



**ARIZONA STATE
LIBRARY, ARCHIVES AND PUBLIC RECORDS**
A DIVISION OF THE ARIZONA SECRETARY OF STATE



**General Records Retention Schedule Issued to:
All Public Bodies
Legal Records**

**Schedule Number:
GS-1030 Rev. 1**

- Authority:** Pursuant to ARS §41-151.12(3), only the Arizona State Library, Archives and Public Records has the authority to set retention periods, including the sole authority to modify, extend or decrease records retention periods. The retention periods listed herein are the required time records must be retained. Records should be promptly and orderly disposed of at the end of their retention period. Keeping records longer than the retention period poses financial, legal, audit and investigative risks to the Agency. These risks need to be considered by State and Local Agencies when there is a compelling need to retain records for a longer period of time than the approved retention period. Records required for ongoing or foreseeable official proceedings such as audits, investigations or lawsuits, must be retained until released from such official proceedings, notwithstanding the instructions of this schedule.
- Archival Value:** Records designated as Permanent on the retention schedule must not be destroyed (ARS §39-101). If it is believed that special circumstances warrant other records to be retained permanently, contact the Arizona State Archives for assistance in determining historical or archival value. All records created prior to 1912 must be retained permanently. This retention schedule does not authorize the transfer of records to any repository other than the Arizona State Archives (ARS §41-151.09).
- Disposition:** This schedule is used in conjunction with the *Certificate of Records Destruction*. All records disposed under this schedule must be reported on the *Certificate of Records Destruction*, unless transferred to the Arizona State Archives.
- Format:** Retention periods listed on this schedule apply to all records regardless of physical form or characteristics. Records, regardless of format (including electronic, paper, microfilm, etc.) not listed in this schedule or on the approved General Retention Schedule, are not authorized to be destroyed.
- Copies:** Additional copies created for convenience or reference purposes should not be retained longer than the record copy listed in this schedule. Copies do not need to be reported on the *Certificate of Records Destruction* when they are disposed.
- Supersedence:** **This schedule supersedes Schedules: GS-1051 - Attorney, Municipal, dated 9/13/2018; GS-1056 - County Attorney, dated 10/16/2018; GS-1066 - Public Defender, dated 9/13/2018.**

Records Analyst, Secretary of State: Richard Carroll	State Records Management Officer, Arizona State Archives & Records Management Center: Dennis Preisler, Ph.D.
<i>Records Series Electronically Approved in RSM Database</i>	<i>Records Series Electronically Approved in RSM Database</i>
Deputy Director of Archives: Laura Palma-Blandford	
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RECORDS MANAGEMENT CENTER

