

Official Judicial
Branch Record
Retention
Schedules



Submitted to the Judicial
Council of Georgia
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**RESOLUTION OF THE STATE RECORDS COMMITTEE APPROVED
JANUARY 18, 1996**

BE IT RESOLVED THAT:

"All paper records of State agencies and local governments, and all records of the Courts of the State of Georgia which have been microfilmed and verified in accordance with said Micrographic Standards (Georgia Micrographic Standards) may be destroyed, unless specifically prohibited by law, code, resolution, order or an approved State Records Committee records retention schedule."

The record retention schedules used in the courts of Georgia have been reviewed, edited, and amended. The Judicial Council Committee on Record Retention is to be commended for its tireless dedication and commitment to this difficult undertaking over the past two years. The culmination of this undertaking will standardize the current schedules and present them in a uniform format. The work conducted in this project will add to the efficiency and effectiveness of the courts throughout the Judicial Branch.

Please Note:

Throughout these schedules the word "document" is used frequently. The Georgia Records Act at OCGA §50-18-91 et. seq. presents a number of formal definitions used broadly in the judiciary record retention schedules.

§50-18-91(2) "Court record" means all documents, papers, letters, maps, books (except books formally organized in libraries), microfilm, magnetic tape, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or, in the necessary performance of any judicial function, created or received by an official of the Supreme Court, Court of Appeals, and any superior, state, juvenile, probate, or magistrate court. "Court record" includes records of the offices of the judge, clerk, prosecuting attorney, public defender, court reporter, or any employee of the court."

§50-18-91(5) "Records" means all documents, papers, letters, maps, books (except books in formally organized libraries), microfilm, magnetic tape, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in performance of functions by any agency.

"Digital" or "Digitize" has been changed on each occurrence of "microfilm" throughout the retention schedules. This change reflects the application of scanning documents into electronic format. All imaging in the Judicial Branch must be in compliance with the imaging standards issued by the Department of Archives and History in the Office of the Secretary of State of Georgia.

CHANGE LOG: THIS LOG CONTAINS ONLY THOSE SCHEDULES THAT WERE CHANGED.

SUPERIOR AND STATE COURTS COMMON RECORDS RETENTION SCHEDULES

Schedules Relating to Criminal Case Records

Felony Record Retention Schedules

2010.0104 Certified Felony Transcripts Filed in Case Files
Deleted "Capital" from title.

Misdemeanor Court Records

2010.020 Case Files
Added "transcript" at the end of the first sentence.

2010.0202 Docket Books
Added "If created" to first sentence.

2010.0204 Books of Fines and Forfeitures
Added "Cut off file at end of each fiscal year, hold in current files area for five (5) years, or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later, then destroy."
Retention changed to five (5) years from twenty (20) years.

2010.0205 [Added to title] Certified Misdemeanor Transcripts [Added to title] and Traffic Files and Transcripts in Case Files

Traffic Court Records, Transcripts, and Docket Books

2010.0301 Case Files
Added to Retention "twenty (20) years if serious traffic" and added "DUIs" to description.

2010.0302 Docket Books
Added "if created" to first sentence."
Added to Retention "...unless serious traffic offenses as defined at 2010.0301 or not otherwise indexed retain for twenty (20) years."

2010.0303 Minute Books
Added to Retention "...twenty (20) years if serious traffic" and added "DUIs" to description.

2010.0304 Books of Fines and Forfeitures
Added "Cut off file at end of each fiscal year, hold in current files area for five (5) years, or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later, then destroy."
Changed retention to five (5) years from twenty (20) years

2010.0306 Criminal Calendars
New schedule distinguishes criminal calendars from civil calendars.

Superior and State Court Civil Record Retention Schedules

2010.0401 Civil Cases Not Proceeding to Final Judgment (DWOPs)
Changed retention from five (5) years to two (2) years.
Added to Retention "...after order of dismissal or by operation of law; then destroy."

2010.0402 Civil Case Files
Added to Retention "Upon the determination of the Clerk of Superior Court that such records are not of historical significance; then, records may be destroyed after twenty (20) years."

2010.0403 Civil Dockets
Added to Retention "...if created." in first sentence.

2010.0406 Civil Calendars
New schedule distinguishes civil calendars from criminal calendars.

2010.0409 Domestic Relations – Contempt Actions
New Schedule

2010.4010 Name Changes
New Schedule

2010.0411 Personal Injury
New Schedule

2010.0412 Malpractice
New Schedule

2010.0413 Collection Cases
New Schedule

2010.0414 Appeals - Magistrate Court
New Schedule

Record Retention Schedules Relating to Jury Management

2010.0502 Jury Questionnaire File
Added to Retention "...exception for murder cases in which death penalty or life without parole is sought.

2010.0506 Sheriff's Juror Precepts
Added to Retention "Note: The document may be a report generated from the jury management system in each county.

Record Retention Schedules Relating to Property Records

2010.0708 Personal Property - Indexes of Financing Statements
Changed retention from Permanent to twenty (20) years.
Added to Retention "...destroy after 1/1/2020 unless financing is still active."

2010.0713 Real Estate Transfer Tax Declaration Forms File
Changed retention from three (3) years to two (2) years.

2010.0715 Federal Tax Lien Files

Record Retention Schedules Relating to Attorneys

2010.0801 State Bar Applications for Admission without Examination
Added to Retention "the series will terminate on 1/1/2048; then destroy."

2010.0802 Practicing Attorneys Registration Books
Added to Consists of: "To include record of practicing attorneys to include order of admission and oath of commission."

Record Retention Schedules Relating to Election Records

No changes in this series.

Record Retention Schedules Relating to Other Records

- 2010.1001 Notary Public Application, Certificates, and Dockets - Applications and Certificates Docket Books: Added "Docket books not required; where in existence shall be maintained as a permanent record."
- 2010.1003 Newspapers Containing Legal Advertisements Changed retention from fifty (50) years to forty (40) years.

Record Retention Schedules Applicable to All Court Offices

No changes in this series.

JUVENILE COURTS COMMON RECORDS RETENTION SCHEDULE

- 2010.1101 Individual Juvenile Court Case Files; Excludes Termination of Parental Rights and Legitimation Added to Title "- Excludes Files Relating To Termination of Parental Rights and Excludes Files Relating to Legitimation"
- 2010.1109 Traffic Case Files
Changed retention from seven (7) years to six (6) years.

PROBATE COURTS STATEWIDE RECORDS RETENTION SCHEDULES

Probate Court Record Retention Schedules

- 2010.1201 Applications, Bonds, and Permits for Fireworks Displays
Changed retention from seven (7) years to six (6) years.
- 2010.1203 Estate Case Files
Changed retention from twenty (20) years to permanent.
- 2010.1204 (Hospitalization) Files Created Pursuant To Proceedings under Chapter 3, 4, and 7 of Title 37 of the OCGA and Proceedings under Prior Official Codes Relating Thereto (Involuntary Commitment Records)
Changed retention from twenty (20) years to ten (10) years.
- 2010.1206 Marriage Records
New Schedule
- 2010.1207 Peddlers Licenses and Certificates of Eligibility Files
Changed retention from three (3) years to two (2) years.
- 2010.1208 Weapons Carrying License Application File
Changed series title.
Changed retention from nine (9) years to six (6) years.
- 2010.1209 Public Officers' Oaths and Bonds
Changed retention form
- 2010.1210 Wills
Wills filed after beginning the use of imaging or photocopying at the method of recording.
Changed retention from twenty (25) years to permanent.

Traffic Court Records, Transcripts, and Docket Books

Amended series for uniformity across all courts hearing traffic cases

- 2010.0301 Civil Case Files
- 2010.0302 Docket Books
- 2010.0303 Minute Books
- 2010.0304 Books of Fines and Forfeitures
- 2010.0305 Records Concerning Traffic Violations Which Result in a Felony Charge

Magistrate Court Record Retention Schedules

- 2010.1301 Arrest and Search Warrants Files
- 2010.1302 Good Behavior Bonds
New Schedule
- 2010.1303 Civil Case Files
Added to Consists of "Includes affidavits for summons of dispossessory, applications for summons of foreclosure of personal property, and abandonment of automobiles or vessels."

Traffic Court Records, Transcripts, Docket Books, and Ordinance Violations

Amended series for uniformity across all courts hearing traffic cases

- 2010.0301 Case Files
- 2010.0302 Docket Books
- 2010.0303 Minute Books
- 2010.0304 Books of Fines and Forfeitures
- 2010.0305 Records Concerning Traffic Violations Which Result in a Felony Charge
- 2010.0306 Ordinance Violations
New Schedule

PROSECUTING ATTORNEYS RECORD RETENTION SCHEDULES

This series was formally amended into the Official Judicial Branch Record Retention Schedules.

- 2010.1501 Misdemeanor, Traffic, and Ordinance Violations
- 2010.1502 Prosecutor's Felony Case Files
- 2010.1503 District Attorney's Files on Child Support - UIFSA or URESA
- 2010.1504 District Attorney's Child Support Undocumented Case Files
- 2012.1505 Prosecutor's Dismissed Misdemeanor and Misdemeanor Traffic Case Files
- 2010.1506 Attorney Case Files

DELETED RECORD RETENTION SCHEDULES

- SCO 0302 Certified Misdemeanor Transcripts Filed in Case Files
- SCO 0303 Court Reporter's Notes Files
- 83-868 Discharged Federal Tax Liens
- 90-86 Superior Court Clerks List of Persons Who Have Been Convicted of a Felony
- 90-87 Superior Court Clerks' List of Qualified Electors
- D-83-0001 Pistol Toter's Bonds
- 85-0017 Register of Physicians, Dentists, and Other Professionals

A. INDEX TO RECORD RETENTION SCHEDULES

Superior and State Court Criminal Record Retention Schedules

Felony Record Retention Schedules

2010.0101 Felony Case Files

Certified Felony Transcripts

2010.0102 Capital Offenses
2010.0103 Non-Capital Felonies
2010.0104 Certified Felony Transcripts Filed in Case Files
2010.0105 Court Reporter's Note Files - Capital and Non-Capital Felony Offenses
2010.0106 Minute Books

Misdemeanor Court Records

2010.0201 Case Files
2010.0202 Docket Books
2010.0203 Minute Books
2010.0204 Books of Fines and Forfeitures
2010.0205 Certified Misdemeanor Transcripts and Traffic Files and Transcripts in Case Files

