

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS RETENTION AND DISPOSAL SCHEDULE		Schedule No. 2330
Agency JUDICIARY OF MARYLAND		Page 1 of 37 Division/Unit CIRCUIT COURTS
Title and Approval Page		
<p style="text-align: center;">SUPERSEDES SCHEDULES 655, 655A1, 655A2, and 1044</p>		
Schedule Approved by Court of Appeals		Schedule Authorized by State Archivist
Date <u>October 12, 2005</u>		Date <u>October 25, 2005</u>
Signature <u>Robert M. Bell</u>		Signature <u>Edward J. [unclear]</u>
Typed Name Robert M. Bell		
Title Chief Judge		

IN THE COURT OF APPEALS

ADMINISTRATIVE ORDER APPROVING GENERAL RECORDS RETENTION AND DISPOSAL SCHEDULE 2330 AND CONFORMING PROVISIONS AS TO COURT REPORTING NOTES

WHEREAS, By letter dated July 22, 2005, the Records Retention Committee forwarded a proposed Schedule No. 2330, to replace current General Schedules Nos. 655, 655A-1, 655A-2, and 1044, governing records of the Circuit Courts of Maryland; and

WHEREAS, The proposed Schedule was submitted for comment to the Conference of Circuit Judges, the Conference of Circuit Court Clerks, the Conference of Court Administrators, and the Circuit Court Clerks' Association and approved unanimously by each of those organizations; and

WHEREAS, After review, I concur in adoption of the proposed Schedule as set forth in the attachment and also amend the Administrative Order Setting Minimum Requirements for Court Reporting and Transcription in Maryland Courts, date February 16, 2005, to alter the provisions on record retention pending final recommendations on concomitant rule changes to be made by the Standing Committee on Rules of Practice and Procedure in conjunction with the Standing Committee on Court Reporting; and

WHEREAS, On final authorization of the Schedule by the State Archivist, the Schedule should be made available on the Judiciary's website and otherwise disseminated as the State Court Administrator considers appropriate;

NOW, THEREFORE, I, Robert M. Bell, Chief Judge of the Court of Appeals and the administrative head of the Judicial Branch of this State, pursuant to the authority conferred by

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Article IV, §18 of the Maryland Constitution, Maryland Code, State Government Article § 10-632, Code of Maryland Regulations 14.18.02F, and Maryland Rules 16-404 and 16-818, do, this 29th day of September, 2005:

(1) Rescind General Retention Schedules No. 655, 655A-1, 655A-2, and 1044 and approval General Retention and Disposal Schedule No. 2033, to be effective on authorization of the latter by the State Archivist;

(2) Order that Schedule No. 2033 be made available on the Judiciary's website and otherwise disseminated as the State Court Administrator considers appropriate on final authorization as above; and

(3) Amend the Administrative Order Setting Minimum Requirements for Court Reporting and Transcription in Maryland Courts, date February 16, 2005, in part as follows:

9. a. Scope. This Section [does not apply to:

(1)] **APPLIES ONLY TO** a recording of a grand jury proceeding[; or

(2) an electronic tape recording made by or for a master] **OF WHICH THE JUDICIAL BRANCH HAS CUSTODY.**

b. Retention Periods. Subject to the limitations **AND PROCEDURES** in [this Section, with the written approval of a Circuit Administrative Judge] **GENERAL RECORDS RETENTION AND DISPOSAL SCHEDULE 2330**, [a clerk of court] **AN OFFICIAL CUSTODIAN, AS DEFINED IN MARYLAND CODE, STATE GOVERNMENT ARTICLE, § 10-611(C)** may dispose of notes [at any time after the expiration of the following periods:

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(1) in a civil case, 5 years after the notes are taken; and
(2) in a criminal case, 12 years after the notes are taken] **IN
THE CUSTODY OF THE OFFICIAL CUSTODIAN AND DIRECT OTHER
CUSTODIANS TO DISPOSE OF OTHER NOTES.**

[c. Disposition Schedule.

(1) At intervals set by a Circuit Administrative Judge, each individual providing court reporting services in the circuit or a designee of the Circuit Administrative Judge shall draft a schedule for disposal of notes.

(2) The supervisory court reporter or, if none, the individual providing court reporting services or the Circuit Administrative Judge's designee, shall submit:

(i) a schedule for a circuit to the State Archives for its recommendations; and

(ii) a schedule and the recommendations of the State Archives to the Circuit Administrative Judge.

(3) A Circuit Administrative Judge may approve or disapprove a schedule. Approval of a schedule shall be in writing and shall be deemed a court order for disposal of the notes in accordance with the schedule.

(4) As approved, each schedule shall:

(i) identify the notes, by case name and number, or by reference to permanent source documents such as the court's dockets and minutes of proceedings;

(ii) state the date on which, or the inclusive dates during which, the notes were taken;

(iii) state whether the State Archives accepts or declines to accept the notes for preservation;

(iv) state the manner in which notes that the State Archives has declined to accept will be disposed of; and

(v) state the place to which notes that the State Archives has accepted will be removed.

d. Removal. Notes that the State Archives accepts shall be removed in accordance with the procedures for the Archives.

e. Disposal Certificate. After disposal of notes, the supervisory court reporter or, if none, the individual providing court reporting services or the Circuit Administrative Judge's designee, shall send a certificate of disposal to the State Archives.]

10. Application.

C. THE AMENDMENT TO SECTION 9 OF THIS ORDER DOES NOT AFFECT ANY DISPOSITION OF NOTES AUTHORIZED OR EFFECTED BEFORE THE EFFECTIVE DATE OF THE AMENDMENT.

12. Effective Dates.

Sections 1 and 3 of this Order shall take effect immediately. **THE AMENDMENT TO SECTIONS 9 AND 12 AND THE ADDITION OF SECTION 10C SHALL TAKE EFFECT ON AUTHORIZATION OF GENERAL RECORDS RETENTION AND DISPOSAL SCHEDULE 2330 BY THE STATE ARCHIVIST.** The balance of this Order shall take effect on April 18, 2005.

/s/ Robert M. Bell

Robert M. Bell

Chief Judge for the Court of Appeals

Filed: September 29, 2005

/s/ Alexander L. Cummings

Alexander L. Cummings

Clerk

Court of Appeals of Maryland

Records Retention and Disposal Schedule for Maryland Circuit Courts

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General Schedule Number 2330 Records Retention and Disposal Schedule for Maryland Circuit Courts

1) BACKGROUND

This General Schedule No. 2330 Records Retention and Disposal Schedule, which replaces General Schedule Nos. 655, 655A1, 655A2, and 1044, outlines the minimum periods for retention of circuit court records. Several changes and updates have been made to create this Schedule. These updates, along with instructions for transfer of records to the Maryland State Archives and for disposal of court records, should streamline records management throughout the circuit courts while insuring that records are maintained to the end of their useful life.

2) MANDATORY MINIMUM RETENTION PERIODS

Each circuit court must decide how to effectively manage its court records. Some counties may decide to permanently retain every document filed within their court. Other counties may be very aggressive in their disposal of court records. This schedule will give counties guidance for their records management program.

It is important to remember that all time periods set forth in this schedule constitute the minimum retention period. Court records may be retained for any length of time, as long as they are kept for at least the minimum time period provided in this schedule. In addition, no court records may be destroyed without the written permission of the County Administrative Judge and the State Archivist.

The retention period for a court record applies to the record regardless of the medium in which it is maintained (e.g.: paper, film, electronic). Some court records listed in this schedule are maintained only in electronic format. For more information on retention of electronically stored court records, see Exhibit A.

Court records listed in this schedule which are not required to be retained permanently and which were originally created and/or stored in paper form may be disposed of prior to the expiration of the stated minimum retention period if they have been photocopied, microfilmed or electronically stored pursuant to the provisions of Maryland Code, State Government Article, § 10-642(a)(2) and COMAR 14.18.04. Actual disposal of the original paper record, however, is still subject to the procedures set forth in this schedule.

