

**RULE 26. Court Records Management and Retention.**

**(A) Applicability.** (1) This rule and Sup. R. 26.01 to 26.05 are intended to provide minimum standards for the maintenance, preservation, and destruction of records within the courts and to authorize alternative electronic methods and techniques. Implementation of this rule and Sup. R. 26.01 to 26.05 is a judicial, governmental function.

(2) This rule and Sup. R. 26.01 to 26.05 shall be interpreted to allow for technological advances that improve the efficiency of the courts and simplify the maintenance, preservation, and destruction of court records.

**(B) Definitions.** As used in this rule and Sup. R. 26.01 to 26.05:

(1) "Administrative record" means a record not related to cases of a court that documents the administrative, fiscal, personnel, or management functions of the court.

(2) "Case file" means the compendium of original documents filed in an action or proceeding in a court, including the pleadings, motions, orders, and judgments of the court on a case by case basis.

(3) "Index" means a reference record used to locate journal, docket, and case file records.

(4) "Journal" means a verbatim record of every order or judgment of a court.

(5) "OHS" means the Ohio Historical Society, State Archives Division.

(6) "Record" means any document, device, or item, regardless of physical form or characteristic, created or received by or coming under the jurisdiction of a court that serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the court.

**(C) Combined records.** Notwithstanding any other provision of the law, a court may combine indexes, dockets, journals, and case files provided that the combination contains the components of indexes, dockets, journals, and case files as defined in this rule and Sup. R. 26.01 to 26.05. A court may replace any paper bound books with an electronic medium or microfilm in accordance with this rule.

**(D) Allowable record media.** (1) A court may create, maintain, record, copy, or preserve a record on traditional paper media, electronic media, including text or digital images, or microfilm, including computer output to microfilm.

(2) A court may create, maintain, record, copy, or preserve a record using any nationally accepted records and information management process, including photography, microfilm, and electronic data processing, as an alternative to paper. The process may be used in

regard to the original or a copy of a record if the process produces an accurate record or copy and the process complies with American National Standards Institute ("ANSI") standards and guidelines or, in the event that ANSI standards cease to exist, other nationally accepted records and information management process standards.

(a) If a court creates, maintains, records, copies, or preserves a record using a records and information management process in accordance with division (D)(2) of this rule and the record is required to be retained in accordance with the schedules set forth in Sup. R. 26.01 to 26.05, the court shall cause a back-up copy of the record to be made at periodic and reasonable times to insure the security and continued availability of the information. If Sup. R. 26.01 to 26.05 require the record to be retained permanently, the back-up copy shall be stored in a different building than the record it secures.

(b) Records shall be maintained in conveniently accessible and secure facilities, and provisions shall be made for inspecting and copying any public records in accordance with applicable statutes and rules. Machines and equipment necessary to allow inspection and copying of public records, including public records that are created, maintained, recorded, copied, or preserved by an alternative records and information management process in accordance with division (D)(2) of this rule, shall be provided.

(c) In accordance with applicable law and purchasing requirements, a court may acquire equipment, computer software, and related supplies and services for records and information management processes authorized by division (D)(2) of this rule.

(d) Paper media may be destroyed after it is converted to other approved media in accordance with division (D) of this rule.

**(E) Destruction of records.** (1) Subject to the notification and transfer requirements of divisions (E)(2) and (3) of this rule, a record and any back-up copy of a record produced in accordance with division (D)(2) of this rule may be destroyed after the record and its back-up copy have been retained for the applicable retention period set forth in Sup. R. 26.01 to 26.05.

(2) If Sup. R. 26.01 to 26.05 set forth a retention period greater than ten years for a record, or if a record was created prior to 1960, the court shall notify the OHS in writing of the court's intention to destroy the record at least sixty days prior to the destruction of the record.

(3) After submitting a written notice in accordance with division (E)(2) of this rule, the court shall, upon request of the OHS, cause the record described in the notice to be transferred to the OHS, or to an institution or agency that meets the criteria of the OHS, in the media and format designated by the OHS.