Traffic Court Records, Transcripts, and Docket Books

2010.0301 Case Files
2010.0302 Docket Books
2010.0303 Minute Books
2010.0304 Books of Fines and Forfeitures
2010.0305 Records Concerning Traffic Violations Which Result in a Felony Charge
2010.0306 Criminal Calendars

Superior and State Court Civil Record Retention Schedules

2010.0401 Civil Cases Not Proceeding to Final Judgment (DWOPs)
2010.0402 Civil Case Files
2010.0403 Civil Dockets
2010.0404 Minute Books
2010.0405 Record of Writs
2010.0406 Civil Calendars
2010.0407 Sealed Civil Depositions
2010.0408 General Execution Docket and General Execution Docket Indexes
2010.0409 Domestic Relations – Contempt Actions
2010.4010 Name Changes
2010.0411 Personal Injury
2010.0412 Malpractice
2010.0413 Collection Cases
2010.0414 Appeals - Magistrate Court

Record Retention Schedules Relating to Jury Management

2010.0501 Jury Master List (Box)
2010.0502 Jury Questionnaire File
2010.0503 Juror Information Form
2010.0504 Grand Juror and Trial Juror Lists
2010.0505 Jury Drafts and Scripts
2010.0506 Sheriff's Juror Precepts

Record Retention Schedules Relating to Property Records

2010.0701 Deed Books
2010.0702 Indexes to Deeds
2010.0703 Financing Statements
2010.0704 Continuation Statements
2010.0705 Statements of Release
2010.0706 Statements of Assignment
2010.0707 Termination Statements
2010.0708 Personal Property - Indexes of Financing Statements
2010.0709 Original Instruments
2010.0710 Record Books and Indexes Containing Entries Relating to Personalty Only
2010.0711 Record Books and Indexes Relating to Both Personalty and Realty
2010.0712 Duplicate Index Books
2010.0713 Real Estate Transfer Tax Declaration Forms File
2010.0714 Federal Tax Lien Index
2010.0715 Federal Tax Lien Files

Record Retention Schedules Relating to Attorneys

2010.0801 State Bar Applications for Admission without Examination
2010.0802 Practicing Attorneys Registration Books
2010.0803 Third Year Law Students' and Staff Instructors' Files
2010.0804 Certification of Bar Admission Eligibility File

Record Retention Schedules Relating to Election Records

2010.0901 Elections Records File
2010.0902 Applications for Petitions to Recall the Probate Court Judge
2010.0903 Calls of Recall Elections for Probate Judge

Record Retention Schedules Relating to Other Records

2010.1001 Notary Public Application, Certificates, and Dockets - Applications and Certificates
2010.1002 Applications for Trade Name and Trade Registration Index
2010.1003 Newspapers Containing Legal Advertisements

Record Retention Schedules Applicable to All Court Offices

2010.1101 Court records destruction notice and certification file
2010.1102 Retention schedules for court records (reference copies)
2010.1103 Court records transmittal and receipt files
2010.1104 Court budget working papers file
2010.1105 Approved budget reference files
2010.1106 Court Procurement File
2010.1107 Revenue Remittance File
2010.1108 Workers' compensation claim files for court employees
2010.1109 Vehicle maintenance and repairs file

FELONY CASE FILES

Schedule: 2010.0101

Consists of: Documents relating to trying felony cases in superior courts and documenting proceedings in those cases – included are indictments, pleadings, motions, warrants, bond applications, sentences, correspondence, and all other papers pertinent to felony cases.

Retention:

Files Generated from 1900 to Present: Hold in active files until all appeals have been exhausted; transfer to inactive files; cut off inactive files at end of calendar year; hold in office five years; transfer to local holding area or County Records Center; hold permanently. Files may be digitized or microfilmed provided: 1) digitizing or micro-filming is done according to Georgia Imaging Standards or Microfilm Standards; 2) a security copy of the digital format or microfilm is deposited in the Georgia Department of Archives and History; 3) a reference copy of the digital format or microfilm format is kept in the office of the clerk of superior court and a reader-printer is available to facilitate reference.

Files Generated before 1990: Transfer to local holding area or County records Center; hold permanently – Even if digitized or micro-filmed, destruction of these originals is not approved.

CERTIFIED FELONY TRANSCRIPTS

Schedule: 2010.0102 through 2010.0106

Consists of: *Capital Felonies:* Documents relating to certified verbatim records or narrative recollections of judicial proceedings in felony cases. Included are certified records of court reporters' transcripts and certified records in narrative form of recollections of the motions, colloquies, objections, ruling, evidence (documentary or otherwise), charge of the courts, and all proceedings in any judicial action based on a charge of felony offense punished by death or life imprisonment.

Non-capital Felonies: Documents relating to certified verbatim records or narrative recollections of judicial proceedings in felony cases. Included are certified records in narrative form of recollections of the motions, colloquies, objections, rulings, evidence (documentary or otherwise), charge of the court, and all other proceedings in any judicial action based on a charge of a felony offense punished by a term of imprisonment less than life.

Certified Felony Transcripts Filed in Case Files: Dispose of in accordance with felony case files.

Criminal Evidence Books: Capital and Non-Capital Felonies. This includes well bound books used to contain court reporter's transcripts and recollection transcripts of judicial proceedings involving charges of felony offenses.

Court Reporter's Note Files: Capital and Non-capital Felony Offenses: Documents of recordings; notes or other records relating to generation of certified transcripts. Included are: recordings, notes, and other records which have not been reduced to typed or printed documents.

Retention:

- 2010.0102 *Capital Offenses:* Cut off file at end of each calendar year; hold for seventy (70) years; then destroy.
- 2010.0103 *Non-capital Felonies:* Cut off file at end of calendar year; hold for twenty (20) years; then, destroy.
- 2010.0104 *Certified Felony Transcripts Filed in Case Files:* Capital and Non-capital Felonies. Dispose of in accordance with retention schedules for felony case files.
- 2010.0105 *Criminal Evidence Books:*
- a) General: Hold twenty (20) years after date of most recent transcript entered; remove capital felony transcripts; then destroy. Hold capital felony transcripts an additional fifty (50) years; then destroy.
 - b) Duplicate Records: If books duplicate felony transcripts on file, check for and remove non-duplicated transcript; then destroy books. Hold non-duplicated transcripts for recommended retention periods; then destroy. There is no requirement to bind in books.
- 2010.0106 *Court Reporter's Note Files Non-Capital Felony Offenses:* Cut off file at end of each calendar year; hold two (2) years; then destroy.

MISDEMEANOR COURT RECORDS

Schedules: 2010.0201 through 2010.0204

Consists of: *Case Files:* Includes original papers which are called or serve as: accusation, affidavit, appearance bond, arresting officer's affidavit, bail bond, cash bond, conviction, disposition, fine, indictment, judgment, motion, notice of appeal, notice of arraignment, notification of hearing, order, plea, pleading, sentence, subpoena, summons, waiver, warrant, or certified copies of the same transcript. This schedule does not apply to any record books which contain references to felony cases.

Docket Books: Books which generally contain essential information in summary form about each particular misdemeanor case adjudicated. Most dockets contain an alphabetical index in front of each book which references the defendant's name to the page number on which the case summary is docketed.

Minute Books: Books which contain photo static copies of the accusation and disposition associated with each case, or contain type-written or handwritten entries regarding the defendant, charge, and disposition of each case.

Books of Fines and Forfeitures: Books which contain listings of fines and forfeitures received by the court regarding each particular misdemeanor offense.

Retention:

- 2010.0201 *Case Files:* Cut off file of disposed cases at end of calendar year, hold closed files twenty (20) years, then destroy; digitize or microfilm entire contents of case files; hold originals for four (4) years, then destroy originals; hold digital format or microfilm format for twenty (20) years from date of disposition, then destroy.

- 2010.0202 *Docket Books if Created*: Hold for twenty (20) years from date of last disposition entry, then destroy; digitize or microfilm, hold original for four (4) years, then destroy; hold digital format or microfilm format twenty (20) years from date of last disposition entry, then destroy.
- 2010.0203 *Minute Books*: Hold for twenty (20) years after date of last disposition recording, then destroy; or digitize or microfilm, hold originals for four (4) years beyond date of last disposition recording, then destroy; hold digital format or microfilm format for twenty (20) years after date of last disposition entry, then destroy.
- 2010.0204 *Books of fine and forfeitures*: Ten (10) years after last entry. Cut off file at end of each fiscal year, hold in current files area for five (5) years, or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later, then destroy.

Minute Books: Books which contain photo static copies of the accusation and disposition associated with each case, or contain type-written or handwritten entries detailing the defendant, charge and disposition of each case. Only minute books exclusively for misdemeanor traffic violations are covered.

Books of Fines and Forfeitures: Books which contain listings of fines and forfeitures received by the court regarding each particular offense. Only books containing fines and forfeitures exclusively for misdemeanor traffic violations are covered.

Retention:

- 2010.0302 *Case Files*: Cut off file of disposed misdemeanor traffic cases at end of calendar year. Hold in closed files for six (6) years or if serious traffic; then, hold for twenty (20) years; then destroy. DUIs.
- 2010.0303 *Docket Books If Created*: Hold docket books used exclusively for misdemeanor traffic cases ten (10) years from date of last disposition entry, then destroy; or digitize or microfilm docket books, hold for four (4) years from date of last disposition entry, then destroy docket books, retaining digital format or microfilm format for additional six (6) years; unless serious traffic as defined at 2010.0301 or not otherwise indexed retain for twenty (20) years.

EXCEPTION: If the docket contains an index to case files, hold the index portion ten (10) years, then destroy; hold the balance of the docket four (4) years, from date of last disposition entry, then destroy.

- 2010.0304 *Minute Books If Created*: Hold for ten (10) years from date of last disposition entry, then destroy; digital format or microfilm format, hold for four (4) years from date of last disposition entry, then destroy retaining digital format or microfilm format for an additional six (6) years; unless serious traffic as defined at 2010.0301 or not otherwise indexed retain for twenty (20) years.
- 2010.0305 *Books of Fines and Forfeitures*: Hold for ten (10) years from date of last disposition entry; then, destroy. Hold in current files area for five (5) years or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later; then destroy.
- 2010.0306 *Records Concerning Traffic Violations Which Result In a Felony Charge*: Hold indefinitely unless specified otherwise by statute or order of the Supreme Court.

