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RECORDS RETENTION: CAN YOU SEE WHAT'S IN MY DRAWERS?

MCAA 2026 Spring Meeting

Records Retention is the process of ensuring that Courts keep and store their records in a safe and secure manner for archival, data retrieval, reporting, record-keeping, and accounts receivables.

The **Retention of Records** serves two purposes:

- **Legal Documentation**
- **Disaster Recovery**



WHAT ARE RETENTION SCHEDULES?



Policies that specify the duration for which various records should be kept, based on their legal, historical, fiscal or informational value.



They are essential for ensuring compliance with regulations and for effective Records Management



They help Courts manage their Records Lifecycle, from creation to disposal, ensuring that Records are retained only as long as necessary.



Memoranda 1996-03 Summary Court Retention Schedules

DISPOSED COURT DOCKETS AKA DISPOSITIONS

- ▶ Criminal Docket/Dispositions – FOREVER
- ▶ Traffic Docket/Dispositions – FOREVER
- ▶ Information included:
 - ▶ Defendant's Name
 - ▶ Case Number (Warrant/Ticket Number)
 - ▶ Charge
 - ▶ Officer
 - ▶ Receipt Number
 - ▶ Money Collected/Refunded
 - ▶ Disposition/Sentence of the Case

DOCKET EXAMPLE

Case Number	Defendant	DOB	Arrest Paid	Agency/Officer	Charge	Violation Date	Charge Amt	Bond Type/Amt	Notes
0021091000001	Greenfield Police Department (Arrest, R. T.)		\$ 0.00	POLICE	0021091000001	11-05-2025		3 Cases Attached	
0021091000001	Event Comments:			Department / Violation	0021091000001	11-05-2025			3 Cases Attached
0021091000002	Walter, Maurice Dexter		\$ 0.00	POLICE	0021091000002	10-14-2025	\$ 400.00	PR / \$ 400.00	0021091000002
0021091000002	Event Comments:			Department / Violation	0021091000002	10-14-2025	\$ 400.00	PR / \$ 400.00	0021091000002
0021091000003	Wagner, William Jonathan		\$ 232.50	POLICE	0021091000003	10-18-2025	\$ 232.50	PR / \$ 232.50	0021091000003
0021091000003	Event Comments:			Department / Violation	0021091000003	10-18-2025	\$ 232.50	PR / \$ 232.50	0021091000003
0021091000004	Wagner, William Jonathan		\$ 232.50	POLICE	0021091000004	10-18-2025	\$ 232.50	PR / \$ 232.50	0021091000004
0021091000004	Event Comments:			Department / Violation	0021091000004	10-18-2025	\$ 232.50	PR / \$ 232.50	0021091000004
0021091000005	Wagner, Margaret Marie		\$ 0.00	POLICE	0021091000005	10-17-2025	\$ 0.00	PR / \$ 0.00	0021091000005
0021091000005	Event Comments:			Department / Violation	0021091000005	10-17-2025	\$ 0.00	PR / \$ 0.00	0021091000005
0021091000006	Wagner, Margaret Marie		\$ 0.00	POLICE	0021091000006	10-17-2025	\$ 0.00	PR / \$ 0.00	0021091000006
0021091000006	Event Comments:			Department / Violation	0021091000006	10-17-2025	\$ 0.00	PR / \$ 0.00	0021091000006

UNLAWFUL RETENTION OR RELEASE OF INFORMATION REGARDING PARTICIPATION IN AN INTERVENTION PROGRAM §17-22-170

Any Municipal, County or State Entity or any INDIVIDUAL who unlawfully retains or releases information on an Offender's participation in a Pretrial Intervention Program is guilty of a Misdemeanor and, upon conviction, must be punished by a Fine not exceeding \$2,000 or Imprisonment not to exceed one year.