**(F) Exhibits, depositions, and transcripts.** At the conclusion of litigation, including times for direct appeal, a court or custodian of exhibits, depositions, or transcripts may destroy exhibits, depositions, and transcripts if all of the following conditions are satisfied:

(1) The court notifies the party that tendered the exhibits, depositions, or transcripts in writing that the party may retrieve the exhibits, depositions, or transcripts within sixty days from the date of the written notification;

(2) The written notification required in division (F)(1) of this rule informs the party that tendered the exhibits, depositions, or transcripts that the exhibits, depositions, or transcripts will be destroyed if not retrieved within sixty days of the notification;

(3) The written notification required in division (F)(1) of this rule informs the party that tendered the exhibits, depositions, or transcripts of the location for retrieval of the exhibits, depositions, or transcripts;

(4) The party that tendered the exhibits, depositions, or transcripts does not retrieve the exhibits, depositions, or transcripts within sixty days from the date of the written notification required in division (F)(1) of this rule.

**(G) Local rules.** By local rule, a court may establish retention schedules for any records not listed in Sup. R. 26.01 to 26.05 and may extend, but not limit, the retention schedule for any record listed in Sup. R. 26.01 to 26.05. Any record that is not listed in Sup. R. 26.01 to 26.05 but is listed in a general retention schedule established pursuant to section 149.331 of the Revised Code may be retained for the period of time set by the general retention schedule and then destroyed.

**(H) Extension of retention period for individual case files.** A court may order the retention period for an individual case file extended beyond the period specified in Sup. R. 26.02 to 26.05 for the case file.

#### **Commentary (July 1, 2001 Amendments)**

The July 1, 2001 amendments to Sup. R. 26 removed the words "produce" and "production" from division (A) and the words "receive" and "receives" from division (D) for the purpose of restricting the scope of the rule to records management and retention. The word "advances" replaced the word "enhancements" in division (A)(2).

#### **Commentary (October 1, 1997)**

The Supreme Court's Task Force on Records Management recommended the substantive provisions of this rule and Sup. R. 26.01 to 26.05 after studying the records management procedures of Ohio courts for approximately eighteen months. This rule and Sup. R. 26.01 to 26.05 require courts to keep certain records and mandate minimum records retention schedules for administrative and case records of the courts. The rules also authorize the courts to maintain records in forms other than paper provided that when an alternative process is employed, it conforms to the standards established by the American National Standards Institute ("ANSI"). Courts are not required to use the alternative processes permitted by this rule.

To obtain information concerning ANSI standards, courts may contact the Ohio Historical Society, State Archives Division, 1982 Velma Avenue, Columbus, Ohio 43211-2497, (614) 297-2581.

**RULE 26.01. Retention Schedule for the Administrative Records of the Courts.**

The following retention schedule shall apply for the administrative records of the courts:

(A) **Administrative journal.** Administrative journals that consist of court entries, or a record of court entries, regarding policies and issues not related to cases shall be retained permanently.

(B) **Annual reports.** Two copies of each annual report shall be retained permanently.

(C) **Bank records.** Bank transaction records, whether paper or electronic, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

(D) **Cash books.** Cash books, including expense and receipt ledgers, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

(E) **Communication records.** Communication records, including routine telephone messages on any medium where official action will be recorded elsewhere, may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the records.

(F) **Correspondence and general office records.** Correspondence and general office records, including all sent and received correspondence, in any medium, may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the records.

(G) **Drafts and informal notes.** Drafts and informal notes consisting of transitory information used to prepare the official record in any other form may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the drafts and informal notes.

(H) **Employment applications for posted positions.** Employment applications for posted or advertised positions shall be retained for two years.

(I) **Employee benefit and leave records.** Employee benefit and leave records, including court office copies of life and medical insurance records, shall be retained by the appropriate fiscal officer for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

(J) **Employee history and discipline records.** Records concerning the hiring, promotion, evaluation, attendance, medical issues, discipline, termination, and retirement of court employees shall be retained for ten years after termination of employment.