MISDEMEANOR TRANSCRIPTS AND TRAFFIC FILES AND TRANSCRIPTS

Schedule: 2010.0301 through 2010.0306

Consists of: Documents relating to certified verbatim records or narrative recollections of judicial proceedings in misdemeanor and traffic cases. Included are certified records of court reporters' transcriptions and certified records in narrative form of recollections of the motions, colloquies, objections, rulings, evidence (documentary or otherwise), charge of the court and all proceedings in any judicial action based on a charge of a misdemeanor or traffic offense.

Retention:

- 2010.0301 Certified Misdemeanor and Traffic Transcripts: Cut off file at end of calendar year; hold three (3) years; destroy.
- EXCEPTION*: Concerns transcripts of cases resulting in sentences of five (5) or more years. Hold for duration of sentence imposed; then, destroy.

TRAFFIC COURT RECORDS TRANSCRIPTS AND DOCKET BOOKS

Schedule: 2010.0302 through 2010.0306

Consists of: *Case Files*: Includes documents which are called or serve as the following: accusation, affidavit, appearance bond, arresting officer's affidavit, bail bond, cash bond, conviction, disposition, fine, indictment, judgment, motion, notice of appeal, notice of arraignment, notification of hearing, order, plea, pleading, sentence, subpoena, summons, uniform traffic citation, waiver, and warrant, or certified copies of the same.

Docket Books If Created: Books which generally contain essential information in summary form about each traffic case adjudicated. Most dockets contain an alphabetical index which references the defendant's name to the page number on which the case is docketed. This schedule applies to docket books which contain misdemeanor traffic records only.

CIVIL CASES NOT PROCEEDING TO FINAL JUDGMENT

Schedule: 2010.0401

Consists of: Documents relating to trying civil suits in Superior Courts. Included are civil case files in which the plaintiff never carried through to judgment. Cases dismissed without prejudice are included. Not included are cases dismissed with prejudice or cases in which the judge's order specifies terms of out of court settlement.

Retention: Two (2) years

CIVIL CASE FILES

Schedule: 2010.0402

Consists of: Documents relating to trying civil cases in superior courts and documenting the proceedings in those cases. Included are pleadings and judgments in civil cases, including divorce and domestic relations, complaints, summonses, defensive pleadings, court orders, notices of appeal, appellate pleadings, and determinations of appellate courts.

Retention: Hold in active file until case is closed; then, transfer to inactive file. Cut off inactive file at end of calendar year; hold in office seven (7) years; then, transfer to a local holding area or County Records Center is authorized. Retain permanently, except that files may be digitized or microfilmed provided that (1) digitizing or microfilming is done in accordance with any required digital format or microfilm format standards; (2) a security copy of the digital format or microfilm format is placed in the Georgia Archives; (3) a reference copy is available in the clerk's office; and (4) a reader-printer is available in the clerk's office. If digitizing or microfilming is done, the paper copies of cases filed after 1900 may be destroyed at the time they are eligible for transfer to a local holding area or County Records Center. Paper copies of cases filed prior to 1900 may not be destroyed. Upon the determination of the Clerk of Superior Court that such records are not of historical significance; then, records may be destroyed after twenty (20) years. A judge may declare any individual court record to be "historical" and direct that the record be stored as required for this class of record.

CIVIL DOCKETS (Also called Issue, Motion, Bench, or Bar Dockets)

Schedule: 2010.0403

Consists of: Documents relating to indexing all pleadings filed in the course of civil actions, including independent motions which are to be decided by the judge without the intervention of a jury. Included are bound volumes which serve as an index to pleadings for each case. Entries vary from one time period to another and from one court to another but generally show term of court, names of parties and their attorneys, case numbers, nature of actions and subsequent service and pleadings. Entries are in case number order (assigned by filing date). Most dockets contain an index to defendants and plaintiffs, showing case numbers for each case.

Retention: Cut off on completion of the volume if created; hold permanently. Transfer to a local holding area or a county archives is authorized after ten (10) years. Digitizing or microfilming and subsequent destruction of original volume is authorized provided

that silver security copy or other such security version of digital format or microfilm format is transferred to State Archives for continuing retention and provided that a reference copy of the digital format or microfilm format is maintained for local use by the court and the public.

Note: This schedule does not apply to any court which maintains dockets through the use of electronic data processing. Upon the determination of the Clerk of Superior Court that such records are not of historical significance; then, records may be destroyed after twenty (20) years.

MINUTE BOOKS

Schedule: 2010.0404

Consists of: Documents relating to recording proceedings and orders in superior courts. Included are court orders, oaths, bonds, motions, certifications; transcripts, full proceedings, and other documents regarding cases; charges to and presentments of grand juries; local rules of procedure; orders or other documents regarding court administrative matters; and other documents. Minute books are often divided, with civil and criminal matters in separate volumes.

Retention: Cut off file series upon completion of book. Hold in the current files area twenty (20) years; then transfer to local holding area; hold permanently; except that original book created by typewriter or by photographic recording methods may be destroyed provided that (1) they have been digitized or microfilmed in accordance with applicable digital format or microfilm format standards; (2) the books are thoroughly indexed; (3) the court has a digital format or microfilm format reader-printer for generating paper copies; (4) the court has two reference copies of the digital format or microfilm format; and (5) the security (camera) copy of the film is deposited with the Georgia Department of Archives and History.

RECORD OF WRITS (Also called Final Records, Final Settlements, Declarations, or Proceedings)

Schedule: 2010.0405

Consists of: Documents recording the text of each case heard by the courts, especially recording writs issued. Included are volumes containing, for each case heard by the court, copies of the complete text of the case or copies of any actions taken by the court.

Retention: Cut off file on completion of volume and hold permanently. Transfer to a local holding area or to a County Records Center or archives is authorized five years after cut-off; digitizing or microfilming and subsequent destruction of the original volume is authorized provided that (1) the silver security copy of the film is transferred to the Georgia Archives for permanent retention, and (2) a reference copy of the film is maintained in the county for use by the court and the public.

CIVIL CALENDARS

Schedule: 2010.0406

Consists of: Documents relating to listing civil matters to be heard, dates for hearing, and styles of cases. Included are calendars for judges and magistrates. Calendars may be made for pre-trial proceedings, trials, motion hearings, small claims, appearances, appellate causes, and other reasons as the court sees fit.

Retention: Cut off file at end of calendar year; hold in current files area one (1) year; then destroy.

Note: It is recommended that a record copy of each series of calendar be maintained by the clerk as this schedule specifies. Other copies generated for office use, publication, or notification purposes may then be destroyed at the end of the week or weeks of court for which they were produced.

SEALED CIVIL DEPOSITIONS

Schedule: 2010.0407

Consists of: Documents related to obtaining pre-trial testimony from parties and witnesses during discovery for civil cases filed in the superior court under OCGA §9-11-(27-31). File consists of sealed envelopes containing depositions taken of parties or witnesses. File may be in form of stenographic transcripts, videotapes, or electronic or digital recordings. Envelopes are endorsed with the title of the action and the name of the deponent. Note: depositions which have been opened for use in the court become a part of the case file and are not included in this schedule.

Retention: Hold in the current files area until the case is terminated by order of the court and until all appeals of the corresponding case are completed or until the case is dismissed by order of the court for want of prosecution; the transfer to inactive file; hold in inactive file one (1) year; then destroy. (Inactive file may be stored in local holding area or in the county records center.) Note: if the deposition is used in a court proceeding, place in appropriate case in Civil Case Files series and apply the schedule applicable to that series.

GENERAL EXECUTION DOCKET AND GENERAL EXECUTION DOCKET INDEXES

Schedule: 2010.0408

Consists of: Documents relating to recording basic information concerning the execution of the court's decisions. Included are books with entries showing the date case adjudged, names of the parties and their attorneys, case number, date Fi. Fa. issued, and disposition of the execution. After 1971, photo static copies of Fi. Fa. is used in place of these entries. Entries are in the order in which the Fi.Fa.s are filed with the clerk's office.

Retention: Cut off file series when the last judgment is entered in book; then, hold seventeen (17) years; then destroy. Transfer to a local holding area is authorized after seven (7) years.

Domestic Relations

Schedule: 2010.0409

Consists of: All documents relating to those cases resulting in dissolution of a marriage, child custody, or award of alimony.

Retention: Permanent

Domestic Relations – Contempt Action

Schedule: 2010.0409.a

Consists of: All documents related to contempt actions arising out of Domestic Relations Cases.

Retention: Twenty (20) years after disposition

Name Changes

Schedule: 2010.0410

Consists of: Case files relating to changing ones name.

Retention: Permanent

Personal Injury

Schedule: 2010.0411

Consists of: Civil cases related to personal injury.

Retention: Twenty (20) years

Malpractice

Schedule: 2010.0412

Consists of: Documents relating to cases alleging professional malpractice.

Retention: Twenty (20) years

Collection Cases

Schedule: 2010.0413

Consists of: An action containing the pleadings on debt concerning specific contract or account

Retention: Five (5) years if no Fi. Fa. Is filed. five (5) years If Fi. Fa. is filed, upon its satisfaction or expiration.

Appeals – Magistrate Court

Schedule: 2010.0414

Consists of: Documents relating to cases appealed to the Superior or State Court based on a judicial decision in the Magistrate Court.

Retention: Ten (10) years

JURY MASTER LIST (BOX)

Schedule: 2010.0501

Consists of: Documents relating to persons qualified for jury service. Included are lists composed of all persons qualified to serve as jurors--whether lists be tickets, computer printouts, digital format or microfilm format, or in any other form except computer file data storage banks.

Retention: Counties using mechanical or electronic means of juror selection: The computer data storage bank file itself is excluded from this schedule. See OCGA § 15-12-40 (b) (3) which makes this file the permanent jury box. Cut off file series (bound paper copy of computer printout and updates of jury master list required by OCGA §15-12-43) when a new bound copy of the complete computer file master list is made. Hold in current files area 1 year; then, transfer to local holding area; hold nine (9) years; then destroy. In lieu of the paper computer printout master list, digital format or microfilm format created in accordance with OCGA §15-12-44 (b) may be used for record retention purposes after the cut off date. Then, the digital format or microfilm format of the jury master list must be maintained in the same manner and for the same period as the computer printout retention requirements set out.