- Criminal Cases: 15 Years
- DUI Cases: 10 Years
- Traffic Cases: 05 Years


CASE FILES & TICKETS

- ▶ Ticket(s)/Arrest Warrant(s)
- ▶ Checklist for Magistrate/Municipal Judges
- ▶ Commitment(s)
- ▶ Release(s)/Discharge(s)
- ▶ Farella Form
- ▶ DOJ Form (Title IV)
- ▶ Summonses
- ▶ Letters of Representation
- ▶ Motion to Reopen/Reconsider
- ▶ Jury Trial Requests (Defense Attorney/Pro Se)
- ▶ Ishmell Orders
- ▶ Notices of Correction
- ▶ Brady Motion/Motion for Discovery

BUT PAM, WHAT DOES THAT MEAN?



- ▶ DV Shelter Trespass Notice
- ▶ Inmate Plea Notification
- ▶ Return Mail/Envelope
- ▶ Warrant Recall Form
- ▶ Bench Warrant
- ▶ Scheduled Time Payment Agreement
- ▶ Application for Scheduled Time Payment
- ▶ Community Service Agreements
- ▶ PTI/AEP/Traffic Program Application



- ▶ Temporary Law Enforcement Commitment
- ▶ Incident Report
- ▶ Supplemental Report
- ▶ NCIC Criminal History
- ▶ Local Agency Rap Sheet

 **CAUTION** 



- ▶ Preliminary Hearings – 3 years, then destroy
- ▶ Bench Trial/Jury Trial – 60 days, then destroy



COURT RECORDINGS

Information includes Notice of Intention to Appeal, Case Name, Statement of Intent to Appeal, Date on which to Appeal, Defendant's Signature, Address and the Date

Keep 5 years after Final Judgement, the destroy


APEALS


Daniel Jones email dated July 3, 2024 – Retention of Search Warrant Records Pursuant to §17-13-141 (2014)

"That statute directs that the issuing judicial officer keep a 'a copy of the returned search warrant'" (emphasis added).

Keep for 3 years from the Date of Issuance of each Warrant, then destroy.

SEARCH WARRANTS

 Log includes Date, Name, Address, Type of Search Warrant. The Date of Return.


 Keep 5 years from Date of Return, then destroy


SEARCH WARRANT LOG

 Documents mailed for Jury Term including Name of County, Court Type, Court Term and Name of Juror.

Keep 3 years, then destroy.

JUROR SUMMONS COURT HEARING

 List of Persons called for Jury in Municipal Court

 Keep 3 years, then destroy

JURY VENIRE LIST

- ▶ Information includes Citation Number, Date and Time of Violation, Description of Violation, Driver's License Number, State, DOB, Name and Address, Registration Number, State, Description of Vehicle, Name of Court, Mailing Address, Authorized by.
- ▶ For the Ancient Pending Ones:
 - ▶ Keep Blue Copy until Fine is received, then provide to the Charged Individual
 - ▶ Keep Pink Copy 10 years after Fine is Received, then destroy.

NRVC

- ▶ Form used to transmit Tickets and/or DLs to the SCDPS.
- ▶ Includes Issuing Agency, Transmitted to, by Mail or In Person, Submitted by and Date, Received by and Date, List of Citations submitted, Total Number Submitted, Driver's Name, DL Number, Date DL Surrendered, Number of DLs attached, Court and Address of Court, Telephone Number, Date.
- ▶ Keep for 3 years, then destroy.

SC TRAFFIC TICKET & DL TRANSMITTAL FORM

FINANCIALS

- Receipts – 7 years, then destroy
- Month's End Disbursement – 7 years, then destroy
- Daily Deposit Packet – 7 years, then destroy
- Bonds to Fines Information – 3 years, then destroy

Expungement Orders (Municipal Court/General Sessions Court) and correlating Charging Documents are to be kept FOREVER.

EXPUNGEMENTS



TANGIBLE RECORDS DIGITAL RECORDS

STORING RECORDS

