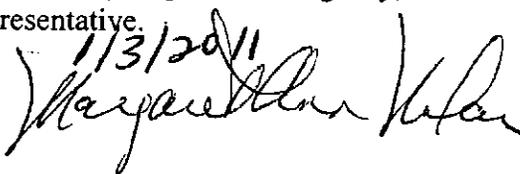


DEPARTMENT OF GENERAL SERVICES
 RECORDS MANAGEMENT DIVISION
RECORDS RETENTION AND DISPOSAL SCHEDULE

Schedule No. C1137
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Agency **HOWARD COUNTY GOVERNMENT** Division/Unit **OFFICE OF LAW**

Item No.	Description	Retention
1	<u>COLLECTION/FORFEITURE FILES (MOSTLY FINANCE)</u> – These files contain all paperwork related to collection efforts. A separate file is set up for each person or entity whose debt is judged significant enough for collection effort and contains copies of all correspondence and pleadings. A file is closed when a debt is satisfied or judged “uncollectible.”	Retain paper file for one (1) year after the collection process is complete, then destroy.
2	<u>FINANCIAL DISCLOSURE STATEMENTS</u> – The Ethics Commission is the official custodian of all Financial Disclosure Statements, but the Office of Law administers the provisions of the Howard County Public Ethics Law concerning the filing and retention of these Statements. Financial Disclosure files are opened for all candidates for public office and those County employees and Board or Commission members who are required by law to file a Financial Disclosure Statement. A file is closed when an individual leaves the office or the position which required filing of the Statement.	Retain closed files in Office of Law for four (4) years from the date of election, or from the termination of office, employment, or appointment of the person filing the Statement, whichever is later, then destroy.
3	<u>LOBBYING REGISTRATION AND REPORT FORMS</u> – The Ethics Commission is the official custodian of all Lobbyist Registration and Report Forms, but the Office of Law administers the provisions of the Howard County Public Ethics Law concerning the filing and retention of these forms. They are kept in loose leaf binders by year and arranged alphabetically within each annual binder.	Keep binder in Office of Law for three (3) years after the end of any given reporting year, then destroy.
4	<u>LEGAL OPINIONS AND ETHICS ADVISORY OPINIONS</u> – A file is opened for each request for an Opinion of the County Solicitor or of the Ethics Commission. Each file may contain relevant notes, research and correspondence as well as a copy of the Opinion issued. The Ethics Commission is the official custodian of the Ethics Advisory Opinions.	Stored electronically on Document Management System. Retain for fifteen (15) years, then destroy.

Schedule Approved by Department, Agency, or Division Representative.
 Date 1/3/2011
 Signature 
 Typed Name Margaret A. Weber
 Title

Schedule Approved by County Records Management Representative.
 Date 1/11/2011
 Signature 

Schedule Authorized by State Archivist
 Date 7 Feb 2011
 Signature 

DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
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Agency HOWARD COUNTY GOVERNMENT

Division/Unit Office of Law

Item No.	Description	Retention
5	<p><u>LITIGATION FILES</u> – These files contain closed or pending cases brought by or against the County. Each file contains court pleadings, briefs, notes, transcripts, correspondence, exhibits, and other material pertaining to the case. A file is closed when all appeals have been exhausted. Documents in this category may be subject to a “litigation hold” or a request to preserve documents and electronic data. All documents pertaining to Expert Witnesses will be scanned, saved electronically and then destroyed according to the retention schedule for litigation files.</p>	<p>Once closed, store off-site at Iron Mountain for one (1) year, then destroy. RECORD COPY IS RETAINED BY THE COURT.</p> <p>If a request to preserve documents and electronic data is issued, all documents, including electronically stored information, will be retained until the litigation hold is rescinded by the Office of Law then destroy.</p>
6	<p><u>STATUTORY NOTICES</u> – A file is opened for each statutory notice received which properly names Howard County. If and when suit is filed, the file is converted into a litigation file. With the exception of a statutory notice file in which the claimant is a juvenile, all statutory notice files are closed if they have not been converted into a litigation file within three years of the date of the incident. In the case of a file dealing with a juvenile, it is closed one year after the victim reaches the age of 19.</p>	<p>Once closed, store off-site at Iron Mountain for one year, then destroy.</p>
7	<p><u>INVESTIGATIVE FILES</u> – A file is opened in response to an incident which may result in a lawsuit, but for which we have not yet received statutory notice. An Investigative File may become a Statutory Notice file and then a Litigation File. If it does not, it is closed after three years of inactivity.</p>	<p>Once closed, evaluate file to determine if it should be retained because a victim or possible victim has not yet reached the age of 18 or because there may be victims who are not yet aware of their claim. If it is determined that the file should be retained, send off-site to Iron Mountain for storage. When a file no longer needs to be retained, destroy.</p>