**(K) Fiscal records.** Fiscal records, including copies of transactional budgeting and purchasing documents maintained by another office or agency, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

**(L) Grant records.** Records of grants made or received by a court shall be retained for three years after expiration of the grant.

**(M) Payroll records.** Payroll records of personnel time and copies of payroll records maintained by another office or agency shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

**(N) Publications received.** Publications received by a court may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the publications.

**(O) Receipt records.** Receipt and balancing records shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

**(P) Requests for proposals, bids, and resulting contracts.** Requests for proposals, bids received in response to a request for proposal, and contracts resulting from a request for proposal shall be retained for three years after the expiration of the contract that is awarded pursuant to the request for proposal.

**RULE 26.02. Courts of Appeals--Records Retention Schedule.**

**(A) Definition of docket.** As used in this rule, “docket” means the record where the clerk of the court of appeals enters all of the information historically included in the appearance docket, the trial docket, the journal, and the execution docket.

**(B) Required records.**

(1) The court of appeals shall maintain an index, docket, journal, and case files in accordance with Sup. R. 26(B) and divisions (A) and (C) of this rule.

(2) Upon the filing of any paper or electronic entry permitted by the court of appeals, a stamp or entry shall be placed on the paper or electronic entry to indicate the day, month, and year of filing.

**(C) Content of docket.** The docket of the court of appeals shall be programmed to allow retrieval of orders and judgments of the court in a chronological as well as a case specific manner. Entries in the docket shall be made as events occur, shall index directly and in reverse the names of all parties to cases in the court of appeals, and shall include:

(1) Names and addresses of all parties in full;

(2) Names, addresses, and Supreme Court attorney registration numbers of all counsel;

(3) The issuance of documents for service upon a party and the return of service or lack of return;

(4) A brief description of all records and orders filed in the proceeding, the date and time filed, and a cross reference to other records as appropriate;

(5) A schedule of court proceedings for the court of appeals and its officers to use for case management purposes;

(6) All actions taken by the court of appeals to enforce orders or judgments.

**(D) Retention schedule for the index, docket, and journal.** The index, docket, and journal of the court of appeals shall be retained permanently.

**(E) Retention schedule for case files.**

1) Court of appeals case files shall be retained for two years after the final order of the court, except for files of death penalty cases, which shall be retained permanently in their original form.

(2) Judge, magistrate, and clerk notes, drafts, and research prepared for the purpose of compiling a report, opinion, or other document or memorandum may be kept separate from the case file, retained in the case file, or destroyed at the discretion of the preparer.

**RULE 26.03. General, Domestic Relations, and Juvenile Divisions of the Courts of Common Pleas--Records Retention Schedule.**

**(A) Definitions.**

(1) As used in divisions (A) to (D) of this rule, “division” means the general, domestic relations, or juvenile division of the court of common pleas or any combination of the general, domestic relations, or juvenile divisions of the court of common pleas.

(2) As used in this rule, “docket” means the record where the clerk of the division enters all of the information historically included in the appearance docket, the trial docket, the journal, and the execution docket.

**(B) Required records.**

(1) Each division shall maintain an index, docket, journal, and case files in accordance with Sup. R. 26(B) and divisions (A) and (C) of this rule.

(2) Upon the filing of any paper or electronic entry permitted by the division, a stamp or entry shall be placed on the paper or electronic entry to indicate the day, month, and year of filing.

**(C) Content of docket.** The docket of a division shall be programmed to allow retrieval of orders and judgments of the division in a chronological as well as a case specific manner. Entries in the docket shall be made as events occur, shall index directly and in reverse the names of all parties to cases in the division, and shall include:

(1) Names and addresses of all parties in full;

(2) Names, addresses, and Supreme Court attorney registration numbers of all counsel;

(3) The issuance of documents for service upon a party and the return of service or lack of return;

(4) A brief description of all records and orders filed in the proceeding, the time and date filed, and a cross reference to other records as appropriate;

(5) A schedule of court proceedings for the division and its officers to use for case management;

(6) All actions taken by the division to enforce orders or judgments; and



(7) Any information necessary to document the activity of the clerk of the division regarding the case.