3) IDENTIFICATION OF RETENTION PERIOD

Different court records will have various retention periods and varying restrictions. In fact, for some major record types, some records may be destroyed while other records of the same type must be retained permanently. This is especially true of files in court cases. For example, the verdict and sentence imposed in a criminal case resulting from an indictment or criminal information will determine whether it must be retained permanently or may eventually be destroyed. Before making any decision to destroy or transfer court records of a particular type, review the retention requirements in the Retention and Disposal Schedule for that record type.

The ability to dispose of court records with minimal effort will be dependent upon the ability to easily identify and, if necessary, sort court records. It could prove to be very labor-intensive to go through court records one by one to determine which records should be retained and which may be destroyed. Management of court records may be simplified by developing methods or systems to clearly identify the retention requirements while the court record is still active. Related computer systems may be helpful in this task.

4) REVIEW AND SORTING OF RECORDS

After determining, from the Retention and Disposal Schedule, which court records are eligible to be destroyed and which can be transferred to State Archives for permanent retention, the process of preparing the records for transfer or destruction can begin.

If all records of one type can be destroyed, review the records to be sure those pulled for destruction have reached the age for which destruction is permissible. When working with those types of court records for which some must be retained permanently while others may be destroyed, each county will have to develop its own method or system for sorting those materials accordingly.

5) DESTROYING NON-PERMANENT RECORDS

Once court records that are eligible to be destroyed have been identified, the custodian of the record must request authority to dispose of the court records. Prior approval from both the State Archivist and the County Administrative Judge are required before destroying any records.

A. Procedure:

1. Custodian completes form DGS 550-9, *Proposal and Certificate of Records Destruction*, (See Exhibits B & C) by completing the heading and listing the following information for each record series proposed for destruction:

- a. Description of records;

- b. Governing retention schedule, section and item number;
- c. Inclusive dates of records to be destroyed;
- d. Volume of records in cubic feet
 - As a guideline:
 - One letter-size file drawer = 1.5 cubic feet of records
 - One legal-size file drawer = 2.0 cubic feet of records
 - One Records Center box = 1.0 cubic feet of records

(Date of disposal, method of disposal, and signature is not filled in at this time)

- 2. Custodian forwards three copies of the DGS 550-9 to:
 - State Records Management Center
 - P. O. Box 275
 - 7275 Waterloo Road (Route 175)
 - Jessup, Maryland, 20794.
- 3. Records Management Center forwards the proposal to the State Archivist for approval.
- 4. State Archivist signs each page of proposal indicating approval to dispose of records. If the records proposed for destruction are considered by the State Archivist to be of archival value, authority to destroy those records will be denied, and arrangements will be made for transfer of those materials to the State Archives.
- 5. State Archivist returns signed copies to custodian
- 6. Custodian obtains administrative order from County Administrative Judge approving disposal of records.
- 7. Records are destroyed using one of the following methods:
 - i. Confidential Court Records and Fiscal Records

Where confidential information may be contained in the court records, shredding is the preferred method of destruction. Once shredded, material may be recycled. In lieu of shredding, incineration or burial at a landfill is acceptable. The custodian or an employee holding a position of supervisor or higher shall oversee the destruction of records containing confidential information to ensure complete destruction.

ii. Non-Confidential Records

In addition to shredding, incineration or burial at a landfill, simple recycling is an acceptable method of destruction for records that do not contain confidential information.

8. Once the records have been destroyed, the custodian completes the "Date of Disposal" and "Method of Disposal" columns of DGS 550-9, and signs and dates the Destruction Certification on each page of the form.

9. Custodian retains one copy of the completed and signed DGS 550-9 for the custodian's file, and forwards a copy to the Records Management Center at the address in item 2 above.

6) TRANSFERRING PERMANENT RECORDS TO STATE ARCHIVES

Court records which are required to be permanently maintained may be transferred to the State Archives for permanent storage, subject to availability of space at Archives facilities and acceptance of the records by the State Archivist. Forms and instructions are available online through mdsa.net.

A. Procedure:

1. Custodian prepares the records for transfer.
2. Custodian completes a *Preliminary Inventory Worksheet of Series Contents* and a *Pre-Transfer Record Condition Assessment Form*. See Exhibits D, E and F.
3. Custodian forwards the *Preliminary Inventory Worksheet of Series Contents* and *Pre-Transfer Record Condition Assessment Form* to:
Maryland State Archives
350 Rowe Boulevard
Annapolis, MD 21401
(410) 691-4376, Fax (410) 691-2054, Doris Byrne, Director
4. State Archives will contact custodian to advise whether or not the transfer is approved.
5. Arrange for the Transfer. See Exhibit G.

State Archives will supply a list of vendors familiar with transporting court records. Upon request, the Archives will contract on the custodian's behalf for the transport of court records. In either case the transferring agency is responsible for all costs for delivery and shelving of records. The selected vendor will coordinate with the custodian for the pick-up of records.

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Agency JUDICIARY OF MARYLAND		Division/Unit CIRCUIT COURTS
Item No.	Description and Retention	
	<p align="center"><u>Administrative Records</u></p> <p align="center"><u>Section I</u></p>	
1.	<p><u>ADMINISTRATIVE OPERATION RECORDS AND FILES</u></p> <p>Records and files containing correspondence, reports and miscellaneous administrative papers relating to the operation of the Circuit Court including but not limited to:</p> <ul style="list-style-type: none"> a) Attorney General opinions; b) reports, correspondence, and miscellaneous papers; c) material relating to policy, administrative orders or history of the court; d) supervisory and management reports that require data sampling and verification. <p>Retain permanently material having continuing legal or administrative value to the operation of the office; transfer periodically to State Archives.</p> <p>Retain all other material three (3) years and until all audit requirements have been fulfilled, then destroy.</p>	
2.	<p><u>ASSIGNMENT NOTICE SHEETS</u></p> <p>Record of setting dates of court events in all case types.</p> <p>Retain for three (3) years after the last pertinent entry, then destroy.</p>	

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3.	<u>BOND RECORDS AND RELATED PAPERS</u> Records of bonds of public officials and trustees in court cases with names, dates, sureties, and amounts of bond. (Chapter 454, Acts of 2002, repealed the provision of Maryland Code, Courts Article, § 2-502 requiring recording of bonds filed in court cases. However, other bonds, such as bonds of public officials, continue to be recorded with the clerk.) Retain bond record books permanently; transfer periodically to State Archives. Retain original bonds and related papers twelve (12) years after recordation, then destroy. Original bonds filed in court cases are governed by the retention schedule for the case type to which the bond pertains.	
4.	<u>COMMISSION AND APPOINTMENT RECORDS</u> Governor's appointments of public officers and officials. Retain permanently; transfer periodically to State Archives.	
5.	<u>ELECTION RETURN RECORDS AND RELATED PAPERS</u> Reports of the Board of Canvassers to the Clerks of the Circuit Courts with copies of the Clerks' reports to the Governor and to the State Board of Elections. Retain permanently; transfer periodically to State Archives.	

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JUDICIARY OF MARYLAND

Division/Unit

CIRCUIT COURTS

**Item
No.**

Description and Retention

6.

JURY, GRAND JURY, BAILIFF, AND WITNESS RECORDS

- a) Listings of names and dates of service or appearances, and as applicable cases heard.

Retain permanently; transfer periodically to State Archives.

- b) Jury selection papers, including qualification forms, computer listing, record of payment, summons, etc. used to select a jury.

Retain for four (4) years, then destroy. (See Maryland Code, Courts Article, § 8-212(a).)

7.

MILITARY DISCHARGE RECORDS

Armed Services discharges recorded pursuant to individual request.

