

RULE 11.31. General, Domestic Relations, and Juvenile Divisions Retention Schedule.

(A) Retention schedule for the index, docket, and journal

The index, docket, and journal of a division shall be retained permanently.

(B) Recordings of proceedings

Recordings of proceedings shall be retained for five years after the final judgment in the case, except for cases where the death penalty is imposed, which shall be retained permanently.

(C) Judge, magistrate, and clerk drafts, notes, and research

Judge, magistrate, and clerk drafts, notes, and research may be destroyed as soon as they are considered to be of no value by the person holding them.

(D) Retention schedule for court of common pleas — general jurisdiction case files

(1) Death penalty cases

Case files where the death penalty is imposed 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 and interception warrant records

Search and interception warrant records shall be indexed. Search warrants, returns, and the corresponding index shall be retained for five years after the date of service or last service attempt. Interception warrants, returns, and the corresponding index shall be retained for ten 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) Civil stalking protection order petitions

(a) Case files of petitions for civil stalking protection orders shall be retained for one year after the expiration of any resulting protection order.

(2) Delinquency, unruly, and marriage consent case files

Delinquency, unruly, and marriage consent case files shall be retained for three years after the final judgment.

(3) Juvenile by-pass case files

Juvenile by-pass case files shall be maintained in two separate and secure files. The first file shall contain the first page of the complaint and other relevant documents and the second file shall contain the second page of the complaint bearing the signature of the complainant. Each file shall be retained for two years after the final judgment of the juvenile division or court of appeals, whichever is later.

(4) Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency, and Uniform Interstate Family Support Act case files

Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency, and Uniform Interstate Family Support Act case files shall be retained for two years after the child who is the subject of the case reaches the age of majority. Cases that involve children whose parents have a duty to support a child beyond the age of majority shall be retained for five years after the support obligation is terminated.

(5) Search and interception warrant records

Search and interception warrant records shall be indexed. Search warrants, returns, and the corresponding index shall be retained for five years after the date of service or last service attempt. Interception warrants, returns, and the corresponding index shall be retained for ten years after the date of service or last service attempt.

(6) Traffic case files

Unclassified and minor misdemeanor traffic case files shall be retained for five years after the final judgment. All other traffic case files shall be retained until the minor child reaches the age of twenty-three.

(7) Juvenile civil protection order petitions

(a) Case files of petitions for juvenile civil protection orders shall be retained for one year after the expiration of any resulting protection order.

(b) Case files of petitions for juvenile civil protection orders in which no protection order was issued shall be retained for one year after the date the petition was filed.

- (c) Case files of petitions for juvenile civil protection orders in which post-decree motions have been filed shall be retained for one year after the adjudication of the post-decree motion.

Commentary (April 1, 2025 Amendments)

Drafts, notes, and research

Drafts, notes, and research created by judicial officers and staff are not “case documents” subject to public access, even when stored in the case file. But to avoid inadvertent disclosure in response to public access requests; drafts, notes, and research stored in the case file should be segregated in a clearly marked subfile.

Commentary (July 1, 2026)

Rule 26.03 was renumbered to Rule 11.31 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 1, 1997

Amended: October 1, 1997; September 23, 2004; March 23, 2005; April 1, 2025