Counties using non-mechanical means of juror selection: Cut off file series (including tickets of jurors' names in juror box and bound copy of jury master list) after revision of jury master list. Then destroy tickets and keep bound copy of jury master list (created in accordance with OCGA §15-12-43) in current file area one (1) year; then, transfer to local holding area; hold nine (9) years; then destroy.

JURY QUESTIONNAIRE FILE

Schedule: 2010.0502

Consists of: Documents relating to selection and qualification of jurors. Included are completed jury questionnaire forms and consolidated lists (including computer output) where applicable.

Retention: Cut off file at the end of each major revision of the jury list; then, transfer to local holding area; hold ten (10) years; then destroy with the exception for murder cases in which death penalty or life without parole is sought.

Note: for purposes of this schedule; a major revision of the jury list is defined as the point at which the jury qualification questionnaires are mailed to citizens of a county who are considered prospective Jurors.

JUROR INFORMATION FORM

Schedule: 2010.0503

Consists of: Documents relating to: (1) providing information to attorneys about summoned jurors in order to facilitate jury selection, and/or (2) correcting errors on or updating information on juror master list. Included are juror information forms turned in by summoned jurors to jury clerk on first day of jury service. Forms contain information provided by jurors and may include occupation, age, marital status, age and occupation of spouse; number of children, previous jury service, and similar data.

Retention: Cut off file series at the end of each calendar year; hold one (1) year; then destroy. Transfer to a local holding area is authorized.

GRAND JUROR AND TRIAL JUROR LISTS

Schedule: 2010.0504

Consists of: Documents relating to summoning and service of grand jurors and trial jurors. Included are: (1) lists of grand or trial jurors summoned at a term or week of court, (2) lists of grand or trial jurors sworn to serve at a term or week of court, and (3) lists of grand jurors serving at a term of court and trial jurors serving in a case before the court. (Specifically excluded from this schedule are the jury master list - jury box, jury qualifications questionnaires, and jury script.)

Retention: Cut off file series at end of each term of court; hold in current files area 1 year; then, transfer to Records Center; hold nine (9) years; then destroy. Except, if these lists are recorded on the court minutes and verified, then the originals and any duplicates (other than the minute book copy) of the jurors summoned list and jurors sworn list may be destroyed after 30 days have expired from the close of the term of court for which the jurors served or were summoned. If a trial jury list (serving) in each case is incorporated into the case file, all other copies (excluding minute book copies, if any) may be destroyed after thirty (30) days have expired since the close of the term of court in which jurors served; and the case file copy shall not be destroyed unless in accordance with the records retention schedule established for such type of case file.

JURY DRAFTS AND SCRIPTS

Schedule: 2010.0505

Consists of: Documents relating to juror payment for service. Included are copies of juror drafts and script.

Retention: Cut off file at end of each calendar year; hold in the current files area four (4) years; then destroy.

SHERIFF'S JUROR PRECEPTS

Schedule: 2010.0506

Consists of: Documents relating to summoning of grand and trial jurors. Included are clerk's lists to sheriff showing jurors to be summoned for service for term of court.

Retention: Cut off file series at the end of each calendar year; hold in current files area three (3) years; then destroy.

Note: The document may be a report generated from the jury management system in each county.

DEED BOOKS

Schedule: 2010.0701

Consists of: Books containing instruments pertaining to ownership and transfer of ownership of real and personal property.

Retention: Cut off at end of calendar year; hold permanently; paper copy may be transferred to County Records Center or local holding area after twenty (20) years; or digitize or microfilm; hold paper copy one (1) year, then destroy; retain copy of digital format or microfilm format permanently and transfer silver original or digital security version to State Archives.

INDEXES TO DEEDS

Schedule: 2010.0702

Consists of: Documents relating to maintaining an index for recorded deeds. Included are bound volumes containing grantor and grantee indexes to deeds recorded by the clerk. For each deed recorded the index shows the name of the grantor, the name of the grantee, the character of the instrument, the date of the instrument, the volume and page where recorded, and the date of recording. Usually there are separate volumes for grantors and grantees.

Retention: Cut off file when volume is full, then hold permanently.

Note: If the office uses an indexing system in connection with a computer, any weekly, monthly, quarterly, annual, or other interim printouts (which are superseded by consolidated volumes) may be destroyed when the larger consolidation is received.

PERSONAL PROPERTY RECORDS

Schedule: 2010.0703 through 2010.0715

Consists of: STATEMENTS FILED AND INDEXED AFTER JANUARY 1, 1964. Real property records in which are noted fixture filings or filings concerning crops, minerals, or accounts subject to OCGA §11-9-103(5).

Financing Statements: Documents indicating the names and addresses of the debtor and the secured party, signed by the debtor, and containing a "statement indicating the types or describing the items of collateral."

Continuation Statements: Documents identifying the original financing statement by number and stating that the original statement is still effective which is signed by the secured party.

Statements of Assignment: Documents setting forth the name of the secured party of record, the debtor, the file number, the date of the filing of the financing statement, and the name and address of the assignee, and descriptions of the assigned collateral.

Statements of Release: Documents containing a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement.

Termination Statements: Documents stating that there is no outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value, indicating the financing statement's file number and/or signed by the secured party.

Indexes of Financing Statements: Books containing the name and address of the debtor, and the file number of the financing statement, as well as entries regarding receipt of continuation statements, termination statements, and statements of assignment and release.

Retention:

2010.0703 *Financing Statements:* Cut off after date of filing; hold six (6) years; then destroy; or digitize or microfilm, destroy originals; hold digital format or microfilm format six (6) years; destroy.

EXCEPTION: 1) If notice of action involving statement given (including insolvency

proceeding), hold statement or copy for duration of proceeding; and sixty (60) days thereafter or six (6) years whichever is later; then destroy. 2) If continuation statement filed; hold financing statement for six (6) years from date of continuance; destroy unless another continuation statement filed. 3) If real estate mortgage is effective as a fixture (DCC) filing, hold financing statement or copy for 1 year after mortgage released or satisfied of record or otherwise terminates. 4) If financing statement filed before July 1, 1978, hold six (6) years and two (2) months after filing; then destroy. 5) If a termination statement is filed, hold financing statement or digital format or microfilm format copy for one (1) year; destroy after termination date.

2010.0704 *Continuation Statements:* six (6) years after date of filing

2010.0705 *Statements of Release:* six (6) years after date of filing

2010.0706 *Statements of Assignment:* six (6) years after date of filing

2010.0707 *Termination Statements:* Cut off when received; hold one (1) year; then destroy; or digitize or microfilm, destroy criminal and hold digital format or microfilm format one (1) year.

2010.0708 *Indexes of Financing Statements:* Retain for twenty (20) years destroy after 1/1/2020 unless financing is still active.

RECORDS RECORDED PRIOR TO JANUARY 1, 1964

Original Instruments: Includes documents designed as bills of sale, personal property mortgages (including all instruments styled as "note" or "Personalty Deed to Secure Debt"), contracts, conditional sales contracts, bill of sale to secure debt, liens, assignments, leases, liens of conveyances of crops, transfers, bonds for title, renewals (of debt), affidavits, agreements, or retention title contracts delivered to the clerk for recording but never picked up by or returned to the parties to the transaction to which the documents relate.

Record Books and Indexes Containing Entries Relating to Personalty Only: Consists of copies of original instruments written or typewritten on blank pages, or copies onto forms in a record book kept expressly for that purpose. Indexes may be contained in a separate volume from entries. Record Books include: books of bills of sale, deeds to personal property, books for bills of sale to secure debt, chattel mortgage record docket, chattel mortgages and lien dockets, filing docket and general index to chattel mortgages, filing docket and general index to personalty mortgages, personal property docket, personal lien dockets, personalty mortgages-grantor index, and public index to personalty mortgages. Some of these books are singles volumes or parts of a records series containing both volumes for personalty and volumes for realty records.

Record Books and Indexes Relating to Both Personalty and Realty: Consists of copies of original instruments written or typewritten on blank pages, or copies into forms in a record book kept expressly for that purpose. Indexes to these entries may be contained in the record

books themselves or may be in separate volumes. Books include: Book for Mortgage Liens, Book for Title, Contract Records, Factor's Lien Records, File Docket for Liens, Lease Record, Lien Book, Lien Stock Record, Mortgages and Lien Record, Mortgage Record, Promiscuous Record, Security Bonds and Deals, Security Deed Record, Filing Docket and General Index to Mortgages or Other Items, Filing Docket and General Index to Property, Filing Docket and Index to Mortgages, General Index to Deeds and Personalty Mortgages, Grantee Index to Deeds and Personalty Mortgages, Grantee Index to Mortgages, Grantor Index to Deals and Personalty Mortgages, and Grantor Index to Mortgages. Duplicate index books.

- 2010.0709 Original Instruments: Return to parties; if im possible, destroy.
- 2010.0710 Record Books and Indexes Containing Entries Relating to Personalty Only: Cut off at last entry; hold twenty (20) years; destroy. *EXCEPTION:* Books created prior to 1900 must be offered to Department of Archives and History.
- 2010.0711 Record Books and Indexes Relating to Both Personalty and Realty: Extract realty records, rebind; retain permanently; treat personalty records according to personalty schedules; or digitize or microfilm book; retain film permanently; destroy book according to personalty schedule.
- 2010.0712 Duplicate Index Books: Verify entries; then, destroy.

REAL ESTATE TRANSFER TAX DECLARATION FORMS FILE

Schedule: 2010.0713

Consists of: Documents relating to transfer tax on real estate. Included is the duplicate copy of the real estate tax declaration form which is filed in the superior court clerk's office.

Retention: Cut off file at the end of each calendar year; then, hold in the office two (2) years; then destroy.

FEDERAL TAX LIEN INDEX

Schedule: 2010.0714

Consists of: Documents relating to discharged federal tax lien. Included is the federal tax lien index.

Retention: Retain for ten (10) years from date of discharge of last lien recorded in the index. The index may be digitized or microfilm at any time after the discharge of the last open lien is filed. Retain digital format or microfilm format ten (10) years from date of discharge of last lien; retain original for two (2) years after digitizing or microfilming.

FEDERAL TAX LIEN FILES

Schedule: 2010.0715

Consists of: Documents relating to federal tax liens. Included are notice of federal tax lien, discharge from federal tax lien, and release and partial discharge from federal tax lien.