Retain permanently; transfer periodically to State Archives.

8.

OATH AND TEST BOOKS

Copies of oaths required from elected and appointed public officers, officials and attorneys admitted to the Bar, with signatures and dates.

Retain permanently; transfer periodically to State Archives.

9.

PERSONNEL FILES

Records of office employees including books, records, forms, cards, and correspondence.

Retain for five (5) years and until all audit requirements have been fulfilled, then destroy.

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10.	<u>ORDINANCES AND RESOLUTIONS, COUNTY AND MUNICIPAL</u> Records of ordinances and resolutions adopted by county and municipal governments. Retain permanently; transfer periodically to State Archives.	
11.	<u>MEDIATOR APPLICATIONS AND LISTS OF MEDIATORS</u> Retain until superseded, then destroy.	

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	<p style="text-align: center;"><u>Fiscal Records</u></p> <p style="text-align: center;"><u>Section II</u></p>	
1.	<p><u>GENERAL ACCOUNTING RECORDS</u></p> <ul style="list-style-type: none"> a) Certificate of Deposit and Bank Deposit Slips. b) Distribution of Charges. c) Memorandum of Adjustments. d) Monthly Report of State Funds Collected and Deposited. <p>Retain for three (3) years and until all audit requirements have been fulfilled, then destroy.</p>	
2.	<p><u>BUDGET AND FISCAL PLANNING RECORDS</u></p> <ul style="list-style-type: none"> a) Budget Estimates. b) Budget Schedule Amendment. c) Materials and Supplies Physical Inventory d) Report of Fixed Assets. e) Report of Materials and Supplies. f) Request for Position Action. g) Budget Papers and Work Sheets. <p>Retain for three (3) years and until all audit requirements have been fulfilled, then destroy.</p>	

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3.	<u>SPECIAL ACCOUNTING RECORDS</u> a) Reports of audits conducted by the Legislative Auditors. Retain for ten (10) years, then destroy. b) Reports of audits conducted by persons or agencies other than the Legislative Auditors. Retain for ten (10) years, then destroy. c) Books of Final Entry – General Ledgers Retain permanently; transfer periodically to State Archives.	
4.	<u>PAYROLL ACCOUNTING RECORDS</u> a) Employee Roster Card File. b) Payroll and Check Register. c) Payroll Exceptions Time Report. d) Payroll Transmittals. e) Miscellaneous Payroll Records. f) Time Sheets. g) Withholding Tax forms and Statements. (Local, State and Federal) Retain for three (3) years and until all audit requirements have been fulfilled, then destroy.	

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5.	<u>MISCELLANEOUS ACCOUNTING RECORDS</u> a) Bank Books, Statements, and Deposit Records. b) Canceled Checks, Check Copies and Check Stubs. c) Delivery Orders and Receipts. d) Gas Withdrawal tickets and Mileage Reports. e) Memorandum Receipt and Property Condemnation Reports. f) Paid Bills and Invoices. g) Paid bonds and Coupons. h) Periodic Financial Reports to Local/State Agencies. i) Receipt Copies and Stubs. j) Receiving Reports. k) Reconciliation and Trial Balance Sheets. l) Renewable Licenses. m) Requisition and Purchase Orders n) 1099 Forms. o) Fiscal Correspondence. Retain for three (3) years and until all audit requirements have been fulfilled, then destroy. 6.	
	<u>BUSINESS LICENSE RECORDS</u> License Ledgers or Registers listing licenses issued. Retain permanently; transfer periodically to State Archives. Other Business License records including applications for business licenses and supporting documentation, and copies of business licenses. Retain for three (3) years and until all audit requirements have been fulfilled, then destroy.	

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	<p align="center"> <u>Civil Records</u> (Includes Pre-1984 Equity/Chancery and Law Records) <u>Section III</u> </p>	
1.	<p> <u>ADOPTION DOCKETS, INDEXES, AND CASE FILES</u> Adoption dockets and case files are closed records, open to inspection only by order of the Court; indexes, if separate from the dockets, are not closed and are available for inspection. Retain permanently; transfer periodically to State Archives. </p>	
2.	<p> <u>CIVIL DOCKETS, CASE FILES AND INDEXES</u> Dockets, case files and indexes for all cases seeking civil relief. This section covers all civil cases initiated after July 1, 1984. (Effective July 1, 1984, "Equity" and "Law" were merged, by amendment to the Maryland Rules of Procedure, into "Civil". Some courts may have maintained separate Equity and Law records for some period of time after July 1, 1984. This item shall govern retention of case files for cases initiated after July 1, 1984.) Retain all dockets and indexes permanently; transfer periodically to State Archives. Retain permanently case files involving family issues, relating to land, requesting other equitable relief and any case type not listed in Exhibit 1; transfer periodically to State Archives. (See Exhibit 1 for a detailed listing, by case type descriptor and by the two-character UCS Case Management System case-type suffix.) Retain all other case files for twelve (12) years from closure of the most recent post judgment activity, then destroy. (See Exhibit 1 for a detailed listing, by case type descriptor and by two characters UCS Case Management System case-type suffix.) </p>	

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3.	<p><u>DIVORCE DECREE RECORD</u></p> <p>Record of final decrees of divorce, maintained pursuant to Maryland Code, Family Law Article, § 7-106.</p> <p>Retain permanently; transfer original records periodically to State Archives if converted for continued access in the Clerk's office to photographed, photocopied, microfilmed, electronically stored or other acceptable format that meets Hall of Records Commission requirements. (Under Family Law Article, § 7-106, the clerk must "keep the record readily accessible in some permanent form.")</p>	
4.	<p><u>EQUITY/CHANCERY DOCKETS, CASE FILES AND INDEXES</u></p> <p>Dockets, indexes, and case files actions in equity initiated prior to July 1, 1984. (Effective July 1, 1984, "Equity" and "Law" were merged, by amendment to the Maryland Rules of Procedure, into "Civil." Some courts may have maintained separate Equity and Law records for some period of time after July 1, 1984. See item 2, "Civil", of this section for provisions related to case files for cases initiated after July 1, 1984.)</p> <p>Retain permanently; transfer periodically to the State Archives, except that, pursuant to Maryland Rule 16-818d2 and 4, case files affecting title to real property must be retained permanently in the clerk's office in their original form or in a photographed, photocopied, microfilmed, electronically stored or other acceptable format that meets Hall of Records Commission requirements.</p>	

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5.	<u>EQUITY/CHANCERY RECORD</u> Recorded copies, in photographed, photocopied, microfilmed, electronic or other format approved by the Hall of Records Commission form, of case file records affecting title to real property. Prior to July 1, 1984, former Maryland Rule 1299 b required the clerk to "record the proceedings in every action where the title to real estate has been decided by judgment and where any land or tenement has been seized or sold under execution, together with return of such execution." Although this provision was not carried over into the revised rules adopted effective July 1, 1984, current Maryland Rule 16-818d2 (formerly Maryland Rule 1299(d)(2)) requires the clerk to retain permanently records affecting title to real estate, and subsection d4 provides that these records may be disposed of, if "the records have been photographed, photocopied or microfilmed in accordance with the Hall of Records Commission procedures and copies have been substituted therefore". Retain permanently; transfer periodically to the State Archives, except that, pursuant to Maryland Rule 16-818d2 and 4, case files affecting title to real property must be retained permanently in the clerk's office in their original form or in a photographed, photocopied, microfilmed, electronically stored or other acceptable format that meets Hall of Records Commission requirements.	
6.	<u>TERMINATION OF PARENTAL RIGHTS CASES AND GUARDIANSHIP</u> Dockets, indexes and case files in actions filed by other than Department of Social Services for Terminations of Parental Rights, for Guardianship with Right to Consent to Adoption, or for Guardianship with Right To Consent to Long-term Care Short of Adoption. (See the Juvenile Section of this schedule for cases filed by Department of Social Services.) Retain permanently; transfer periodically to State Archives.	