**(D) Retention schedule for the index, docket, and journal.** The index, docket, and journal of a division shall be retained permanently.

**(E) Judge, magistrate, and clerk notes, drafts, and research.** Judge, magistrate, and clerk notes, drafts, and research prepared for the purpose of compiling a report, opinion, or other document or memorandum may be kept separate from the case file, retained in the case file, or destroyed at the discretion of the preparer.

**(F) Retention schedule for case files--general division of the court of common pleas.**

(1) **Death penalty cases.** Death penalty case files shall be retained permanently.

(2) **Real estate.** Case files of matters that resulted in a final judgment determining title or interest in real estate shall be retained permanently.

(3) **Search warrant records.** Search warrant records shall be indexed and the warrants and returns retained in their original form for five years after the date of service or last service attempt.

(4) **Voluntary dismissals.** Case files of matters that are voluntarily dismissed shall be retained for three years after the date of the dismissal.

(5) **Other case files.** Any case file not listed in division (F) of this rule shall be retained for twelve years after the final order of the general division. Documents within a case file admissible as evidence of a prior conviction in a criminal proceeding shall be retained for fifty years after the final order of the general division.

**(G) Retention schedule for case files--domestic relations division of the court of common pleas.**

(1) **Certified mail receipts in uncontested cases and post-decree motions.** In new cases and cases involving post-decree motions where personal jurisdiction is established by certified mail receipt and the defendant/respondent fails to answer, enter an appearance, or otherwise defend, the certified mail receipt shall be retained for thirty years after the date of issuance and may be retained in a separate file from the case file.

(2) **Divorce or dissolution: Minor children.** Case files of divorce and dissolution that involve minor children shall be retained for twenty-five years after the date of the final order of the domestic relations division.

**(3) Divorce or dissolution: No children.** Case files of divorce and dissolution not involving minor children shall be retained for twelve years after the final order of the domestic relations division.

**(4) Domestic violence petitions.** Case files of petitions for domestic violence protection orders shall be retained for one year after the expiration of any resulting protection order. If the parties to a petition for a domestic violence protection order are also parties to a divorce, the case file of the petition shall be retained for one year after the expiration of any resulting protection order or until the parties are divorced, whichever is later. In case files of petitions for domestic violence protection orders in which no protection order is issued, the case file shall be retained for one year from the date the petition was filed. If post-decree motions have been filed, the case file shall be retained for one year after the adjudication of the post-decree motion or the date specified for case files of petitions for domestic violence protection orders in division (G)(4) of this rule, whichever is later.

**(5) Legal separation.** Case files of legal separation shall be retained until the parties are divorced or for two years after the spousal support terminates, whichever is later, unless otherwise ordered by the court. If post-decree motions have been filed, the case file shall be retained for two years after the adjudication of the post-decree motion or the date specified for case files in division (G)(5) of this rule, whichever is later.

**(6) Real estate.** Case files of matters that resulted in a final judgment determining title or interest in real estate shall be retained permanently.

**(7) Registration or adoption of foreign decree.** Case files of registrations or adoptions of foreign decrees shall be retained for two years after the emancipation of all of the parties' minor children. If post-decree motions have been filed, records shall be retained for two years after the adjudication of the post-decree motion or the date specified for case files in division (G)(7) of this rule, whichever is later.

**(8) Uniform Reciprocal Enforcement of Support Act ("URESAs") filings.** Case files involving URESA filings shall be retained for nineteen years after the final order of the domestic relations division or for one year after transfer of the case to another jurisdiction.