Retention: If federal tax lien index is kept, and if discharges are entered on same lien, as required by law, both notice of lien and discharge can be destroyed seven (7) years from final discharge date. Renewed liens and liens which were discharged in error (and for which notice has been received) are not discharged liens for the purposes of this schedule.

When federal tax lien index is not marked as above, or where any other system (including General Execution Docket) is used, retain notice of federal tax lien and discharge for fifty (50) years.

STATE BAR APPLICATIONS FOR ADMISSION WITHOUT EXAMINATION

Schedule: 2010.0801

Note: This series ended in 1977.

Consists of: Documents relating to admission to State Bar of attorneys from other States. Included are motions for admission, answers of the State Bar, proceedings, rule nisi, judge's orders.

Retention: Cut off file at end of calendar year 1977; transfer to local holding area; then, hold seventy (70) years; then destroy or cut off file at end of calendar year 1977; digital format or microfilm format file; destroy originals; hold digital format or microfilm format seventy (70) years; the series will terminate on 1/1/2048; then destroy.

PRACTICING ATTORNEYS REGISTRATION BOOKS

Schedule: 2010.0802

Consists of: Documents relating to registration of practicing attorneys. To include record of practicing attorneys to include order of admission and oath of commission. Information included is name, address, place, date of admission to practice, and retirement notice.

Retention: Cut off file when book is filled, hold in office ten (10) years; then, transfer to local holding area; hold permanently. Digitizing microfilming is authorized when the book is filled. The original record may be destroyed after digitizing or microfilming and verification.

THIRD YEAR LAW STUDENTS' AND STAFF INSTRUCTORS' FILES

Schedule: 2010.0803

Consists of: Documents relating to authorization of third year law student or staff instructor to assist District Attorney or practice legal aid. Included are law schedule dean's certificates, student, and staff instructor oaths.

Retention: Cut off file at end of each calendar year; hold in the current files area one (1) year; then, transfer to local holding area; hold two (2) years; then destroy.

CERTIFICATION OF BAR ADMISSION ELIGIBILITY FILE

Schedule: 2010.0804

Consists of: Certificates of a passing bar exam score and orders of judge for clerk to issue license to practice law.

Retention: Cut off file at end of each calendar year; hold in office ten (10) years; then, transfer to local holding area; hold for sixty (60) years; then destroy or cut off file at end of calendar year; then, digitize or microfilm file; then destroy originals; then, hold digital format or microfilm format seventy (70) years; then destroy.

ELECTION RECORDS FILE

Schedule: 2010.0901

Consists of: Documents relating to general and primary elections. Included are: used, unused, and void ballots, ballot stubs, oaths of poll officers, numbered lists of voters, tally papers, voting machine paper proof sheets, and return sheets.

Retention: Cut off file series when delivered to clerk of court; transfer to local holding area; hold two (2) years; then, present to grand jury for approval at first meeting after twenty-four (24) months; hold until grand jury adjourns; then destroy, except that in the event of a court case for any race documented by these records, hold until final settlement, then destroy.

APPLICATIONS FOR PETITIONS TO RECALL THE PROBATE JUDGE

Schedule: 2010.0902

Consists of: Records related to granting authority, to persons wishing to sponsor a recall drive, for petitions for the recall of the judge of the probate court as provided for in OCGA §21-4-3(3)(A).

Retention: Retain two (2) years; then destroy.

CALLS OF RECALL ELECTIONS FOR PROBATE JUDGE

Schedule: 2010.0903

Consists of: Calls for recall elections for a probate judge who also serves as election superintendent. See OCGA §21-4-13(c)(2).

Retention: Retain two (2) years; then destroy.

NOTARY PUBLIC APPLICATION, CERTIFICATES, AND DOCKETS

Schedule: 2010.1001

Consists of: Documents including electronic records relating to certifying persons to be notaries public. Included are applications for becoming a notary public, certificates of persons so commissioned, and docket books listing persons commissioned.

Retention: *Applications and Certificates:* Cut off file at end of each calendar year; hold in current files five (5) years; transfer to local holding area for four (4) years; then destroy. If docket book, index, or other record book exists which contains name, address, and commission period; retain permanently.

Retention: *Docket Book:* Cut off file when book is completed; hold permanently. Docket books not required; where in existence shall be maintained as a permanent record. The retention of a cumulative alphabetical index in lieu of docket books is authorized if the index states not only the name and address of the notary public, but also the beginning and expiration date of each person's commission. If created, the index shall be kept permanently.

Microfilming and subsequent destruction of these records is authorized provided that: (1) a silver security copy or other such security format of digital format or microfilm format is transferred to State Archives for permanent retention and (2) a reference copy of the digital format or microfilm format is maintained in the county for use by the court and the public.

APPLICATION FOR TRADE NAME AND TRADE NAME REGISTRATION INDEX

Schedule: 2010.1002

Consists of: Documents relating to registration of trade name under which an individual or company is doing business. Included are applications for registration of trade name. Trade name registration index books include entries of owners, addresses, and names of business. In most counties, recent years of entries are photocopies of applications. Many of the books have a cumulative index which list business name and page number of application.

Retention: Cut off file series at end of each month. If application is entered in registration index book, hold application for 1 year after cut off date, then destroy. Hold registration index book permanently unless book is digitized or microfilmed in accordance with Georgia Imaging Standards or Microfilm Standards. If digitized or microfilmed, the original index book may be destroyed one (1) year after digitizing or microfilming. A security copy of the digital format or microfilm format shall be sent to the State Archives and a reference copy shall be maintained by the court clerk. If the trade name registration index book is generated by computer, the same disposition instructions apply.

NEWSPAPERS CONTAINING LEGAL ADVERTISEMENTS

Schedule: 2010.1003

Consists of: Documents relating to giving public notice, through newspaper advertisements, of official actions or as required by various laws. Included are copies of newspapers containing legal advertisements as required by law. Note: OCGA §§ 15-6-74 and 15-9-43 authorize newspapers to be maintained in digital format or microfilm format or by other photographic means. These code sections and OCGA §15-16 -12 authorize clerks of superior court, judges of probate court, and sheriffs to enter into an agreement whereby one of these officials will maintain the official record of these newspapers for the other two.

Retention: Cut off file series at the end of each calendar year; hold in the current files area forty (40) years; then, transfer to library, historical society, or destroy if declined. Digitizing or microfilming of the newspapers each year and retention on film, destroying the paper is authorized provided that Georgia Imaging Standards or Microfilm Standards are followed.

COURT RECORDS DESTRUCTION NOTICE AND CERTIFICATION FILE

Schedule: 2010.1101

Consists of: Documents relating to notification to county government of pending records destruction and certifications of destruction. This may include notices and certifications of records destruction forms received from the County Records Center, and copies of letters or memos sent to a county records management officer certifying records destruction from the office in accordance with instructions by a retention schedule.

Retention: Cut off at the end of each calendar year; hold in the current files area ten (10) years; then destroy. The record copy may be maintained by a County Records Center and is not affected by this schedule.

RETENTION SCHEDULES FOR COURT RECORDS (REFERENCE COPIES)

Schedule: 2010.1102

Consists of: Documents relating to establishing retention schedules for court records (under the Georgia Records Act) and implementing the provisions of those schedules. Included are reference copies of approved court records retention schedules, including 1) copies of the "Application for Records Retention Schedule for Georgia Courts," and 2) copies of summaries of schedules such as those in Common Records Retention Schedules for Courts.

Retention: Hold in active file until superseded or voided, or until all dispositions instructions are no longer applicable to any existing records, whichever is later; then destroy.

COURT RECORDS TRANSMITTAL AND RECEIPT FILES

Schedule: 2010.1103

Consists of: Documents relating to transferring records to the local County Records Center. Included may be copies of records transmittal and receipt forms showing the records series and dates of the records that have been transferred to records center storage.

Retention: Cut off at the end of each calendar year; hold in the current files area ten (10) years; then destroy. The record copy may be maintained by a County Records Center and is not affected by this schedule.

COURT BUDGET WORKING PAPERS FILE

Schedule: 2010.1104

Consists of: Documents relating to preparation of annual budget requests. Included are the forms relating to program, purpose, goals and objectives, budget request, personnel schedule, equipment, description of improvements, capitol projects, budget estimate of revenue, estimated budget projection, budget adjustment requests, and other similar forms and budget documents, working papers, drafts, feeder reports, copies of proposed budgets, correspondence, and memoranda.

Retention: Cut off file series at the end of each fiscal year; hold in current files area two (2) years; then destroy.

Note: The record copy is generally maintained by the County Department of Finance or the Clerk of the County Commissioners and is not affected by this schedule.

APPROVED BUDGET REFERENCE FILES

Schedule: 2010.1105

Consists of: Documents relating to planning and controlling the expenditure of appropriated funds. Included are copies of approved budget showing the allocation of funds by the appropriating authority. Working papers showing the planning for the expenditure of these funds, or reports, usually monthly or quarterly, showing the current status of expenditures as compared with the amount budgeted may also be included.

Retention: Cut off at end of fiscal year; hold until no longer needed for reference; then destroy.

COURT PROCUREMENT FILE

Schedule: 2010.06

Consists of: Documents relating to procurement of goods, equipment, supplies, and services. Included are copies of requisition forms with all attachments and specifications; confirmatory purchasing documents such as bids, copies of invoices, petty cash vouchers, proof of purchase or paid bins, and similar documents; copies of purchase orders; copies of bids; and documents showing selection of vendor. Also included are departmental copies of the requisition forms used to procure standard office supplies from county purchasing departments, if any.

Retention: Cut off file series at the end of each fiscal year. Hold in the current files area two (2) years; then destroy.

Note: The record copy is generally maintained by the County Department of Finance or Clerk of the County Commissioners and is not affected by this schedule.

REVENUE REMITTANCE FILE

Schedule: 2010.1107

Consists of: Documents relating to remitting revenue to the County Department of Finance or County Treasurer. Included are copies of fee receipts and documents summarizing revenue received or other supporting attachments transmitting funds to the County Department of Finance or County Treasurer.

Retention: Cut off the file series at the end of each fiscal year. When audited: Upon completion of audit, transfer to local records center; hold four (4) years; then destroy. When not audited: Transfer to local records center; hold four (4) years; then destroy. The record copy is generally maintained by the County Department of Finance or County Treasurer and is not affected by this schedule.