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7.	<u>JUDGMENTS, DECREES, AND LIENS OF JUDGMENT PAPERS, DOCKETS, AND INDEXES</u> Includes judgments entered from other Maryland Courts, Court of Appeals, Court of Special Appeals and United States District Courts. (For Foreign Judgments see item 2 of this section.) Retain dockets and indexes permanently; transfer periodically to State Archives. Retain case files and original papers for twelve (12) years after closure of most recent post judgment activity, then destroy.	
8.	<u>LAW DOCKETS, CASE FILES, AND INDEXES</u> Dockets, indexes and case files in actions in "Law" initiated prior to July 1, 1984. (Effective July 1, 1984, "Equity" and "Law" were merged, by amendment to the Maryland Rules of Procedure, into "Civil". Some courts may have maintained separate Equity and Law records for some period of time after July 1, 1984. See item 2, "Civil", of this section for provisions related to case files for cases initiated after July 1, 1984.) Retain dockets and indexes permanently; transfer periodically to State Archives. Retain permanently case files affecting title to real property, including condemnation, land acquisition, wrongful entry, trespass, executions in which land has been seized or sold, etc. Transfer periodically to State Archives. (See Exhibit 1 of this section for complete list of case-types to be retained permanently.) All other case files, retain for twelve (12) years from the closure of most recent post judgment activity, then destroy.	

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9.	<u>LIEN RECORDS/DOCKETS, INDEXES AND PAPERS</u> Includes Public Defender Liens, District Court Liens, Boat Liens, Factor Liens, Hospital Liens, Mechanics Liens, Federal and State Tax Liens, etc. Some offices "record" liens by making a copy of the original lien document, in either photographed, photocopied, microfilmed, electronic or other acceptable form meeting Hall of Records Commission requirements for viewing by the public in books, on film or other media. Other offices simply index the lien and file the original document. Retain lien records and indexes permanently; transfer periodically to State Archives. If lien documents are photographed, photocopied, microfilmed, electronically stored or converted to other acceptable format meeting Hall of Records Commission requirements, retain original lien documents for twelve (12) years from date of entry, then destroy.	
10.	<u>PATERNITY DOCKETS, CASE FILES, AND INDEXES</u> Dockets, case files and indexes of paternity proceedings and supporting papers. Retain permanently; transfer periodically to State Archives.	
11.	<u>STATE ROADS LAND ACQUISITION DOCKETS, CASE FILES AND INDEXES</u> Records of land acquired by the State Roads Commission. Retain permanently; transfer periodically to State Archives.	

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12.	<p><u>TRUST DOCKETS, CASE FILES AND INDEXES</u></p> <p>Records in Fiduciary Estates (Guardianships of Property, Receiverships, including claims dockets, trusts under the jurisdiction of the Court, etc.) of inventories, annual accountings, and related filings.</p> <p>Retain dockets and indexes permanently; transfer periodically to State Archives.</p> <p>Retain case files permanently; transfer periodically to State Archives when a minimum of twelve (12) years has passed since the termination of the fiduciary estate.</p>	

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EXHIBIT 1

**DETAILED LISTING OF CIVIL CASE TYPES BY BRIEF
DESCRIPTOR AND THE TWO-CHARACTER UCS CASE-TYPE CODE.**

A. CASE TYPES FOR 12-YEAR RETENTION

The two-character code preceding the description indicates the UCS Case Management System case-type suffix. Some two-character codes may be duplicated as one county may use the code for a different case type than another county.

AA	Administrative Agency Appeal
AE	Admin. Agency Appeal Ex Parte
AG	Attorney Grievance
AI	Arbitration
AN	District Court DeNovo Appeal
AO	Asbestos – Other CT 4
AP	Administrative Agency Appeal – Prison
AR	District Court Record Appeal
AS	Asbestos
AS	Asbestos – Non-Angelos
AW	Appeal – Worker’s Compensation
BC	Business/Commercial
BE	Asbestos – Beth Steel CT 2
BT	Business and Technology
CC	Contested Confessed Judgment
CF	Asbestos-Cluster File
CJ	Confessed Judgment
CN	Contract
CS	Consent Judgment
CX	Criminal Lien
CX	Child Support Lien
CX	Bureau of Support Enforcement

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	DN DeNovo Appeal DO Dept. of Labor Licensing and Regulation (DOLLAR) DX District Court Lien EM Employment EX Maryland Environmental Lien FD Foreign Decree FJ Foreign Judgment FP Foreign Deposition FS Friendly Suit FX Federal Tax Lien HC Habeas Corpus HX Hospital Lien IG Inmate Grievance IT Intentional Tort JT Jury Trial Prayed from District Court JX Juvenile Restitution KX Criminal Lien LC Liens LP Lead Paint LT Landlord/Tenant LX Maryland State Tax Lien MJ Monetary Judgment ML Mechanics Lien MM Medical Malpractice MT Motor Tort MX Medical Assistance Lien NG Negligence OB Other Civil Ex Parte OC Other Civil	

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	OJ Judgment from Other Court ON Other Law-DeNovo OO Other Non-Domestic OP District Court Appeal – Peace Order OS Out-of-State Subpoena OT Other Tort OV Other Civil OX Other Lien PD Product Liability PM Professional Malpractice PN Peace Order-DeNovo PX Comptroller Lien RA Record Appeal RJ Recorded Judgment RP Replevin RR Railroad – CSX RR Asbestos – Railroad CT3 RX Recognizance Lien SA Special Admission – Out-of-State Attorney SX Maryland State Tax Lien SY Asbestos – Shipyard CT5 TA Asbestos – Trade CT1 TB Asbestos – Tobacco CT6 TS Trustee TT Toxic Torts TV Title Vehicle TX County Treasurer Lien UX Federal Recognizance Lien WC Worker’s Compensation WD Wrongful Death YX City Treasurer Lien	

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B. CASES TYPES FOR PERMANENT RETENTION

This list is intended to include every family case-type and every case affecting title to real property, as well as other case-types. The two-character code preceding description indicates UCS Case Management System case-type suffix. Some two-character codes may be duplicated as one county may use the code for a different case type than another county.

AD	Adoption
AL	Alleged Disabled
AT or DN	Annulment
AV	District Court Appeal – Domestic Violence
CD	Condemnation
CM	Correction of Marriage Record
CT or CU	Child Custody
DA	Divorce – Absolute
DJ	Declaratory Judgment
DL	Divorce – Limited
DT	Declaratory Judgment – Equity
DV	Domestic Violence
EE	Emergency Evaluation
EJ	Complaint for Ejectment
ER	Other Equitable Relief
FC	Foreclosure
FF	Forfeiture
FR	Foreclosure of Right of Redemption

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GA	Guardianship/Adult
GB	Guardianship – Person & Property – Adult
GD	Guardianship Adult Property
GE	Guardian of the Person – Adult Disabled
GI	Guardianship Minor Property
GM	Guardianship – Minor
GM	Guardianship of the Property – Minor
GP	Guardianship/Property
GS	Guardianship
GT	Guardianship – Specific Transaction
IA	Involuntary Admission
IJ or IT	Injunction
LA	Land Acquisition
LN	State Roads – Land Acquisition
LS	Lis Pendens
MC or MS	Miscellaneous (Two Party)
MO	Miscellaneous (In the Matter of)
MR	Minor's Trust Account
NC	Name Change
OA	Orphans Court Appeal
OD	Other Domestic Relations
OE	Other Domestic Ex-Parte
OG	General Equity
OK	Orphans Court
OW	Out-of-State Withholding Order
PA	Paternity
PS	Specific Performance
PT	Civil Paternity
QT	Quiet Title
RD	Redemption
RO	Restraining Order
RP	Real Property