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Revised: 9/23/2019

**Custom Records Retention Schedule Issued to:
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Legal Records**

Schedule Number: GS-1030, Rev.1

Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53107	All Public Bodies	Civil Records: Civil Asset Forfeiture Cases: Concluded by Settlement Agreement Judgement or Verdict	5 Years	After date of final judgment.		4/30/2019
53108	All Public Bodies	Civil Records: Civil Asset Forfeiture Cases: Submitted and Turned Down With No Expectation of Prosecution	3 Years	After date turned down.		5/1/2019
53073	All Public Bodies	Civil Records: Long Term Reference Matter Records Including but not limited to: records related to environmental litigation and remediation.	99 Years	After final disposition of case. Review at time of disposition to determine if further retention is warranted.	42 U.S. Code 9607; ARS 49-285(A).	7/2/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53077	All Public Bodies	<p>Civil Records: Routine Matter Records: Legal Advice Records</p> <p>Including but not limited to: administrative hearings bankruptcy bid disputes bond forfeitures chronological files commitment cases condemnation correspondence employment law enforcement actions fair housing forcible detainers garnishments general litigation interpleader investigations liability defense Self-Insured Retention (SIR) licensing privilege license tax orders to show cause research tort public fiduciary reference and example records revenue and collection records tax appeal tax condemnation and zoning waivers of conflicts of interest.</p>	5 Years	After advice given or when administrative value has been served whichever is later.		7/2/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53078	All Public Bodies	<p>Civil Records: Routine Matter Records: Litigation Records</p> <p>Including but not limited to: administrative hearings bankruptcy bid disputes bond forfeitures chronological files condemnation employment law enforcement actions fair housing forcible detainers garnishments general litigation interpleader investigations liability defense Self-Insured Retention (SIR) licensing privilege license tax orders to show cause tort public fiduciary reference and example records revenue and collection records tax appeal tax condemnation and zoning.</p>	5 Years	After final disposition of case.		7/2/2019
53079	All Public Bodies	<p>Civil Records: Short Term Reference Matter Records</p> <p>Including but not limited to: AHCCCS eligibility bond approval foreclosure cases escheats judgments and school district boundary change records.</p>	3 Years	After final disposition of the matter or case.		7/2/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53398	All Public Bodies	Criminal Prosecution Records: Bad Check Records: Case Records: General Includes cases with and without complaint and criminal complaint records (work copies).	1 Year	After final disposition of case or after notification of death of the defendant whichever comes first.		5/3/2019
53083	All Public Bodies	Criminal Prosecution Records: Bad Check Records: Case Records: Restitution Accounting Records and Reports	3 Years	After final restitution payment is made but not less than 3 years from final disposition of associated case.		5/1/2019
53081	All Public Bodies	Criminal Prosecution Records: Bad Check Records: Case Records: With Complaint	1 Year	After final disposition of case.		4/30/2019
53082	All Public Bodies	Criminal Prosecution Records: Bad Check Records: Case Records: Without Complaint	1 Year	After final disposition of case and final restitution is paid or after notification of death whichever comes first.		4/30/2019
53166	All Public Bodies	Criminal Prosecution Records: Cases Not Filed	-	Follow the relevant Criminal Prosecution Records retention for these records.		9/12/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53084	All Public Bodies	Criminal Prosecution Records: Cases with Death Penalty Verdict / Sentence Including defendant on death row; defendant executed; defendant dies of natural causes prior to execution; and defendant is re-sentenced to life lesser term or overturned.	100 Years	Then review for historical status. If historically significant consult with Archives to determine final disposition.		7/2/2019
53085	All Public Bodies	Criminal Prosecution Records: Completed Cases: Class 1 Felonies	35 Years	After the date the case is closed/end of the sentence imposed or after notification of death of the defendant whichever comes first.		5/1/2019
53086	All Public Bodies	Criminal Prosecution Records: Completed Cases: Class 2-6 Felonies	10 Years	After the date the case is closed/end of the sentence imposed or after notification of death of the defendant whichever comes first.	Federal Rules of Evidence 404(b)	5/1/2019
53087	All Public Bodies	Criminal Prosecution Records: Completed Cases: Domestic Violence Driving Under the Influence Misdemeanors	1 Year	After the date the case is closed/end of the sentence imposed.		5/1/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53088	All Public Bodies	Criminal Prosecution Records: Completed Cases: Homicides	100 Years	Then review for historical status. If historically significant consult with Archives to determine final disposition.	ARS 13-1101	7/2/2019
53089	All Public Bodies	Criminal Prosecution Records: Completed Cases: Misdemeanor and Petty Offenses	1 Year	Date the case is closed/end of the sentence imposed or after notification of death of the defendant whichever comes first.		5/3/2019
53090	All Public Bodies	Criminal Prosecution Records: Completed Cases: Sex Crime Felonies Including but not limited to sexually violent persons cases.	35 Years	After the date the case is closed/ end of the sentence imposed or after notification of death of the defendant whichever comes first.		5/9/2019
53091	All Public Bodies	Criminal Prosecution Records: Dismissals With Prejudice and Acquittals: Class 1 Felonies	10 Years	After order of dismissal.		5/1/2019
53092	All Public Bodies	Criminal Prosecution Records: Dismissals With Prejudice and Acquittals: Class 2-6 Felonies Excepting Homicides and Sex Crimes.	7 Years	After order of dismissal.		5/1/2019