WORKERS' COMPENSATION CLAIM FILES FOR COURT EMPLOYEES

Schedule: 2010.1108

Consists of: Documents relating to compensating court employees and officials for medical expenses or indemnity compensation for on-the-job injuries or job-related disabilities. Included are worker's compensation occupational injury reports, initial medical reports, final medical reports, various medical bills, reports or verifications, correspondence, and other papers used to support a claim with the State Board of Workers' Compensation.

Retention: If this is employer's record copy, hold in active files until notification is received that a claim is terminated or final settlement has been made; then, transfer to the inactive file. Cut off inactive files at the end of the calendar year; transfer to local records center; hold ten (10) years; then destroy. If notification is received that the claim is terminated or final settlement has been made, then transfer to inactive file. Cut off inactive file at end of calendar year; transfer to local records center; hold two (2) years; then destroy.

VEHICLE MAINTENANCE AND REPAIRS FILE

Schedule: 2010.1109

Consists of: Documents relating to maintaining vehicles and recording related costs for budget and other planning purposes. Included are: maintenance logs, records of service or repairs, and records of usage of vehicles.

Retention: Cut off file series at the end of each fiscal year; hold in the current files area three (3) years; then destroy.

B. INDEX TO RECORD RETENTION SCHEDULES Juvenile Court Record Retention Schedules

2010.1101	Individual Juvenile Court Case Files; Excludes Termination of Parental Rights and Legitimation
2010.1102	Parental Notification of Abortion Case Files
2010.1103	Legitimation Case Files and Termination of Parental Rights Case Files in Which Rights Were Terminated
2010.1104	Case Files of Juveniles on Probation or Supervision with the Court
2010.1105	Court Reporter's Notes and Files
2010.1106	Docket Books
2010.1107	Court Calendars
2010.1108	Files and Records of Juvenile Court Administered Programs
2010.1109	Traffic Case Files

INDIVIDUAL JUVENILE COURT CASE FILES – EXCLUDES FILES RELATING TO TERMINATION OF PARENTAL RIGHTS AND EXCLUDES FILES RELATING TO LEGITIMATION

Schedule: 2010.1101.j

Consists of: The individual juvenile court case files shall serve as the minutes. Includes the following vital records: complaints; peti-

tions; all court orders; rights forms; notices of appeal; publications; applications for publication; transcripts; any other items in juvenile court files which are juvenile court generated and do not fall within the category of non-vital records. Includes the following non-vital records: subpoenas; correspondence; intake data sheets; witness lists; route sheets; clerk or judges bench notes; applications for court appointed attorney; social histories; victim impact statements; any duplicates of court generated documents or records; essays; community service reports; applications for bond; custody reports generated by juvenile court for investigatory purposes; and case histories transmitted by another juvenile court. Includes non-vital documents generated by other persons or agencies such as the following: records of ankle monitoring agencies; police reports; Department of Family and Children Services reports; Department of Juvenile Justice reports; psychologicals; custody reports not produced by juvenile court; medical records; school discipline/attendance records.

Retention: Cut off at the end of each calendar year. Hold in the current files area one year from the calendar year in which the case was disposed of by disposition or remittitur. The court may then dispose of any documents or records defined above as "non-vital" or any non-juvenile court generated document which was not admitted into evidence. Transfer to local holding area; Hold twenty-eight (28) years from the end of the calendar year of the date that the child was born or five (5) years from the end of the calendar year of the date of the last entry; destroy.

Date of Series: Earliest: 1950; Latest: Ongoing

PARENTAL NOTIFICATION OF ABORTION CASE FILES

Schedule: 2010.1102.j

Consists of: The individual juvenile court case files shall serve as the minutes. Documents relating to actions initiated by a minor, on such minors behalf or by next friend, for a waiver of the requirement that a parent be notified that an abortion is to be performed. Includes petitions, orders, medical statements, correspondence, etc.

Retention: Cut file off upon decision by court or the granting of the petition without such a decision. Hold in the current files area ninety (90) days; destroy.

Date of Series: Earliest: 1987; Latest Ongoing

LEGITIMATION CASE FILES AND TERMINATION OF PARENTAL RIGHTS CASE FILES IN WHICH RIGHTS WERE TERMINATED

Schedule: 2010.1103.j

Consists of: The individual juvenile court case files shall serve as the minutes. May include the following vital records: complaints; petitions; all court orders; rights forms; notices of appeal; publications; applications for publication; transcripts; any other items in juvenile court files which are juvenile court generated and do not fall within the category of non-vital records. May include the following non-vital records: subpoenas; correspondence; intake data sheets; witness lists; route sheets; clerk or judge's bench-notes; applications for court appointed attorney; social histories; any duplicates of court gener-

ated documents or records; and case histories transmitted by another juvenile court. May include non-vital documents generated by other persons or agencies such as the following: police reports; Department of Family and Children Services reports; Department of Juvenile Justice reports; psychologicals; school discipline/attendance records; and custody reports not produced by juvenile court.

Retention: Cut off at the end of each calendar year. Hold in the current files area one (1) year from the calendar year in which the case was disposed of by disposition or remittitur. Transfer to local holding area for permanent retention.

Date of Series: Legitimation Files: Earliest 1950; Latest: Ongoing
Termination Case Files: Earliest: 1950;
Latest Ongoing

CASE FILES OF JUVENILES ON PROBATION OR SUPERVISION WITH THE COURT

Schedule: 2010.1104;j

Consists of: Documents relating to a juvenile's status on probation or supervision with the court. Includes drug screens, school attendance records, reports of contact with probation officer; etc.

Retention: Destroy upon juvenile reaching the age of seventeen (17) or when probation or supervision is terminated, whichever is later.

Date of Series: Earliest: 1950; Latest: Ongoing

COURT REPORTER'S NOTES AND FILES

Schedule: 2010.1105;j

Consists of: Documents relating to verbatim recording of oral proceedings before the court. Included are stenographic machine tapes and/or notes. May also include tape recordings, dictagraph belts, paper strips, steno pads, and other recording media including electronic formats.

Retention: Cut off file at end of calendar year; Hold in current file area two (2) months; Transfer to local holding area; Hold two (2) years; destroy.

Date of Series: Earliest 1950; Latest: Ongoing

DOCKET BOOKS

Schedule: 2010.1106;j

Consists of: Documents relating to cases filed in juvenile courts. Included are docket books, bound and loose-leaf, and the pages thereof, in which is recorded information regarding children who are referred to the juvenile courts and complaints which are filed against them or in their interest. Also included are computer records or other electronic records of the information required to be maintained in the juvenile docket book in juvenile courts which store the docket sheet information electronically in lieu of maintaining a separate juvenile docket book.

Retention: Cut off the file when the last entry is made in the book. May then transfer to local holding area; Hold twenty-eight (28) years from end of calendar year of last entry; destroy.

Date of Series: Earliest: 1976; Latest: Ongoing

COURT CALENDARS

Schedule: 2010.1107;j

Consists of: Documents relating to listing of matters to be heard, dates for hearing and styles of cases. Included are calendars for judges and associate judges.

Retention: Cut off file series at the end of each calendar year; Hold in the current files area one year; destroy.

FILES AND RECORDS OF JUVENILE COURT ADMINISTERED PROGRAMS

Schedule: 2010.1108;j

Consists of: Documents relating to the administration of court programs including but not limited to the following: community service programs; diversion programs; restitution programs; community oriented risk-reduction programs; parenting classes; Tough Love programs; mentoring programs; tutoring programs; and counseling programs. Included are attendance records, referrals to other programs, testing results, certificates, etc.

Retention: Cut off at the end of each calendar year. Hold in current files area two years from date of creation; Transfer to local holding area; Hold three (3) years; destroy.

Date of Series: Earliest: 1950; Latest: Ongoing

TRAFFIC CASE FILES

Schedule: 2010.1109;j

Consists of: The individual juvenile court case files shall serve as the minutes. May include the following vital records: uniform traffic citations; complaints; petitions; all court orders; rights forms; notices of appeal; publications; applications for publication; transcripts; any other items in juvenile court files which are juvenile court generated and do not fall within the category of non-vital records. May include the following non-vital records: subpoenas; correspondence; intake data sheets; witness lists; route sheets; clerk or judge's benchnotes; applications for court appointed attorney; social histories; victim impact statements; any duplicates of court generated documents or records; essays; community service reports; applications for bond; and case histories transmitted by another juvenile court. May include non-vital documents generated by other persons or agencies such as the following: records of ankle monitoring agencies; police reports; Department of Family and Children Services reports; Department of Juvenile Justice reports; psychologicals; and school discipline/attendance records.

Retention: Cut off at the end of each calendar year. Hold in the current files area one (1) year from the calendar year in which the case was disposed of by disposition or remittitur. The court may then dispose of any documents or records defined above as "non-vital" or any non-juvenile court generated document which was not admitted into evidence. Transfer to local holding area; hold six (6) years; destroy.

Date of Series: Earliest: 1971; Latest: Ongoing

C. PROBATE COURTS STATEWIDE RECORDS RETENTION SCHEDULES

Probate Court Record Retention Schedules

2010.1201	Applications, Bonds, and Permits for Fireworks Displays
2010.1202	Election Tally Summary File
2010.1203	Estate Case Files
2010.1204	Involuntary Commitment Records
2010.1205	Lists of Persons Who Have Been Adjudicated As Mentally Incompetent
2010.1206	Marriage Records
2010.1207	Peddlers Licenses and Certificates of Eligibility Files
2010.1208	Weapons Carrying License Application File
2010.1209	Public Officers' Oaths and Bonds
2010.1210	Wills

Traffic Court Records, Transcripts, and Docket Books

2010.0301	Case Files
2010.0302	Docket Books
2010.0303	Minute Books
2010.0304	Books of Fines and Forfeitures
2010.0305	Records Concerning Traffic Violations Which Result in a Felony Charge

APPLICATIONS, BONDS, AND PERMITS FOR FIREWORKS DISPLAYS

Schedule: 2010.1201

Consists of: Applications for public display or exhibition of fireworks. Included are applications, bonds, evidence of liability insurance, and permits.

Retention: Hold in the current files area one (1) year; Transfer to local records center; Hold six (6) years; then destroy.

ELECTION TALLY SUMMARY FILE

Schedule: 2010.1202

Consists of: Included are election tally sheets.

