20.	WILLS FILED for SAFEKEEPING	75 years from date received	Permanent	Former A.R.S. § 14-2901, as added by Laws 1973, Ch. 75, § 4, which authorized a testator to deposit his or her will with a court for safekeeping, was repealed by Laws 1984, Ch. 368, § 6. The minimum age to prepare a will is 18 years, and an additional 75 years encompasses a typical life span. Clerks must transfer these wills to LAPR after 75 years.
21.	WARRANTS AND SUBPOENAS THAT ARE NOT PART OF A CASE FILE, such as pen register, search warrant, trap and trace, handwriting exemplar, and nursing subpoena	1 year following the date served or issued, whichever is later	N/A	Confidential wiretap warrants and subpoenas are addressed separately in record series 22, since these warrants and subpoenas can involve lengthy periods of investigation and require a longer period of retention.
22.	CONFIDENTIAL WIRETAP WARRANTS AND SUBPOENAS THAT ARE NOT PART OF A CASE FILE	5 years following the date served or issued, whichever is later	N/A	
23.	GRAND JURY RECORDS			
	a. Empanelment documents	5 years from the end of the term of empanelment	N/A	
	b. Minutes of grand jury votes	1 year from the date of the minutes	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
24.	EXHIBITS SUBMITTED at TRIAL or HEARING in any case type, other than in historically significant and landmark cases, which are governed by section E, herein.	Upon dismissal, disposition, or final appellate ruling, whichever comes later, and then 30 days after mailing notice to responsible parties to claim the evidence, all unless otherwise ordered by the court	N/A	Clerks are encouraged to identify historically significant and landmark cases prior to the expiration of the retention period for exhibits. LAPR will accept diagrams, maps, photographs, and any other paper-based materials. LAPR will not accept three dimensional objects, clothing, or security-sensitive exhibits such as weapons, drugs, money, and bio-hazardous materials, so these exhibits should be destroyed.
25.	CASE DOCKET OR REGISTER OF ACTIONS	Retain for the same period of time as the underlying case, pursuant to this schedule	Permanent	Clerks may transfer the case docket or register of actions to LAPR with the corresponding case file.
26.	BAIL BONDSMEN ANNUAL, WRITTEN CERTIFICATION REQUIRED BY RULE 7.1(f), RULES OF CRIM PRO.	3 years from the date filed	N/A	
27.	CORRESPONDENCE OR EMAIL SENT OR RECEIVED CONCERNING REQUESTED RECORDS OR INFORMATION	Until reference value served	N/A	
28.	MARRIAGE AFFIDAVITS	Permanent; however clerks may transfer these records to LAPR at any time.	Permanent	These records are permanent records regardless of where they are located.
29.	MARRIAGE CERTIFICATES OR LICENSES	Permanent; however clerks may transfer these records to LAPR at any time.	Permanent	These records are permanent records regardless of where they are located.
30.	NOTARY AFFIDAVIT APPLICATIONS AND BONDS	Until expired or revoked	N/A	
31.	POWER OF ATTORNEY TO WRITE BONDS	Until expired or revoked	N/A	
32.	PROCESS SERVER APPLICATIONS	4 years from the date filed	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
33.	PROCESS SERVER INVESTIGATION CASE FILE	4 years from the date closed	N/A	
34.	PUBLIC OFFICIAL FINANCIAL DISCLOSURE STATEMENT	10 years from the date filed	N/A	
35.	RETURNED MAIL OR EMAIL, not associated with a particular case	1 year from the date returned	N/A	
36.	SPECIAL APPOINTMENT APPLICATIONS	Until reference value served	N/A	
37.	ADMINISTRATIVE ORDERS	10 years from the year filed	Permanent	