**(H) Retention schedule for case files--juvenile division of the court of common pleas.**

**(1) Delinquency and adult records.** Delinquency and adult records shall be retained for two years after the final order of the juvenile division or one year after the issuance of an audit report by the Auditor of State, whichever is later. Documents admissible as evidence of a prior conviction in a criminal proceeding shall be retained for fifty years after the final order of the juvenile division.

**(2) Juvenile by-pass records.** Juvenile by-pass records shall be maintained in two separate and secure files. The first file shall contain the first page of the form complaint and

other relevant documents and the second file shall contain the second page of the form complaint bearing the signature of the complainant. Each file shall be retained for two years after the final order of the juvenile division or, if an appeal is sought, for two years after the filing of the appeal.

**(3) Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency, and URESA records.** Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency, and URESA records shall be retained for two years after the child who is the subject of the case obtains the age of majority. If post-decree motions have been filed, records shall be retained for one year after the adjudication of the post-decree motion or the date specified for case files in division (H)(3) of this rule, whichever is later.

**(4) Search warrant records.** Search warrant records shall be indexed and the warrants and returns retained in their original form for five years after the date of service or last service attempt.

**(5) Traffic, unruly, and marriage consent records.** Unruly and marriage consent records shall be retained for two years after the final order of the juvenile division or one year after the issuance of an audit report by the Auditor of State, whichever is later. Minor misdemeanor traffic records shall be retained for five years after the final order of the juvenile division. Misdemeanor traffic records shall be retained for twenty-five years after the final order of the juvenile division. All other traffic records shall be retained for fifty years after the final order of the juvenile division.

**RULE 26.04. Probate Divisions of the Courts of Common Pleas--Records Retention Schedule.**

**(A) Definitions.** As used in this rule:

(1) "Docket" means a reference record that provides the dates and a summary of all hearings, pleadings, filings, orders, and other matters that are essential to an action, proceeding, or other matter in the probate division.

(2) "Probate record" means a record that pertains to the duties of the probate division including, but not limited to, adoptions, marriage licenses, name changes, birth records, orders of civil commitment, the resolution of civil actions, and the appointment and supervision of fiduciaries.

(3) "Record of documents" means a collection of single or several page documents in which each document represents the probate division's action in a single incident of the same duty of the probate division, such as the issuance of marriage licenses.

**(B) Closed probate record or case file.** For purposes of this rule, a probate record or case file of an estate, trust, or other fiduciary relationship shall be considered closed when a final accounting has been filed and, if required by law at the time of the filing, the account has been approved and settled. All other probate records and case files shall be considered closed when the probate division orders the matter closed or there is a final disposition of the action or proceeding for which the probate record or case file is kept.

**(C) Required records.**

**(1) Dockets.**

(a) The probate division shall maintain all of the following dockets:

(i) An administration docket showing the name of the deceased;

(ii) A guardian's docket showing the name of each ward and, if the ward is a minor, the ward's age and name of the ward's parents and any limited powers or limited duration of powers;

(iii) A civil docket in which the names of the parties to actions and proceedings shall be noted;

(iv) A testamentary trust docket showing the names of the testator and trustee or trustees;

(v) A change of name docket showing the name of the petitioner and the present and proposed names of the person whose name is to be changed;

(vi) A birth registration and correction docket showing the name of the person whose birth certificate is being registered or corrected;

(vii) A civil commitment docket showing the name of the prospective patient;

(viii) A separate adoption docket, in accordance with section 3107.17 of the Revised Code, showing the name of the child as it would exist after finalization of the adoption and the name or names of the adoptive parent or parents;

(ix) A paternity docket showing the birth name of the child who is the subject of the petition, the name of the father, the name of the mother, and the name of the child after adjudication;

(x) A miscellaneous docket showing the names of parties or petitioners and the nature of the action or proceeding. The miscellaneous docket shall be limited to actions within the probate division's jurisdiction that are not kept in one of the other dockets described in division (C)(1) of this rule. If the number of filings warrants, a miscellaneous docket may be subdivided or grouped into sections containing files or records of similar content.