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	<div> <div>SC</div> <div>Support – Child</div> </div> <div> <div>SL</div> <div>Sale In Lieu of Partition</div> </div> <div> <div>SP</div> <div>Civil Non-Support</div> </div> <div> <div>SS</div> <div>Support – Spousal</div> </div> <div> <div>SU</div> <div>DSS Support</div> </div> <div> <div>TG</div> <div>Trust/Guardianship</div> </div> <div> <div>TM</div> <div>Trust/Guardianship – Minor</div> </div> <div> <div>TS</div> <div>Tax Sale</div> </div> <div> <div>UC</div> <div>Uniform Child Custody Juris</div> </div> <div> <div>UI</div> <div>Uniform Interstate Family Support Act</div> </div> <div> <div>UR</div> <div>URES/UFSA</div> </div> <div> <div>VI</div> <div>Visitation</div> </div> <div> <div>WR</div> <div>Writs of Garnishment/Execution</div> </div>	

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	<p align="center"><u>Criminal Records</u></p> <p align="center"><u>Section IV</u></p>	
1.	<p><u>CRIMINAL CASE FILES</u></p> <p>A. All cases, regardless of case type, in which all charges are disposed of by a disposition of stet or nolle prosequi.</p> <p>Retain for five (5) years from date of disposition, then destroy.</p> <p>B. All cases received from District Court as a result of an appeal or jury trial election.</p> <p>Retain for five (5) years from date of disposition, then destroy.</p> <p>C. Cases initiated by indictment or information.</p> <p>1) Indictment and information cases in which the total time to be served, before any suspension, modification, etc., is twenty (20) years or more, a life sentence or a death sentence. (Examples of sentences falling under this category: convicted of one (1) count and sentenced to twenty (20) years DOC, eight (8) years suspended, five (5) years probation upon release; convicted of two (2) counts and sentenced on first count to ten (10) years DOC and, on second count, to ten (10) years DOC and, second count, to ten (10) years DOC consecutive to first count for a total of twenty (20) years.)</p> <p>Retain permanently; transfer periodically to State Archives.</p> <p>2) All other indictment and information cases.</p> <p>Retain for twenty (20) years from date of disposition or closure of most recent post judgment activity, including petitions for post conviction relief, whichever is later, then destroy.</p>	

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2.

DOCKETS AND INDEXES

Docket entries by case numbers, indexed by names of parties showing all cases and disposition of charges.

Retain permanently; transfer periodically to State Archives.

3.

SEARCH WARRANTS, WIRE TAPS, SPECIAL INVESTIGATIONS

Sealed documents related to search warrants, wire tap orders, special investigations, etc., stored separately from criminal cases.

Retain twelve (12) years from filing, then destroy.

4.

POST CONVICTIONS

A. Post Conviction matters related to criminal cases disposed of in the Circuit Court.

Retain permanently cases where the total time to be served, before any suspension, modification, etc., is twenty (20) years or more, a life sentence or a death sentence; transfer periodically to State Archives. Retain other cases for twenty (20) years from date of disposition, then destroy.

B. Post Conviction matters filed in Circuit Court but related to criminal cases disposed of in the District Court. (These may be filed as a civil case or a criminal case, depending upon the practice of the particular court.)

Retain for five (5) years from date of disposition, then destroy.

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5.

EXPUNGED CRIMINAL RECORDS – Expunged records, including docket and case file, redacted information, etc., of criminal cases in which an order for expungement has been entered. (See Maryland Rule 4-512(f).)

A. Case files in multiple defendant cases. This category covers separate cases for two or more defendants, which have been consolidated for trial.

Retain for three (3) years from the date the expungement order was entered and until the prison terms, if any, of all co-defendants have been served; then destroy.

B. Cases in which, pursuant to Maryland Rule 4-203, multiple defendants were charged in one charging document. (Depending upon the court, various systems may exist for dealing with multiple defendants in one charging document. (e.g.: One case file may have been set up for all defendants; a separate case file for each defendant may have been created, with either individual case numbers or one case number with some type of prefix or suffix, such as: Defendant 1: Case 1047A; Defendant 2: Case 1047B; Defendant 3: Case 1047C; etc.)

Retain for three (3) years from the date the expungement order was entered and until the prison terms, if any, of all co-defendants have been served; then destroy.

C. All other expunged cases.

Retain for three (3) years from the date the expungement order was entered, then destroy.

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6.

MISCELLANEOUS CRIMINAL CASES

Criminal case files used for miscellaneous matters not included above, such as: requests for attendance of out-of-state witness; grand jury or other miscellaneous subpoena requests; etc.

Retain for five (5) years from initial filing, then destroy.

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	<p align="center"><u>Juvenile Records</u></p> <p align="center"><u>Section V</u></p>	
1.	<p><u>JUVENILE RECORDS</u></p> <p>Records of cases involving juveniles heard by a Juvenile Court or the Circuit Court sitting as a Juvenile Court. These records, files, dockets and indexes, are closed records and available for examination only by order of the court.</p> <p>A. Adoption and Termination of Parental Rights (TPR)</p> <p>Retain dockets, indexes, and files permanently; transfer periodically to State Archives.</p> <p>B. Child in Need of Assistance (CINA), Delinquency, Child in Need of Supervision (CINS) and Juvenile Peace Orders.</p> <p>Retain dockets and indexes permanently; transfer periodically to State Archives.</p> <p>Retain case files until child reaches the age of twenty-five (25), or for twelve (12) years after entry of money judgment, if any, whichever is later, then destroy.</p> <p>(Committee note: The Retention Schedule Committee recommends that any requests for writs of garnishment or writ of execution on a juvenile money be processed through civil. The Committee further recommends that a uniform policy to that effect be considered, due to the fact the Juvenile records are not open to the public, but money judgments in juvenile cases are public, and resulting garnishment and execution actions should be open to the public.)</p>	

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	<p>C. Adult Petitions</p> <p>Juvenile Petitions charging adults with contributing to the delinquency of a minor.</p> <p>Retain dockets and indexes permanently; transfer periodically to State Archives.</p> <p>Retain case files for five (5) years from date of disposition or closure of most recent post judgment activity, whichever is later, then destroy. (This provision is the same as for a minor criminal or traffic case.)</p>	

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	<p align="center"><u>Verbatim Proceedings</u></p> <p align="center"><u>Section VI</u></p>	
1.	<p><u>VERBATIM PROCEEDINGS OF THE COURT</u></p> <p>Records of courtroom and other proceedings before a judge or master, which reflect accurately the spoken word and nonverbal communication and action, and any accompanying notes, "recording logs," etc., recorded by an audiographer, reporter, videographer, courtroom clerk or other individual, through use of an electronic device, digital device, magnetic audio or video tape, steno mask equipment, stenotype machine, written symbols, or other medium.</p> <p>Retain according to the schedule for the particular case type to which the verbatim proceeding pertains. Before destroying any verbatim proceedings, offer to State Archives for evaluation after which material rejected by the State Archives may be destroyed. Transfer periodically to State Archives material required to be retained permanently.</p>	
2.	<p><u>TRANSCRIPTS OF PROCEEDINGS</u></p> <p>Original and/or copies of transcripts of courtroom and other proceedings, prepared on behalf of the judiciary by an audiographer, reporter, videographer or other individual, and either filed in the related case file or retained in the custody of judiciary staff.</p> <p>Retain according to the schedule for the particular case type to which the verbatim proceeding pertains.</p> <p>Transfer periodically to State Archives material required to be retained permanently.</p>	