MISCELLANEOUS RECORDS HELD BY THE CLERK OF COURT, THE COURT, OR COURT ADMINISTRATION

38.	THE VERBATIM RECORD, INCLUDING COURT REPORTER NOTES AND ELECTRONIC RECORDINGS OF A COURT PROCEEDING, HEARING, OR TRIAL			
	a. Criminal non-capital cases, including grand jury, writs of habeas corpus, trial, sentencing, and all other proceedings	20 years from the date of sentencing or other final order of the court, unless a transcript is prepared	N/A	Court reporter notes must be retained for 20 years from the date of sentencing or other order of the court, unless a transcript is prepared.
	b. Criminal capital cases, including grand jury, writs of habeas corpus, trial, sentencing and all other proceedings	50 years from the date of sentencing	N/A	
	c. Non-criminal	5 years from the date of the proceeding	N/A	
	d. Juvenile	10 years from the date of the proceeding	N/A	
39.	ADMINISTRATIVE REVIEW DOCUMENTS FOR ANY MATTER, such as a denial of access to records	Until reference value served	N/A	
40.	CONCILIATION COURT RECORDS	5 years or until reference value served, whichever is later	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
RECORDS HELD BY COURT ADMINISTRATION				
41.	COURT ADMINISTRATION FINANCIAL RECORDS			
	a. Bank account reconciliations, record of outstanding checks, record of deposits in transit, bank statements, canceled checks, canceled deposit slips, bank issued debit and credit memos, and any documentation that requests the adjustment or void of a court financial record	5 years after the fiscal year received or prepared	N/A	
	b. Expenditure records, including vouchers, invoices, purchase orders, authorizations, reimbursement requests, etc.	5 years after the fiscal year received or prepared	N/A	
	c. Periodic summary budget reports	5 years after the fiscal year prepared	N/A	
	d. Periodic financial reports to state and local agencies	5 years after the fiscal year prepared	N/A	
	e. Triennial, external review report required by the minimum accounting standards	Until subsequent audit received	N/A	
	f. Applications, records, and reports for grants received	5 years after submission of final grant report, unless otherwise required by the granting authority	N/A	
	g. <u>Procurement records</u>			
	i. Solicitation canceled before vendor responses are opened	1 year after cancelation	N/A	
	ii. Solicitation canceled after vendor responses are opened	3 years after cancelation	N/A	
	iii. Documents related to successful vendor where contract executed	6 years after end of contract	N/A	
	iv. Documents related to unsuccessful vendor where contract executed	3 years after contract or other agreement signed with competing vendor	N/A	
	v. Documents related to award made yet contract cannot be executed	3 years after contract negotiations end	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
	vi. Protests, protest records, and court response	3 years after contract or other agreement signed with competing vendor	N/A	
42.	CONTRACTS AND OTHER AGREEMENTS	6 years after performance under the contract is completed or the contract is terminated	N/A	
43.	COURT CALENDAR	Until reference value served	N/A	
44.	FORMER PRESIDING JUDGE BUSINESS PAPERS This records series consists of records generated by presiding judges to provide guidance, direction, or general information related to the administration or non-case related business operations of the court.	Until term is completed	Permanent	The court administrator, if any, shall work with the presiding judge to determine whether the presiding judge desires to send these papers to LAPR.
45.	STATISTICAL REPORTS REQUIRED BY THE AOC	5 years from the year prepared	N/A	
RECORDS HELD BY THE JURY COMMISSIONER				
46.	MASTER JURY LIST	Until new list created	N/A	
47.	MASTER JURY FILE	Until new list created	N/A	
48.	COMPLETED TRIAL JUROR QUESTIONNAIRES			
	a. When jury commissioners include the juror questionnaire with the summons	90 days from the date received, unless otherwise ordered by the court	N/A	
	b. When jury commissioners send the juror questionnaire separate from the summons	1 year from the date received, unless otherwise ordered by the court	N/A	
49.	COMPLETED GRAND JUROR QUESTIONNAIRES	Until reference value served or 1 year from date received, whichever occurs first	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
50.	JUROR DATA, being the electronic information about a juror maintained in the jury management software	3 years from the date entered	N/A	
51.	COMPLETED JUROR BIOGRAPHICAL FORMS	Until completion of trial or completion of jury service, whichever occurs later	N/A	
52.	OTHER NON-FINANCIAL JUROR RECORDS	Until reference value served	N/A	
53.	FINANCIAL JUROR RECORDS NOT HELD BY ANOTHER RECORDS CUSTODIAN	3 years after fiscal year prepared	N/A	