(b) All dockets of the probate division shall contain the dates of filing or occurrence and a brief description of any bond and surety, letter of authority, and each filing, order, or record of proceeding related to the case or action, with a reference to the file or record where the bond and surety, letter of authority, filing, order, or record of proceeding is to be found, and such other information as the court considers necessary.

**(2) Records of documents.**

(a) The probate division shall maintain both of the following records of documents:

(i) A record of wills, if wills are not copied and permanently retained as part of an estate case file under division (D)(2) of this rule, in which the wills proved in the court shall be recorded with a certificate of the probate of the will, and wills proved elsewhere with the certificate of probate, authenticated copies of which have been admitted to record by the court;

(ii) A marriage record, in which shall be entered licenses, the names of the parties to whom the license is issued, the names of the persons applying for a license, a brief statement of the facts sworn to by the persons applying for a license, and the returns of the person solemnizing the marriage.

(b) Records of documents of the probate division shall contain documents, applications or affidavits, either original or copies, and information pertaining to those documents, as found in division (C)(2)(a) of this rule or as considered necessary by the court.

**(3) Journal.** The probate division shall maintain a journal for orders, entries, or judgments pertaining to the business and administration of the division, and other miscellaneous orders, entries, or judgments which the court may consider necessary to journalize, including all of the following:

(a) Orders of appointment and oaths of office pursuant to section 2101.11 of the Revised Code of court personnel and other nonfiduciary appointees;

(b) Orders of reference to magistrates;

(c) Changes of the local rules of the probate division;

(d) Orders changing the hours for the opening and closing of the probate court.

**(4) Indexes.** The probate division shall maintain an index for each docket, record of documents, and journal described in division (C) of this rule. Each index shall be kept current with names or captions of proceedings in alphabetical order and references to a docket, record or documents, journal, or case file where information pertaining to those names or proceedings may be found.

(5) Upon the filing of any paper or electronic entry permitted by the probate division, a stamp or entry shall be placed on the paper or electronic entry to indicate the day, month, and year of filing.

**(D) Destruction and preservation of probate records.**

(1) The vouchers, proof, or other evidence filed with the probate division in support of the expenditures or distribution slated in an account, after review and reconciliation with the accounting and notation of reconciliation in the record or file, may be returned to the fiduciary or retained in accordance with divisions (D)(2) and (E) of this rule.

(2) All records, vouchers, inventories, accounts, pleadings, applications, petitions, records of adoptions, marriages, and mental health commitments, wills, trusts, journals, indexes, dockets, records or documents related to estate or inheritance taxes, and other papers and filings of the probate division, may be preserved using any nationally accepted records and information management process in accordance with Sup. R. 26(D).

(3) In the probate division's discretion, any nonessential note, notice, letter, form, or other paper, document, or memorandum in a case file that is not essential to providing a record of the case and the judgment of the probate division may be destroyed prior to, or after, the case is closed. For purposes of division (D)(3) of this rule, evidence of service of notice of the initial complaint, petition, or application that establishes the probate division's jurisdiction is essential to providing a record of a probate case.

(4) Judge, magistrate, investigator, and clerk notes, drafts, and research prepared for the purpose of compiling a report, opinion, or other document or memorandum may be kept separate from the case file, retained in the case file, or destroyed at the discretion of the preparer.

**(E) Case file and probate record retention schedule.**

(1) **Adoption records.** Adoption records shall be retained permanently.

(2) **Birth and death registrations.** Birth and death registrations dated prior to 1908 shall be retained permanently.

(3) **Civil commitment records.** Civil commitment records shall be retained for three years after the case is closed.

(4) **Dockets, records of documents, journals and indexes.** Dockets, records of documents, journals, and indexes shall be retained permanently.

(5) **Evidence filed in support of expenditures or distributions.** Vouchers, proof, or other evidence filed in support of expenditures or distributions stated in an account shall be retained for three years after the date of filing.

(6) **Marriage license records.** Marriage license records shall be retained permanently.