Retention: Cut off after election; Retain permanently. After four (4) years, paper original may be transferred to county records center or a local holding area OR Convert to Digital format or microfilm format. If originals are digitized or microfilmed, retain digital format or microfilm format permanently. Paper originals may be destroyed one (1) year after digitizing microfilming.

ESTATE CASE FILE EXCLUDING WILLS

Schedule: 2010.1203

Consists of: The qualification of a legal representative and the management and distribution of the assets of an estate. Included are: original and recorded copies of all proceedings in relation to estates, excluding probate of wills. Examples are: applications for letters of appointment and dismissal of executors, administrators, and conservators under OCGA § 53; guardianships; applications for

years' support; inventories and appraisements; applications for leave to sell property; and annual and final returns.

Retention:

Recorded copy: Cut off when book is completed; retain permanently. Transfer to local records center, local holding area, or county archives is authorized after four (4) years. Digitizing or microfilming and destroying of post-1900 volumes is authorized. Recording by digitizing microfilming is authorized, as well as the production of paper copies from the digital version or film version by the copyflow method or any other authorized methods.

Original papers of estates closed prior to the use of imaging or Digitizing or photocopying as the method of recording: Retain permanently. Immediate transfer to local records center, local holding area, or county archives is authorized. Imaging or microfilming is authorized but the paper must be retained.

Original papers filed after the use of photocopying as the method of recording: Cut off at end of each calendar year; Hold in current files area twenty-five (25) years; then, transfer to county records center, local holding area, or county archives for permanent retention.

Digitizing and microfilming are authorized. If the records are digitized or microfilmed, the original paper file may not be destroyed until ten years after the case is closed or twenty-five (25) years after the file is begun, whichever occurs first.

Note: (1) Any digitizing must be done in accordance with Archives Electronic Document Imaging Systems standards and any microfilming must be done in accordance with microfilm standards established pursuant to the Georgia Microforms Act (OCGA 50-18-6).

(2) In any instance in which the records are maintained only in digital format or microfilm format, a reference copy of the film and digital reader or a microfilm reader-printer must be available in the court.

(HOSPITALIZATION) FILES CREATED PURSUANT TO PROCEEDINGS UNDER CHAPTER 3, 4, AND 7 OF TITLE 37 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED AND PROCEEDINGS UNDER PRIOR OFFICIAL CODES RELATING THERETO (Involuntary Commitment Records)

Schedule: 2010.1204

Consists of: The hospitalization and treatment of mentally ill, mentally retarded, alcoholics, drug-dependent individuals, and drug abusers. Included are originals of petitions, proceedings and orders relating to emergency admission, evaluation, and involuntary hospitalization, writ of habeas corpus, and protective orders, appointments of legal counsel and guardians ad litem, notices to parties, clinical or medical records of individuals, affidavits and certificates of examining physicians, and patient service plans. Hospitalization petitions may also contain guardianship applications.

Retention:

Hospitalization petitions filed on or after January 1, 1980: When notice of discharge from hospital is received or case is dismissed, remove from active file and place in inactive file; Cut off inactive file at end of each calendar year; Transfer to local holding area; Hold ten (10) years; then destroy.

Hospitalization petitions filed before January 1, 1980: When notice of discharge from hospital is received or verified and guardian of person or property of patient appointed under the hospitalization petition, if any, is dismissed, remove from active file and place in inactive file; Cut off inactive file at end of each calendar year; Transfer to local holding area; Hold twenty (20) years; then destroy.

LISTS OF PERSONS WHO HAVE BEEN ADJUDICATED AS MENTALLY INCOMPETENT

Schedule: 2010.1205

Consists of: Records relating to deleting from electors lists the names of those persons who have been adjudicated as mentally incompetent. Included are lists prepared monthly by the Judge of the Probate Court and filed with the registrar giving names, addresses, and ages of persons who appear to be disqualified from voting by reason of an adjudication of mental incompetency during the preceding month.

Retention: Retain two (2) years; then destroy.

MARRIAGE RECORDS

Schedule: 2010.1206

Consists of: Transcription, digitization, or photocopy of the marriage license recorded by the probate judge within 30 days of the marriage.

Retention: Permanent. Vital Record duplicate and store offsite.

PEDDLERS LICENSES AND CERTIFICATES OF ELIGIBILITY FILES

Schedule: 2010.1207

Consists of: Application for peddler's license and certificate of eligibility for disabled, indigent, disabled veterans, and the blind for a free license. Included are books or files containing any of the following:

- (1) receipt stubs of certificate or license;
- (2) application or affidavit for certificate or license;
- (3) letters of character reference;
- (4) letters from physicians of U.S. Veterans Administration
- (5) copies of applicant's military discharge; and
- (6) court copy of license.

Retention: Receipt books and other listed files: Cut off file series when book is filled if created; Hold in current files area two (2) years; then destroy.

WEAPONS CARRYING LICENSE APPLICATION FILE

Schedule: 2010.1208

Consists of: The licensing of county residents to carry a weapon. Included are approved and denied applications for licenses to carry a weapon and supporting documents. Applications contain information supplied by the applicants that is pertinent to their eligibility to apply for the license. Supporting documents include mental health waiver forms, law enforcement reports, rap sheets, and other documents relating to issuance of the license.

Retention: Hold six (6) years; then destroy.

Implementation recommendation: Because licenses are confidential records and because they have short-term value, it is recommended that they be maintained in file cabinets rather than being bound into post binders.

PUBLIC OFFICERS' OATHS AND BONDS

Schedule: 2010.1209

Consists of: The oaths of office and bonds of public officials filed in the probate court. Included are copies of written oaths of office and accompanying certificates issued by the officer administering the oath which specify the day and year taken; official bonds of county officials; and books containing recorded copies of official bonds.

- Retention:**
1. Oaths of Office
Retain for six (6) years after date of action.
 2. Official Bonds
Retain for six (6) years
 3. Books containing recorded copies of bonds
Cut off when book is filled; retain permanently.

EXCEPTION: For any of these records dated prior to 1900, retain permanently.

WILLS

Schedule: 2010.1210

Consists of: Wills of decedents. Included are original, photostatic, imaged, and recorded copies of probated wills of decedents. Specifically excluded are wills of living persons filed in the Probate Court for safekeeping and wills filed but not probated.

Retention:

Recorded copy: Retain permanently; Cut off file when book is complete; Transfer to a local records center, local holding area, or county archives is authorized after four (4) years. Imaging or Microfilming is authorized. For records Post-1900, volumes may be destroyed after imaging or microfilming and verification of the image or microfilm. Recording by imaging or microfilming is authorized, as well as the production of paper copies from the film by the copyflow or any other such method.

Original Wills: Wills filed prior to the use of recording by photocopying: Retain permanently. Immediate transfer to a local records center, local holding area, or county archives is authorized. Imaging or microfilming is authorized but the paper copy must be retained.

Wills filed after beginning the use of imaging or photocopying as the method of recording: Cut off at the end of each calendar year; Hold in the current files area permanently.

Original wills may be transferred during the four (4) year holding period to a county records center, local holding area, or county archives if the recorded copy is retained in the current files area. Imaging or microfilming is authorized but if the records are imaged or microfilmed, the original wills may not be destroyed.

Note: Any imaging must be done in accordance with Archives Electronic Document Imaging Systems standards or microfilming and

film storage must be done in accordance with microfilm standards established pursuant to the Georgia Microforms Act (OCGA 50-18-6). In any instance in which the records are maintained only in image format or microfilm format, a reference copy of the film and a microfilm or image reader-printer must be available in the court.

MISDEMEANOR TRANSCRIPTS AND TRAFFIC FILES AND TRANSCRIPTS

Schedule: 2010.0301 through 2010.0303

Consists of: Documents relating to certified verbatim records or narrative recollections of judicial proceedings in misdemeanor and traffic cases. Included are certified records of court reporters' transcripts and certified records in narrative form of recollections of the motions, colloquies, objections, rulings, evidence (documentary or otherwise), charge of the court and all proceedings in any judicial action based on a charge of a misdemeanor or traffic offense.

Retention:

2010.0301 *Certified Misdemeanor and Traffic Transcripts:*
Cut off file at end of calendar year; hold three (3) years; destroy.

EXCEPTION: Transcripts of cases resulting in sentences of five (5) or more years; hold for duration of sentence imposed; then destroy.

TRAFFIC COURT RECORDS TRANSCRIPTS AND DOCKET BOOKS

Schedule: 2010.0302 through 2010.0306

Consists of:

Case Files: Includes documents which are called or serve as the following: accusation, affidavit, appearance bond, arresting officer's affidavit, bail bond, cash bond, conviction, disposition, fine, indictment, judgment, motion, notice of appeal, notice of arraignment, notification of hearing, order, plea, pleading, sentence, subpoena, summons, uniform traffic citation, waiver, and warrant, or certified copies of the same.

Docket Books If Created: Books which generally contain essential information in summary form about each traffic case adjudicated. Most dockets contain an alphabetical index which references the defendant's name to the page number on which the case is docketed. This schedule applies to docket books which contain misdemeanor traffic records only.

Minute Books: Books which contain photo static copies of the accusation and disposition associated with each case, or contain type-written or handwritten entries detailing the defendant, charge, and disposition of each case. Only minute books exclusively for misdemeanor traffic violations are covered.

Books of Fines and Forfeitures: Books which contain listings of fines and forfeitures received by the court regarding each particular offense. Only books containing fines and forfeitures exclusively for misdemeanor traffic violations are covered.

Retention:

2010.0302 *Case Files:* Cut off file of disposed misdemeanor traffic cases at end of calendar year. Hold closed files six (6) years or if serious traffic; then, hold for twenty (20) years; then destroy.

2010.0303 *Docket Books If Created:* Hold docket books used exclusively for misdemeanor traffic cases ten (10) years from date of last disposition entry, then destroy; or digitize or microfilm docket books, hold for four (4) years from date of last disposition entry, then destroy docket books, retaining digital format or microfilm format for additional six (6) years; unless serious traffic as defined at OCGA §40-6-15 or not otherwise indexed retain for twenty (20) years.

EXCEPTION: If the docket contains an index to case files, hold the index portion ten (10) years, then destroy; hold the balance of the docket four (4) years, from date of last disposition entry, then destroy.

2010.0304 *Minute Books If Created:* Hold for ten (10) years from date of last disposition entry, then destroy; digital format or microfilm format, hold for four (4) years from date of last disposition entry, then destroy retaining digital format or microfilm format for an additional six (6) years; unless serious traffic as defined at OCGA §40-6-15 or not otherwise indexed retain for twenty (20) years.