RECORDS HELD BY THE COURT HUMAN RESOURCES DEPARTMENT

54.	ALCOHOL and DRUG TESTING PROGRAM RECORDS			
	a. Canceled or negative results	5 years after results received or until reference value served, whichever occurs first	N/A	
	b. Positive results	5 years after action taken in response to results is resolved or until reference value served, whichever occurs first	N/A	
	c. Records related to specimen collection	5 years after test given or until reference value served, whichever occurs first	N/A	
	d. Records received from previous employers	3 years after received or until reference value served, whichever occurs first	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
55.	EMPLOYEE, PERSONNEL RECORDS FOR FULL-TIME, PART-TIME, CONTRACT, SEASONAL, INTERN, VOLUNTEER, APPOINTED, OR ELECTED POSITIONS, including applications, resumes, performance reviews, disciplinary records, records documenting employee pay decisions, loyalty oaths and oaths of office, conflict of interest and personal interest disclosure records, confidentiality agreements, policy acknowledgements, exit interviews, drivers' qualifications, and pre-employment background investigation records	5 years after employment terminated, term of office ended, or contract expired, canceled, or revoked	N/A	
56.	REQUEST FOR CLASSIFICATION OF NEW POSITION OR RECLASSIFICATION OF EXISTING POSITION, including records of salary advancement	1 year after request acted upon	N/A	
57.	EEO-4 Survey report of workforce composition	1 year after subsequent report submitted	N/A	
58.	EMPLOYEE MEDICAL AND EXPOSURE RECORDS, including exposure reports and waivers, pre-employment physicals, results of exams, medical opinions, diagnoses, employee medical complaints and other related records	30 years after employment terminated	N/A	These records must be filed separately from the employee personnel file. (20 CFR § 1910.20)
59.	EMPLOYMENT ELIGIBILITY VERIFICATION RECORDS, including I-9 proof of legal residency in U.S.A., and Social Security verification	1 year after employment terminated but not less than 3 years after date of hire	N/A	(8 C.F.R. § 274a.2)
60.	GRIEVANCE and COMPLAINT RECORDS	3 years after resolved	N/A	These records are for matters that do not require formal investigation.

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
61.	INVESTIGATIONS OF PERSONNEL MATTERS	5 years after employment terminated or investigation resolved or closed, whichever is later	N/A	
62.	HIRING and SELECTION RECORDS, including job announcements, applications, selection, test scores, interview records, pre-employment background check records, affirmative action questionnaires and other related records for individuals <i>not</i> hired	3 years after position filled or abandoned	N/A	(29 C.F.R. § 1602.31)
63.	INDIVIDUAL EMPLOYEE TRAINING RECORDS	5 years after training received	N/A	(ACJA § 1-302(E) (1)(h))
64.	LAYOFF and REDUCTION IN FORCE RECORDS	5 years after reduction in force completed or abandoned	N/A	
65.	WORKERS COMPENSATION RECORDS			(29 C.F.R. § 1952.4)
	a. Denied claims	3 years after denied	N/A	
	b. Reports of industrial injury	5 years after created or received	N/A	
	c. Case records	75 years after case closed	N/A	
66.	BENEFIT ENROLLMENT RECORDS, including employee enrollment in medical, dental, life insurance, prepaid legal, beneficiary designation, and other benefit options	5 years after employment terminated	N/A	
67.	RECORDS DESCRIBING ESTABLISHED POSITIONS, including information on title, series, grade, duties, and responsibilities	3 years after superseded or position abolished, whichever is first	N/A	
68.	AMERICANS with DISABILITIES ACT (ADA) RECORDS, including requests for accommodation	3 years after completion of accommodation	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
69.	INDIVIDUAL DISABILITY CLAIM RECORDS, both short-term and long-term	6 years after claim closed	N/A	
70.	EMPLOYEE CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA) RECORDS			
	a. Decline Notice Records, including returned undeliverable notices	2 years after employment terminated	N/A	
	b. All others	3 years after benefits terminated or coverage rejected	N/A	
71.	FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS, including employee leave request forms, supporting documentation, and other non-medical related records	3 years after created, received or leave expired, whichever is later	N/A	Employee certification and health records must be retained separately from the personnel file with the employee health and exposure records.
72.	FINGERPRINT CARDS	6 months after created or received	N/A	
73.	LEAVE RECORDS	3 years after fiscal year created or received	N/A	
74.	MERIT-BASED FUNDING RECORDS	2 years after created or received	N/A	
75.	UNEMPLOYMENT CLAIMS AND APPEALS RECORDS	2 years after action taken	N/A	
CASE FILES HELD BY PRETRIAL SERVICES				
76.	CASE SUPERVISION FILES	1 year after the retention period of the underlying case file held by the clerk	N/A	

