

SCHEDULE NO. 85

MUNICIPAL COURT RECORDS

General Description: Records pertaining to the administration and operations of the municipal court.

*No record may be destroyed under this Retention Schedule if it is pertinent to any current, pending or anticipated investigation, audit or legal proceeding. **The minimum retention periods specified in this schedule apply to the information contained within the record copy, regardless of the physical format of the record copy (paper, microfilm, electronic).** Each municipality must decide on the physical format for each type of record, ensuring authenticity, readability and accessibility for the entire retention period. **Duplicate Copies**: Retain duplicated copies until no longer needed but not longer than the record copy. <Amended 5/14>*

85.010 APPEAL RECORDS

Records related to municipal court decisions appealed to higher courts.

A. Appeal Decisions

Rulings of higher court's decision on appeals.

1. General Ordinance

Retention: 4 years

2. Traffic

Includes cases with or without outstanding judgment/warrant (OJ/W) liens.

Retention: 4 years

B. Appeal Transcripts

Transcripts of proceedings prepared for appeals of decisions to higher courts.

Retention: 30 days after all rights of appeal have expired, if not perfected, or 4 years upon decision rendered by higher court

85.020 BONDS AND SUPPORTING DOCUMENTATION – COURT

Bonds held for legal proceedings and supporting documentation; includes appeal bonds, cash bonds, personal recognizance bond, surety bonds, etc.

Retention: 4 years after final dispensation

85.030 CASE FILES

Records containing summonses and complaints issued for appearances in municipal court and supporting documentation such as subpoenas, citations, notices, letters, other court-issued instruments, forms, plea offers, payments plans, etc. Note: A case file is considered to be "closed" upon judgment or when all appeal rights have expired.

A. Animal Cases

Retention: 4 years after closed

B. Code Enforcement Cases and Other Municipal Ordinance Cases

Cases relating to enforcement of Code provisions relating to matters such as sales tax, abatements or fire, safety and building codes.

Retention: 4 years after closed

C. Misdemeanor Cases

Retention: 4 years after closed

D. Parking Cases

Retention: 2 years after closed

E. Traffic Cases

Cases with or without outstanding judgment/warrant (OJ/W) liens.

Retention: 4 years after closed

F. Voided Summonses

Retention: 2 years

85.040 DOCKET SHEETS

Rosters and listings of court cases to be heard and dates and times set for court appearances.

Retention: 2 years, *except* retain those older than 1920 permanently

85.050 EVIDENCE

Admitted evidence.

Retention: 30 days after all rights to appeal have expired, then as appropriate return to law enforcement agency or property owner or destroy

85.060 JURY RECORDS

Records relating to selection and oversight of jurors, rosters of persons selected to serve on juries, jury summonses and instructions regarding service on the jury.

Retention: 2 years after closed

85.070 PROBATION FILES

Probation terms and conditions, reports and supporting documentation kept by probation officer or department (separate from case file).

Retention: 2 years after closed

85.080 RECORDINGS OF COURT PROCEEDINGS

Audio or video recordings made of proceedings before the municipal court.

Retention: 6 months after judgment is entered, provided that all rights of appeal have expired

85.090 REGISTERS AND INDEXES

Alphabetical or numerical indexes or registers of municipal court cases and transactions.

A. Index or Register of Cases

Retention: 4 years

B. Index or Register of Deferred Sentences

Retention: 6 months after case closed, provided that rights of appeal have expired

C. Index or Register of Warrants

Retention: 6 months after case closed, provided that rights of appeal have expired

D. Registers – Monthly

Retention: 6 months after case closed

85.100 WARRANTS

A. Search Warrants

An official authorization issued by the court to enter and search a building or property.

Retention: 4 years from filing date and/or closed or recalled, unless placed in case file or introduced as exhibit

B. Warrants for Arrest or Detainment

Orders issued by the court for the arrest or detainment of an individual.

Retention: 2 years after closed or recalled

Cross References

- Agreements and contracts – 40.030, Agreements and Contracts
- Bank records for court-maintained accounts – 30.050, Bank Records
- Correspondence and general documentation – 40.100, Correspondence and General Documentation
- Fines and charges receipts – 30.020, Accounts Receivable (A/R) Records
- Fines and charges schedules – 30.090, Fees and Rates Schedules and Supporting Documentation
- Judges' records – Schedule 90, Personnel Records
- Policies and procedures – 40.220, Policies and Procedures Documentation
- Reports – 40.290, Reports
- Rules, regulations and standards – 40.310, Rules, Regulations and Standards