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3.	<p><u>VERBATIM PROCEEDINGS BEFORE A GRAND JURY</u></p> <p>Records of proceedings before a grand jury, which reflect accurately the spoken word and nonverbal communication and action, and any accompanying notes, "recording logs," etc., recorded by an augiographer, reporter, videographer, clerk or other individual, through use of an electronic device, magnetic audio or video tape, steno mask equipment, stenotype machine, written symbols or other medium.</p> <p>Retain permanently; transfer periodically to State Archives.</p> <p>(Note: It is recommended that these materials be retained in the custody of the State's Attorneys. The above provision pertains only to those records retained by Judiciary staff.)</p>	

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	<p align="center"><u>Land Records</u></p> <p align="center"><u>Section VII</u></p>	
1.	<p><u>BLOCK BOOKS</u></p> <p>Supplementary record to Land Records, showing conveyances of Baltimore City property on a block-by-block basis. Under this system, every transfer of property within a block is entered under the number of the block and reference is given to the liber in which the transfer is recorded. The numbers of the blocks are shown on the Block Book Plats.</p> <p>Retain permanently; transfer periodically to State Archives.</p>	
2.	<p><u>LAND RECORDS</u></p> <p>Record copy of deeds, leases, assignments, mortgages, releases, rights-of-way, agreements, etc., in photographed, photocopied, microfilmed, electronic or other format approved by the Hall of Records Commission.</p> <p>Retain permanently; transfer periodically to State Archives.</p>	
3.	<p><u>LAND RECORDS INDEXES</u></p> <p>Automated and bound book indexes of land records.</p> <p>Retain permanently; transfer periodically to the State Archives.</p>	

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4.	<p><u>ORIGINAL LAND RECORDS INSTRUMENTS</u></p> <p>Original deeds, leases, assignments, mortgages, releases, rights-of-way, agreements, etc., not returned to or claimed by grantee or maker.</p> <p>Original instruments which have been photographed, photocopied, or microfilmed, electronically stored, or converted to other acceptable format approved by Hall of Records Commission may be returned to the makers at any time.</p> <p>Retain original Releases of Mortgages or Deeds of Trust filed on or before May 31, 2005, as permitted by Maryland Code, Real Property Article, § 3-105(b) (filing the original Mortgage or Deed of Trust with a release endorsed upon it), which <u>are not</u> photographed, photocopied, microfilmed, electronically stored, or converted to other acceptable format approved by Hall of Records Commission for twenty-five (25) years, then destroy. (See Chapter 271, Acts of 2005.)</p> <p>Retain all other original land record instruments, including Releases of Mortgages or Deeds of Trust filed as permitted by Maryland Code, Real Property Article, § 3-105(b), which <u>are</u> photographed, photocopied, microfilmed, electronically stored, or converted to other acceptable format approved by Hall of Records Commission, for three (3) years, then offer to State Archives for evaluation after which material rejected by the State Archives may be destroyed.</p>	
5.	<p><u>PLATS AND MAPS</u></p> <p>Records of location, area and ownership of lots, acreage, subdivisions, roads, rights-of-way, towns, etc., and related indexes.</p> <p>Retain permanently; transfer periodically to State Archives.</p>	

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6.	<u>HOMEOWNER'S ASSOCIATION DISCLOSURE</u> Documents filed pursuant to Real Property Article, §11B-113, Homeowners Association Depository, and related indexes. Retain permanently; transfer periodically to State Archives. If photographed, photocopied, microfilmed, electronically stored, or converted to other format approved by Hall of Records Commission, originals may be destroyed after three (3) years.	
7.	<u>REQUESTS FOR NOTICE OF SALE</u> Request, filed by lenders, to be notified of foreclosure proceedings. Retain indexes and records permanently; transfer periodically to State Archives. Retain original documents for three (3) years, then destroy.	

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	<p align="center"><u>Marriage Records</u></p> <p align="center"><u>Section VIII</u></p>	
1.	<p><u>CIVIL MARRIAGE RECORDS</u></p> <p>Records of marriages officiated by the Clerk of Court or other qualified court officer.</p> <p>Retain permanently; transfer periodically to State Archives.</p>	
2.	<p><u>FOREIGN MARRIAGE RECORDS</u></p> <p>Marriages contracted in foreign jurisdictions and recorded by the Clerk of the Circuit Court at the request of one or both of the parties.</p> <p>Retain permanently; transfer periodically to State Archives.</p>	
3.	<p><u>MARRIAGE APPLICATIONS AND LICENSE FILES</u></p> <p>A. The application is the basis for preparation of the license. After the marriage has been performed, one copy of the license, with the minister's entries thereon for recording on the original application and entry in the Marriage Record, is returned to the clerk. The authorized official retains a copy of the license, and a third copy with complete entries is forwarded to the Department of Health and Mental Hygiene, Division of Vital Records. The "copy of record" is the entry in the Marriage Record, Item 4.</p> <p>Retain permanently. Transfer original records periodically to State Archives if converted for continued access in the Clerk's office to photographed, photocopied, microfilmed, electronically stored, or converted to other acceptable form that meets Hall of Records Commission requirements.</p>	

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4.	<p>B. Applications for Marriage Licenses for which licenses were never issued or delivered to the parties.</p> <p>Retain for three (3) years and until all audit requirements have been fulfilled, then destroy.</p> <p><u>MARRIAGE LICENSE BOOKS AND INDEXES</u></p> <p>After return of the license, complete information from the return is entered into the Marriage License Book chronologically by serial number and by names of the parties in the index. This is the record copy of marriages from which all courts make certified copies as evidence of the marriage.</p> <p>Retain permanently; transfer periodically to State Archives.</p>	
5.	<p><u>PHYSICIANS' CERTIFICATES, CONSENTS AND WAIVERS</u></p> <p>Physicians' Certificates, parental/guardian consents and 48-hour waivers required for marriages of minors in cases of pregnancy, are deposited with the Clerk before issuance of the Marriage License and sealed, to be opened only by order of the Court.</p> <p>Retain permanently; transfer periodically to State Archives.</p>	

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	<p align="center"><u>Discontinued Records</u></p> <p align="center"><u>Section IX</u></p>	
1.	<p><u>BILLS OF SALE, CHATTEL RECORDS, CONDITIONAL CONTRACTS OF SALE, AND INDEXES</u></p> <p>Records pertaining to personal property, which preceded Financing Statements.</p> <p>Retain records prior to 1866, which may contain materials about slaves, permanently; transfer periodically to State Archives. Destroy later records.</p>	
2.	<p><u>CHARTER RECORDS, AGENCY RECORDS, CO-PARTNERSHIP RECORDS, CORPORATION RECORDS, INCORPORATION RECORDS, INDEXES, AND RELATED PAPERS.</u></p> <p>Records of companies chartered and licensed to operate in the county. Since July 1991, these records are maintained by Department of Assessments and Taxation.</p> <p>Retain record books and indexes permanently; transfer periodically to State Archives. Destroy original papers.</p>	
3.	<p><u>COURT MINUTE BOOKS</u></p> <p>Summaries of court proceedings. Since July 1991, series no longer created.</p> <p>Retain permanently; transfer periodically to State Archives.</p>	

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS RETENTION AND DISPOSAL SCHEDULE (Continuation Sheet)		Schedule No. 2330 Page 35 of 36
Agency JUDICIARY OF MARYLAND		Division/Unit CIRCUIT COURTS
Item No.	Description and Retention	
4.	<u>FINANCING STATEMENTS, INDEXES, AND RELATED PAPERS</u> Replaced Chattel Records, Bills of Sale, and Conditional Contracts of Sale in 1964. Since 1999, these records are maintained by Department of Assessments and Taxation. Retain indexes permanently; transfer periodically to State Archives. Retain records and papers for five (5) years and sixty (60) days, then destroy.	
5.	<u>MISCELLANEOUS DOCKETS</u> Court dockets, case files and indexes of court cases not listed in the Civil, Criminal, and Juvenile sections, and no longer being created. Retain permanently; transfer periodically to State Archives.	
6.	<u>NATURALIZATION RECORDS</u> Documentation of naturalization of aliens, including forms, miscellaneous papers, and record books. Courts have stopped handling naturalizations at various times since the early 20 th century. Retain permanently; transfer periodically to State Archives.	
7.	<u>PROFESSIONAL MEDICAL REGISTERS</u> Registers for listing licensed physicians and surgeons, medical examiners, midwives, chiropractors, osteopaths, etc. Retain permanently; transfer periodically to State Archives.	