2010.0305 *Books of Fines and Forfeitures:* Hold for ten (10) years from date of last disposition entry, then destroy. Hold in current files area for five (5) years or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later, then destroy.

2010.0306 *Records Concerning Traffic Violations Which Result In a Felony Charge:* Hold indefinitely unless specified otherwise by statute or order of the Supreme Court.

D. MAGISTRATE COURTS STATEWIDE RECORDS RETENTION SCHEDULES

Magistrate Court Record Retention Schedules

2010.1301	Arrest and Search Warrants Files
2010.1302	Good Behavior Bonds
2010.1303	Civil Case Files
2010.1304	Transcripts, Recordings, or Notes of Proceedings as Court Inquiry

Traffic Court Records, Transcripts, Docket Books, and Ordinance Violations

2010.0301	Case Files
2010.0302	Docket Books
2010.0303	Minute Books
2010.0304	Books of Fines and Forfeitures
2010.0305	Records Concerning Traffic Violations Which Result in a Felony Charge
2010.0306	Ordinance Violations

ARREST AND SEARCH WARRANTS FILES

Schedule: 2010.1301

Consists of: Documents relating to arrest and search warrants. Included are applications for warrants, supporting affidavits, and evidence. Specifically excludes the original of arrest warrants in which the defendant was bound over for trial by a magistrate to state or superior court. These original warrants should be transferred with the case file to the trial court.

Retention: Series 1983 to present: Cut off the file series at the end of each calendar year. Hold in the current files area ten (10) years; then destroy.

GOOD BEHAVIOR BONDS

Schedule: 2010.1302

Consists of: Applications for and issuance of Good Behavior Bonds

Retention: Ten (10) years; see OCGA § 17-6-90

CIVIL CASE FILES

Schedule: 2010.1303

Consists of: Documents relating to trying of civil cases in Magistrate Courts. Included are all pleadings, exhibits, transcripts, judgments, and related papers appropriate for inclusion in case files as required by statute or by the Uniform Rules for the Magistrate Courts. (Some courts maintain indexes to their case files and dockets. The retention of these indexes is covered in the schedule Magistrate Court Civil Dockets.) Includes affidavits for summons of dispossessory, applications for summons of foreclosure of personal property, and abandonment of automobiles or vessels.

Retention: Hold in active file until case is closed; then, place in inactive file. Then cut off inactive file at end of calendar year; hold ten (10) years and then destroy.

Note: Transfer of inactive file one year after cut-off to a county records center or local holding area is authorized. If a judgment is renewed or enforcement is actively pursued in accordance with OCGA § 9-12-60 within the ten-year period, transfer case back to current files area and treat as a newly closed case.

Date of Series: Earliest: July 1, 1983; Latest: Ongoing

MISDEMEANOR TRANSCRIPTS AND TRAFFIC FILES AND TRANSCRIPTS

Schedule: 2010.0301 through 2010.0306

Consists of: Documents relating to certified verbatim records or narrative recollections of judicial proceedings in misdemeanor and traffic cases. Included are certified records of court reporters' transcriptions and certified records in narrative form of recollections of the motions, colloquies, objections, rulings, evidence (documentary or otherwise), charge of the court and all proceedings in any judicial action based on a charge of a misdemeanor or traffic offense.

Retention:

2010.0301 *Certified Misdemeanor and Traffic Transcripts:* Cut off file at end of calendar year; hold three (3) years; destroy.

EXCEPTION: Transcripts of cases resulting in sentences of five (5) or more years. Hold for duration of sentence imposed

TRAFFIC COURT RECORDS TRANSCRIPTS AND DOCKET BOOKS

Schedule: 2010.0301 through 2010.0306

Consists of:

Case Files: Includes documents which are called or serve as the following: accusation, affidavit, appearance bond, arresting officer's affidavit, bail bond, cash bond, conviction, disposition, fine, indictment, judgment, motion, notice of appeal, notice of arraignment, notification of hearing, order, plea, pleading, sentence, subpoena, summons, uniform traffic citation, waiver, and warrant, or certified copies of the same.

Docket Books If Created: Books which generally contain essential information in summary form about each traffic case adjudicated. Most dockets contain an alphabetical index which references the defendant's name to the page number on which the case is docketed. This schedule applies to docket books which contain misdemeanor traffic records only.

Minute Books: Books which contain photo static copies of the accusation and disposition associated with each case, or contain typewritten or handwritten entries detailing the defendant, charge and disposition of each case. Only minute books exclusively for misdemeanor traffic violations are covered.

Books of Fines and Forfeitures: Books which contain listings of fines and forfeitures received by the court regarding each particular offense. Only books containing fines and forfeitures exclusively for misdemeanor traffic violations are covered.

Retention:

- 2010.0301 *Case Files:* Cut off file of disposed misdemeanor traffic cases at end of calendar year. Hold closed files six (6) years or if serious traffic; then, hold for twenty (20) years; then destroy.
- 2010.0302 *Docket Books If Created:* Hold docket books used exclusively for misdemeanor traffic cases ten (10) years from date of last disposition entry, then destroy; or digitize or microfilm docket books, hold for four (4) years from date of last disposition entry, then destroy docket books, retaining digital format or microfilm format for additional six (6) years; unless serious traffic as defined at OCGA §40-6-15 or not otherwise indexed retain for twenty (20) years.
- EXCEPTION:* If the docket contains an index to case files, hold the index portion ten (10) years, then destroy; hold the balance of the docket four (4) years, from date of last disposition entry, then destroy.
- 2010.0303 *Minute Books If Created:* Hold for ten (10) years from date of last disposition entry, then destroy; digital format or microfilm format, hold for four (4) years from date of last disposition entry, then destroy retaining digital format or microfilm format for an additional six (6) years; unless serious traffic as defined at 501 or not otherwise indexed retain for twenty (20) years.
- 2010.0304 *Books of Fines and Forfeitures:* Hold for ten (10) years from date of last disposition entry, then destroy. Hold in current files area for five (5) years or until completion of state or independent audit or at the audit of the clerk's last term, whichever is later, then destroy.
- 2010.0305 *Records Concerning Traffic Violations Which Result In a Felony Charge:* Hold indefinitely unless specified otherwise by statute or order of the Supreme Court.

Ordinance Violations**Schedule:** 2010.0306**Consists of:** Records concerning ordinance violations**Retention:** Two (2) years, hold in closed files for two (2) years; see OCGA §15-10-63**E. PROSECUTING ATTORNEYS RECORD RETENTION SCHEDULES**

Prosecuting Attorneys Record Retention Schedules

2010.1501	Misdemeanor, Traffic, and Ordinance Violations
2010.1502	Prosecutor's Felony Case Files
2010.1503	District Attorney's Files on Child Support – UIFSA or URESA
2010.1504	District Attorney's Child Support Undocumented Case Files
2012.1505	Prosecutor's Dismissed Misdemeanor and Misdemeanor Traffic Case Files
2010.1506	Attorney Case Files

MISDEMEANOR, TRAFFIC, AND ORDINANCE VIOLATIONS**Schedule:** 2010.1501**Consists of:** Documents relating to the investigation and prosecution of misdemeanor and misdemeanor traffic under Georgia law and alleged violations of county ordinances which are brought against individuals and corporations.**Retention:** Transfer to closed files when all direct appeals are completed or right to a direct appeal has terminated; then, hold in closed file area until end of calendar year; then, transfer to local holding facility (Records Center), hold five (5) years; then destroy.**Date of Series:** Earliest 1853; Latest: Ongoing**PROSECUTOR'S FELONY CASE FILES****Schedule:** 2010.1502**Consists of:** Documents relating to prosecution of individuals for felony violations of Georgia law. This file series is within the District Attorney's office.**Retention:** Transfer to closed files when all appeals are completed or right to direct appeal terminates: then, transfer to local holding area, hold for one (1) year (if facilities are available) or transfer to Records Center and hold for twenty-five (25) years (including any period of time held in holding area (provided that the Records Center facility is available: then destroy.**DISTRICT ATTORNEYS' FILES ON CHILD SUPPORT (UIFSA OR URESA)****Schedule:** 2010.1503**Consists of:** Documents relating to civil actions brought by the District Attorney on behalf of a parent or guardian to obtain for enforce support of minor children. Included are petitions, pauper's affidavits, summons and rule nisi, rules for contempt, orders, answers, depositions, interrogatories, other discovery papers, pleadings, transcript, judgments, motions, District Attorney's personal notes, notice of appeal, briefs and other related documents.**Date of Series:** Earliest: 1954; Latest: Ongoing

DISTRICT ATTORNEY'S CHILD SUPPORT (UIFSA OR URESA) UNDOCUMENTED CASE FILES

Schedule: 2010.1504

Consists of: Documents relating to cases referred to the District Attorney's office by the Department of Human Services pursuant to OCGA § 19-11-1 et. seq. which were not docketed in any court due to insufficiency of the evidence or statements made by the custodial parent (recipient) which prevent initiation of a paternity action. Included are DHS referral documents, correspondence relating to case, notices to potential defendant and affidavit of custodial parent as to paternity.

Retention: Transfer to closed case files upon administrative determination that evidence is insufficient to obtain a judgment; then, hold in closed case files until end of calendar year; cut off at end of calendar year ; then, transfer to local holding area (if available) hold three (3) years; then destroy.

Date of Series: Earliest: 1975; Latest: Ongoing

PROSECUTOR'S DISMISSED MISDEMEANOR AND MISDEMEANOR TRAFFIC CASE FILES

Schedule: 2010.1505

Consists of: Records of cases referred to Prosecutor investigation of Misdemeanor, misdemeanor traffic, or ordinance violations dismissed before filing.

OBTS form forwarded to GCIC; if local practice require it – return original to clerk.

Retention: Retain three (3) years; hold in closed files for no longer than one (1) year; transfer to local holding area; then destroy.

ATTORNEY CASE FILES

Schedule: 2010.1506

Consists of: Records to documentation of agency attorney in advising and representing the agency.

Retention: Six (6) years, after settlement of case.

Retention: Cut off file series at the end of each calendar year; transfer to closed files when case is closed by court order or operation of law; then, hold in closed files to the end of calendar year; cut off at end of calendar year; then, transfer to local holding area (if available), hold three (3) years; then destroy.

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