(7) **Trust accountings.** Trust accountings shall be retained for twelve years after the date the accounting was approved.

(8) **All other records.** All other records shall be retained for twelve years after the date the case, cause, proceeding, or matter is closed or completed.

**(F) Temporary estate tax orders.** Divisions (D) and (E) of this rule do not apply to records of estates in which temporary estate tax orders are pending.

**RULE 26.05. Municipal and County Courts--Records Retention Schedule.**

(A) **Definition of docket.** As used in this rule, "docket" means the record where the clerk of the municipal or county court enters all of the information historically included in the appearance docket, the trial docket, the journal, and the execution docket.

(B) **Required records.** (1) Municipal and county courts shall maintain an index, docket, journal, and case files in accordance with Sup. R. 26(B) and divisions (A) and (C) of this rule.

(2) Upon the filing of any paper or electronic entry permitted by the municipal or county court, a stamp or entry shall be placed on the paper or electronic entry to indicate the day, month, and year of filing.

(C) **Content of docket.** (1) The docket shall be programmed to allow retrieval of orders or judgments of the municipal or county court in a chronological as well as a case specific manner. Entries in the docket shall be made as events occur, shall index directly and in reverse the names of all parties to cases in the municipal or county court and shall include all of the following:

(a) Names and addresses of all parties in full;

(b) Names, addresses, and Supreme Court attorney registration numbers of all counsel;

(c) The issuance of documents for service upon a party and the return of service or lack of return;

(d) A brief description of all records and orders filed in the proceeding, the date filed, and a cross reference to other records as appropriate;

(e) A schedule of court proceedings for the municipal or county court and its officers to use for case management;

(f) All actions taken by the municipal or county court to enforce orders or judgments.

(2) "Financial record" means a record that is related to the imposition of fines, costs, and other fees in cases and controversies heard in the municipal and county courts.

(D) **Retention schedule for financial records.**

(1) **Auditor reports.** Auditor of State reports shall be retained permanently.



(2) **Monetary records.** Monetary records shall be retained for three years after the issuance of an audit report by the Auditor of State.

(3) **Rental escrow account records.** Rental escrow account records shall be retained for five years after the last date of deposit with the municipal or county court.

(4) **Yearly reports.** Yearly reports shall be retained permanently.

(E) **Retention schedule for the index, docket, and journal.** The index, docket, and journal shall be retained for twenty-five years.

(F) **Judge, magistrate, and clerk notes, drafts, and research.** Judge, magistrate, and clerk notes, drafts, and research prepared for the purpose of compiling a report, opinion, or other document or memorandum may be kept separate from the case file, retained in the case file, or destroyed at the discretion of the preparer.

(G) **Retention schedule for case files.**

(1) **Civil case files.** Civil case files shall be retained for two years after the issuance of an audit report by the Auditor of State.

(2) **DUI case files.** Driving under the influence of alcohol or drug ("DUI") case files shall be retained for fifty years after the date of the final order of the municipal or county court.

(3) **First through fourth degree misdemeanor traffic and criminal case files.** Except for DUI case files, first through fourth degree misdemeanor traffic files shall be retained for twenty-five years and criminal case files shall be retained for fifty years after the date of the final order of the municipal or county court or one year after the issuance of an audit report by the Auditor of State, whichever is later.

(4) **Minor misdemeanor traffic and minor misdemeanor criminal case files.** Minor misdemeanor traffic and minor misdemeanor criminal case files shall be retained for five years after the final order of the municipal or county court or one year after the issuance of an audit report by the Auditor of State, whichever is later.

(5) **Parking ticket records.** Parking ticket records shall be retained until the ticket is paid and the Auditor of State issues an audit report.

(6) **Real estate.** Case files of matters that resulted in a final judgment determining title or interest in real estate shall be retained permanently.

(7) **Search warrant records.** Search warrant records shall be indexed and the warrants and returns retained in their original form for five years after the date of service or last service attempt.