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS RETENTION AND DISPOSAL SCHEDULE (Continuation Sheet)		Schedule No. 2330 Page 36 of 36
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8.	<u>MOTOR VEHICLES & NATURAL RESOURCES</u> Records of criminal and civil law violations of motor vehicle and natural resources laws and regulations, composed of case files, tickets, indexes and dockets. Retain dockets and indexes permanently; transfer periodically to State Archives.	
9.	<u>CRIMINAL/JUDGMENT RECORDS</u> Summaries of proceedings in criminal trials with judgments, fines, forfeitures, and liens, including post conviction and criminal acquittal case files. Retain permanently; transfer periodically to State Archives.	
10.	<u>JUVENILE PROBATION CASE FILES AND INDEXES</u> Record of juveniles placed on probation; this record is closed and available for examination only by order of the court. Retain indexes permanently; transfer periodically to State Archives. Retain case files for twelve (12) years after the last pertinent entry, then destroy.	
11.	<u>SUPPORT CASE FILES</u> Accounting records for support payments made for juveniles; these are closed records and available for examination only by order of the court. Retain for twelve (12) years after the case has been closed and until all audit requirements have been met, then destroy.	

EXHIBIT A

RECORDS IN ELECTRONIC FORMAT

RECORDS IN ELECTRONIC FORMAT

Increasingly records are being created and maintained in electronic form, a format with significant ramifications for retention and preservation, especially those materials identified as permanent.

Technology is being deployed in many areas of the Judiciary and the associated equipment and software have a finite life span. When the Judiciary as a whole makes a decision to deploy technology, it is known that at some point in time equipment, software, or record medium will either need to be upgraded or replaced to deal with obsolescence and data integrity. Whether implemented at the state level or in an individual clerk's office, each situation should be evaluated to ensure that the record retention objectives are being met and appropriately budgeted for.

In order to maintain accessibility and knowledge of the data it is important to retain up-to-date hardware and software documentation for each electronic records system that produces, uses, or stores files. The systems should provide a method for retrieval of documents, security to ensure their integrity, and maintenance in a universally accessible format.

Proprietary software should be avoided because it may not come with long term support, a situation that eventually can lead to loss of data. Lost data means loss of the record itself.

Secure back-up copies of electronic records are essential to prevent loss of data by human error, mechanical malfunction, or natural disaster. Ideally, these copies should be located at offsite. At JIS in Annapolis files are backed up nightly and throughout the week, as needed. Copies of the back-ups are taken offsite to a secure location. The ELROI system contains built-in redundancy with images residing on the on-site server, backed up over the network to a central location, and transferred to State Archives where the land records are maintained both on a secure server and on microfilm.

Several media may be used to store electronic records, including servers, mainframes, PCs, disks, tapes, CDs, and DVDs. Selection of a storage medium should take into account portability, capacity to run on equipment made by multiple manufacturers, ability to transfer data to and retrieve it from another medium, and flexibility of the software.

The transfer of permanent electronic records to the State Archives should occur periodically and regularly through a mutually agreeable medium. No one format can be declared the standard since data systems differ so widely and technologies change so rapidly. In some cases, transfers by CD will be acceptable. At other times, transfer by a network connection will function more smoothly. Frequent and regular transfers to the Archives will serve the additional purpose of providing backup through offsite storage.

EXHIBIT B

PROPOSAL AND CERTIFICATE OF RECORDS DESTRUCTION FORM DGS 550-9

		Department of General Services Records Management Division 7275 Waterloo Road (Rte. 175) P.O. Box 275 Jessup, Maryland 20794-0275	Forward three (3) copies to address at left.
Court			
County	Date		

PROPOSAL AND CERTIFICATE OF RECORDS DESTRUCTION

No.	Description of Records (Same Title as listed on Schedule)	Authorization		Inclusive Dates of Records Destroyed	Volume Cubic Feet	Date of Disposal	Method of Disposal
		Retention Schedule No.	Item No.				

Destruction Approved by Maryland State Archives

Destruction Certification

Date

State Archivist

_____ ☐ _____

Signature of Court Official

Title

Date

EXHIBIT C

PROPOSAL AND CERTIFICATE OF RECORDS DESTRUCTION INSTRUCTIONS

Completing the Proposal and Certificate of Records Destruction

Proposal and Certificate of Records Destruction DGS 550-9

Complete items 1-8 below before forwarding the proposal to the Maryland State Archivist for approval. The following steps are illustrated on Exhibit.

1. INSERT "Circuit Court" and the location of your court;
2. INSERT the name of your county and city;
3. LIST the date the form was prepared;
4. Leave the "No" space blank;
5. List the type of records you are requesting to destroy, Fiscal/Accounting, Administrative, Civil, Criminal, etc.
6. List the schedule and items found in the Retention and Disposal Schedule.
7. List the record year.
8. List the total number of boxes that your are requesting to destroy;

Items 9 – 15 will be completed once the records have been destroyed.

9. List the date the records were destroyed;
10. Describe the method that was used to dispose of the records: recycle, shred, landfill, incinerate, etc.;
11. Leave the "Date" blank;
12. Leave the "State Archivist" line blank;
13. Add the signature of the clerk of court, chief deputy, manager;
14. List the title of the manager or supervisor; and
15. List the date the form was completed.

1. Mail three (3) copies to the State Records Management Center, P.O. Box 275, 7275 Waterloo Road (Route 175), and Jessup, Maryland 20794.
2. The Records Management Division will forward the Proposal and Certificate of Records Destruction forms to the State Archivist for approval. If the records proposed for destruction are considered by the State Archivist to be of archival value, arrangements will be made for transfer to the Maryland State Archives.
3. If the State Archivist approves the destruction, two signed copies will be returned to the Court. Upon receipt, indicate the date and method of disposal in the proper columns, and have the Destruction Certification signed by a Court Official (to be a person of the rank of Records Manager, Section Supervisor or above). Retain one copy for your file, and forward the second copy to the Records Management Division at the above address. (District Courts must send one (1) copy to the Chief Clerk's Office.)
4. For your information –

One letter-size file drawer = 1.5 Cu. Ft. of Records
One legal-size file drawer = 2.0 Cu. Ft. of Records
One Records Center Box = 1.0 Cu. Ft. of Records

EXHIBIT D

PRELIMINARY INVENTORY WORKSHEET OF SERIES CONTENT

Preliminary Inventory Worksheet of Series Contents

Number:

Series:

[illegible]

EXHIBIT E

PRELIMINARY INVENTORY INSTRUCTIONS

INSTRUCTIONS FOR COMPLETING A PRELIMINARY INVENTORY WORKSHEET OF SERIES CONTENTS

A separate preliminary inventory worksheet should be prepared for each distinct record series (i.e. land records, wills, general correspondence). Once the worksheets have been completed, they should be forwarded to:

Doris A. Byrne, Director
Record Transfers and Space Management
Maryland State Archives
7465 Candlewood Road, Suites N-P
Hanover, MD 21076
Phone 410- 691-4376, Fax 410- 691-2054

Enter the initials of the individual preparing the preliminary inventory, the date on which this is being done, the agency/organization which created the records, and a descriptive series title identifying the type of records being inventoried (i.e. land records, general correspondence, press releases).