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Division/Unit Office of Law

Item No.	Description	Retention
8	<u>DSS FILES</u> – A file is opened in response to a request by the Department of Social Services to file a petition on their behalf. A file is closed when the respondent reaches the age of 21, and the jurisdiction of the Department of Social Services ceases, or when the matter is terminated by the court.	Once closed, store on Document Management System until the respondent reaches the age of 24, then destroy. The paper file is destroyed after scanning.
9	<u>ADMINISTRATIVE APPEAL FILES</u> - A file is opened in response to an appeal of a decision of an administrative board. It is closed when all appeals have been exhausted.	Once closed, send to Iron Mountain for off-site storage, retain for three years, then destroy.
10	<u>MISCELLANEOUS WORKING FILES</u> – These files are opened to deal with issues, questions, or projects not fitting indexed categories. Such files are closed when the matter has been resolved or there has been no activity for one year. This category may include non-permanent records, with temporary value which may be disposed after the passage of a specified time. These may include personnel or office management records and timesheets, purchase orders, agency reference copies of laws, publications, and legislative audits, draft agendas and unofficial minutes of meetings, and other draft documents.	Once closed, review for historical value. Retain historical files permanently, transfer every three years to the State Archives. Retain others in the Office of Law for three years, then destroy.
11	<u>MISCELLANEOUS ELECTRONIC FILES</u> - These electronic files are opened to deal with issues, questions, or projects not fitting indexed categories and not part of a paper record. This category includes electronic communications which are non-permanent, such as document drafts, scheduling emails, carbon copy emails for informational purposes, list-serve emails, periodical subscriptions, office management emails, and global emails.	These electronic communications are retained as long as administratively needed, then destroy.

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Division/Unit Office of Law

Item No.	Description	Retention
12	<u>READING FILES</u> – These files contain copies of all written documents and correspondence initiated by the Office of Law during a given month.	Screen annually and destroy material that is no longer needed for current business with the following exception: Transfer to the Maryland State Archive for permanent retention any material that serves to document the origin, development and accomplishments of the Office and has continuing administrative, fiscal, legal or historical value.
13	<u>PUBLIC RECORDS ADVICE</u> : Advisory responses to requests for public information are maintained in a file in the Office of Law. The original requests are kept by the custodian requesting the advice.	Retain in a file in the Office of Law for three years after final decision on the request, then destroy.
14	<u>BUDGET RECORDS</u> – These files contain copies of annual budget submissions along with the corresponding backup paperwork.	Retain in the Office of Law for four years, then destroy.
15	<u>TELEPHONE RECORDS</u> – These records are the office “carbon copies” of telephone messages taken.	Retain in the Office of Law for two years, then destroy.
16	<u>GENERAL ACCOUNTING RECORDS</u> - These files are office copies of billing invoices, expense/travel/mileage reports, purchase requisitions, payment documents, expenditure and encumbrance records.	Send to Iron Mountain for off-site storage. Retain for three years, then destroy.

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Division/Unit OFFICE OF LAW

Item No.	Description	Retention
17	<u>ADULT PUBLIC GUARDIANSHIP FILES</u> – Office of Aging and Department of Social Services (DSS) – A file is opened when a petition is filed in the Circuit Court requesting that the Office of Aging or DSS be appointed Guardian of the disabled individual. A file is closed when the disabled individual dies.	Once guardianship is terminated, keep in the Office of Law for one year, then destroy.
18	<u>BANKRUPTCY</u> – These files contain all papers relating to bankruptcy cases in which the County has an interest. Papers include court notices, worksheets, proofs of claim and other filings.	Dismissed and/or discharged cases keep for one year and then destroy.
19	<u>ECONOMIC DEVELOPMENT AUTHORITY</u> – These files contain documents relating to incentives grants by EDA, including loan, grant and tax credit agreements. EDA maintains the original agreements. Office of Law maintains originals or copies.	All incentive agreement files shall be retained through the end of the term of the loan, grant or tax credit, and then closed. Send closed file off-site to Iron Mountain for storage, retain for three years, then destroy.
20	<u>HOWARD COUNTY CODE</u> – These binders/files contain the old pages of the Howard County Code as it is codified from time to time as a result of enacted legislation. The original version of the Howard County Code (2 volumes) and its supplements are for the periods 1977 – 1995. The second printing of the Code covered 1995 through 2008. The current Code covers 2009 to the present.	The discarded supplemental pages for the old versions are stored in the Document Management System. The Maryland State Archives has a copy of the Code and the Code Publisher provides supplements to the Archives directly. Each updated version of the Code is stored on the Document Management System. Retain permanently.

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Agency HOWARD COUNTY GOVERNMENT

Division/Unit OFFICE OF LAW

Item No.	Description	Retention
21	<u>HOUSING AND COMMUNITY DEVELOPMENT AND HOWARD COUNTY HOUSING COMMISSION</u> . These files contain documents relating to grants and loans issued by the County. Additionally, they contain Moderate Income Housing Unit Agreements required by the County. Housing and Community Development maintains the original agreements. Office of Law maintains duplicative originals or copies.	All files shall be retained through the end of the term of the loan, grant or agreement, and then closed. Send closed file off-site to Iron Mountain for storage, retain for three years, then destroy.