E. Purge Lists. Pursuant to Rule 29(A), Rules of the Supreme Court, purge lists have been set forth in prior versions of this records retention and disposition schedule. Historically, purge lists identified documents to be removed from case files before storage or replication of the case file. The clerks now indicate that the process of purging case files is resource intensive and is no longer optimal practice. Additionally, LAPR indicates that it does not object to receiving permanent case files that are not purged of certain documents. Therefore, purge lists no longer appear in

this records retention and disposition schedule, and purging need no longer be carried out.

F. Historically Significant and Landmark Cases. Clerks shall comply with the following procedures for designating and transferring cases to be historically significant or landmark:

1. Designation of a case as historically significant

- 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 followed.
- b. Procedure for designating a case as historically significant. A motion to request that a case be designated 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 the case should be designated historically significant. The presiding judge shall decide the motion. If the motion is denied, the presiding judge shall identify the reason for the denial. The clerk shall file the order granting or denying the motion for historically significant designation with the case.
- c. Processing and transferring. If the motion is granted, the clerk shall, within 90 days of final disposition, transfer the case, a print-out of the register of actions or docket from the case management system, any exhibits not previously retrieved or destroyed, and any microfilm to LAPR for permanent. LAPR will accept diagrams, maps, photographs, and any other paper-based materials. LAPR will not accept three dimensional objects, clothing, or security-sensitive exhibits such as weapons, drugs, money, and bio-hazardous materials. Identification of the case as historically significant shall be prominently noted on the print-out of the register of actions or docket from the case management system transferred with the case to LAPR.

2. Designation of a case as landmark

- a. The following factors shall be considered in deciding whether a case is a landmark case:
 - (1) The frequency with which the case has been cited;
 - (2) Whether the case has been designated as historically significant;
 - (3) Whether the case caused a change in policies or laws;
 - (4) Whether the case affected a large portion of the community or was controversial;

- (5) Whether the case is generally viewed by the community as important;
- (6) Whether the case involved a famous or notorious individual or was the subject of a well-known book or film; and
- (7) Any other relevant factor.
- (8) Any case that has been the subject of a published opinion of the United States Supreme Court and has statewide or national impact shall be designated as a landmark case.

b. Procedure for designating a case as landmark:

- (1) The Arizona Historical Records Advisory Board shall designate a case as landmark under section (F)(2)(a)(1)-(8), above, 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 issued, to determine whether any of these cases should be designated as landmark.
- (2) No more than ten years after an appellate opinion is 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 transferring the case to LAPR pursuant to (F)(2)(c).

c. Processing and transferring. When a case has been designated as landmark, the clerk shall file notice of this designation in the case. The clerk shall immediately transfer the case, a print-out of the register of actions or docket from the case management system, any exhibits not previously retrieved or destroyed, and any microfilm to LAPR for permanent retention. LAPR will accept diagrams, maps, photographs, and any other paper-based materials. LAPR will not accept three dimensional objects, clothing, or security-sensitive exhibits such as weapons, drugs, money, and bio-hazardous materials. Identification of the case as landmark shall be prominently noted on the print-out of the register of actions or docket from the case management system transferred with the case to LAPR.

Adopted by Administrative Order 2006-29, effective March 21, 2006. Amended by Administrative Order 2014-117, effective January 1, 2015.