1. Circle "Box" or "Volume" as appropriate in the left-hand column, depending upon whether the basic series unit is a book or a box of papers.
2. Next enter a brief description of the contents of each box or volume.
3. Enter the dates covered by the contents of each box or volume.
4. DO NOT enter any information in the location column. Locations will be assigned by Archives staff prior to the transfer of records.
5. The Archives will solicit estimates from vendors familiar with transporting records. The transferring agency is responsible for all costs for delivery and shelving the records.

Confidential records will be marked restricted. Please provide the Annotated Code Section and procedures for access to these records.

If you have any questions, please contact Doris A. Byrne at (410) 691-4376.

NOTE: Records must be packed using one cubic foot record center boxes. State Use Industries supplies these boxes, call (410) 540-5400.

EXHIBIT F

PRE-TRANSFER RECORD CONDITION ASSESSMENT FORM

Maryland State Archives
PRE-TRANSFER RECORD CONDITION ASSESSMENT FORM

Agency Name, Address, and Phone:

Current Storage Conditions: (e.g. in boxes on floor, on shelves; offsite storage, etc.)

Has Storage area ever had problems with any of the following (circle all that apply)?

Flooding leaks fire mildew insects rodents other

If so, please explain the problem and how it was resolved:

Were the records damaged as a result: If so, please explain:

GENERAL CONDITIONS OF THE RECORDS (check any conditions that apply):

- | | |
|--|--|
| <input type="checkbox"/> surface dirt | <input type="checkbox"/> separate pages |
| <input type="checkbox"/> tearing | <input type="checkbox"/> brittle paper |
| <input type="checkbox"/> folds/creases | <input type="checkbox"/> lacy paper |
| <input type="checkbox"/> stains/discoloration | <input type="checkbox"/> tunnels in pages |
| <input type="checkbox"/> residues/accretions | <input type="checkbox"/> sawdust accumulation |
| <input type="checkbox"/> insect damage/remains | <input type="checkbox"/> broken/detached cover |
| <input type="checkbox"/> water damage/mildew | <input type="checkbox"/> odor |

ADDITIONAL COMMENTS:

EXHIBIT G

RECORDS TRANSFER PROCEDURES

RECORDS TRANSFER PROCEDURES

The Archives has four facilities for the storage of permanent records, the Hall of Records in Annapolis and adjunct warehouses in Glen Burnie, Linthicum and Hanover. Lack of space in the Annapolis facility means that most record transfers must be housed in the warehouses.

Preparing Records for Transfer

Boxes or volumes should be clearly identified with the information contained in the inventory worksheet. If preliminary inventories received are not in an acceptable format, the transferring agency will be liable for the cost incurred by Archives staff for conversion to an acceptable format.

The descriptions of records should be at the unit level, one record entry for each box or volume to be transferred. The description should be sufficient to facilitate retrieval of the materials: series title as designated by the records retention schedule, box or volume number, date of contents, and file numbers or general description of contents. All descriptions of materials shall be furnished before the records are transferred.

Bound volumes require no additional containerization for transfer to the Archives. Flat files must be boxed using one cubic foot capacity record center boxes available from State Use Industries (410) 540-5400. DO NOT OVER-FILL BOXES when packing. Materials received in containers not compatible with Archives shelving will not be accepted and will be returned to the transferring agency at its expense.

Arranging for the Transfer

The Archives will solicit estimates from vendors familiar with transporting records. The transferring agency is responsible for all costs for delivery and shelving of records.

For further information contact: Doris A. Byrne, Director, Record Transfers & Space Management (410) 691-4376, or dorisb@mdsa.net

EXHIBIT H

CORRECT BOX LABELING

CORRECT BOX LABELING

1. Box Number
Each box should be numbered sequentially, beginning with one or a continuation number from a pervious transfer.
2. Accession Number
State Archives will fill this in.
3. Total Boxes
This is the total number of boxes in the series of records.
4. Agency
Write "Circuit Court of County?" and the circuit number on this line.
5. Division
Indicate the location and division, department or section of the sending court: Criminal, Civil, Accounting, etc.
6. Inclusive Dates
These are the beginning and ending dates for the records in each box.
7. Record Title
List the type of record: Fiscal/Accounting, Administrative, Civil, Criminal, etc.
8. Last Blank Line
Use this line to detail, if necessary the contents of the box: beginning to ending case numbers, traffic docket sheets, accounting records, etc.

EXHIBIT I

DEFINITIONS

Accession Number: A unique number assigned sequentially to a set of records for purposes of identification and control within an archives or records center.

Administrative Records: Records generated by the routine budgetary, personnel, or other administrative operation of any office.

Archives:

1. A place where public, historical, or institutional records are systematically preserved.
2. Collected and preserved public, historical, or institutional papers and records.
3. Any systematic compilation of material, esp. writings, in physical or electronic form.

Archivist: A professional person trained to work in archives.

Audit: A meticulous examination of records to determine whether established procedures and policies were or are being followed.

Correspondence: Any form of or electronic written communication sent or received in the course of business, including letters, postcards, memoranda, notes, electronic mail, facsimiles, telegrams, or cables.

Court Record: Papers, dockets, books, files or other documentary materials in any form made or received in the Maryland Judiciary pursuant to law, statute, or rules of court, in connection with transactions of its business and the discharge of its responsibilities.

Custodian: The supervisor in the agency or locality having physical possession and control of records.

Destruction date: The date which marks the end of the legally-required retention period for temporary records and the date after which records should be destroyed unless they are involved with or relevant to audit, litigation, or continuing administrative action.

Electronic Records: "Electronic records" include numeric, graphic, and text information, which may be recorded, on any medium capable of being read by a computer and which satisfies the definition of record as defined in Exhibit A. This includes, but is not limited to magnetic media such as computer tapes, disks, optical disks, diskettes and other electronic storage devices and electronic filing systems containing minicomputers or mainframe computers, in network or stand-alone configurations.

Incinerate: to burn to ashes.

Medium: Physical form of the stored data, such as paper, photo, audio or video tape, optical disc, microfilm, motion picture or electronic on tape or discs.

Non-permanent Records: Those records which need to be retained for a specified period of time and which may be disposed of after approval from the Hall of Records Commission upon expiration of the retention period provided the Record Retention Schedule.

Original Record: The original, first, or prime copy of a record.

Public Record: The original or any copy of any documentary material that

- (i) is made by a unit or instrumentality of the State government or of a political subdivision or received by the unit or instrumentality in connection with the transaction of business; and
- (ii) is in any form, including:
 - 1. a card;
 - 2. a computerized record;
 - 3. correspondence;
 - 4. a drawing;
 - 5. film or microfilm;
 - 6. a form;
 - 7. a map;
 - 8. a photograph or photostat;
 - 9. a recording; or
 - 10. a tape.

Permanent Records: Those records which will be preserved for historical, legal, or administrative purposes, and may not be destroyed. Permanent records may, however, be disposed if they are replicated as required by State Government 10-642 and provided that prior approval has been received from the Hall of Records Commission.

Records Transfer: The physical relocation and transfer of control or custody of records to another entity.

Retention Period: The length of time a record is held before disposal or transfer action takes place. Unless otherwise specified, the retention period for a record is to be counted in the following manner. For Administrative and Fiscal Records, the retention period begins at the time the record is created. If more than one record is retained (e.g., within the same book or ledger), the retention period for all records is calculated from the creation of the latest record. For Case Records, the retention period begins upon the filing of the last pertinent docket entry.

Sealed Records: Records protected by a court order which cannot be accessed or unsealed without another court order.

Shredding: A means of destroying paper records by mechanical cutting.

State Archivist: The person appointed to oversee the state's archival program. The State Archivist's approval is required before any public records can be destroyed.

Transcript: A handwritten, printed, or typed copy of testimony given orally; especially, the official record of proceedings in a trial or hearing, as taken down by a court reporter.