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53093	All Public Bodies	Criminal Prosecution Records: Dismissals With Prejudice and Acquittals: Diversion Dismissals	-	Retain per the statute of limitations for the offense or after notification of death of the defendant whichever comes first.		7/3/2019
53094	All Public Bodies	Criminal Prosecution Records: Dismissals With Prejudice and Acquittals: Misdemeanor and Petty Offenses	1 year	After order of dismissal.		4/30/2019
53095	All Public Bodies	Criminal Prosecution Records: Dismissals With Prejudice and Acquittals: Sex Crime Felonies	35 Years	After the date the case is closed/end of the sentence imposed or after notification of death of the defendant whichever comes first.	Federal Rules of Evidence 404(c)	4/30/2019
53096	All Public Bodies	Criminal Prosecution Records: Dismissals Without Prejudice Dismissals With Plea and No True Bills: Class 1 Felonies	-	Equal to the statute of limitations for the offense.		5/2/2019
53097	All Public Bodies	Criminal Prosecution Records: Dismissals Without Prejudice Dismissals With Plea and No True Bills: Class 2-3 Felonies	7 Years	After order of dismissal.		5/1/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53098	All Public Bodies	Criminal Prosecution Records: Dismissals Without Prejudice Dismissals With Plea and No True Bills: Class 4-6 Felonies	7 Years	After order of dismissal.		7/3/2019
53100	All Public Bodies	Criminal Prosecution Records: Dismissals Without Prejudice Dismissals With Plea and No True Bills: Sex Crime Offenses	35 Years	After the date the case is closed/end of the sentence imposed or after notification of death of the defendant whichever comes first.		5/1/2019
53099	All Public Bodies	Criminal Prosecution Records: Dismissals Without Prejudice No True Bills: Misdemeanors and Petty Offenses	1 Year	After order of dismissal.	ARS 13-107(G)	5/1/2019
53101	All Public Bodies	Criminal Prosecution Records: Electronic Interception Records Rejected by Court for Lack of Probable Cause	7 Years	After date of court ruling.		5/2/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53102	All Public Bodies	General Records: All Historically Significant or Landmark Case Files	Permanent	Retain per Arizona Standards for Permanent Records or transfer to State Archives when administrative value has been served. Final determination of historically significant status and permanent retention is at the discretion of the State Archives.		5/3/2019
53103	All Public Bodies	General Records: Appellate Cases to State Supreme Court State Court of Appeals or 9th Circuit Court of Appeals - Brief Bank Including trial motions and memorandums with useful legal research.	10 Years	Or until administrative value has been served.		8/26/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53104	All Public Bodies	General Records: Arrest Records	-	Retain in office 2 years after calendar year of arrest and then return original documents to police department or approved records management center for further retention according to the Law Enforcement Records schedule.		5/1/2019
53109	All Public Bodies	General Records: Evidence Destruction	-	Retain until notice received from prosecuting agency of the final disposition of all related cases.		5/9/2019
53110	All Public Bodies	General Records: Extraditions: Contested	5 Years	After final disposition of case.		7/3/2019
53111	All Public Bodies	General Records: Extraditions: Uncontested	1 Year	After final disposition of case.		7/3/2019
53112	All Public Bodies	General Records: Formal Legal Opinions	10 Years	From the date of the issuance of the opinion.		5/3/2019

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53113	All Public Bodies	General Records: Investigations Including non-custodial police report reviews and intelligence files of continuing value (non-temporary).	5 Years	After decision made to decline forward or prosecute.		5/3/2019
53115	All Public Bodies	General Records: Mental Competency Non-restorable	10 Years	From the last day of court ordered treatment or denial of petition.		8/15/2019
53116	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: All Other Cases Including client sign-in sheets and trust fund records.	4 Years	From the date the case is closed/end of the sentence imposed.		5/3/2019
53117	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: All Other Felonies Including client sign-in sheets and trust fund records.	10 Years	After final disposition of case or discharged from probation whichever is later; or after notification of death.		5/3/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53118	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: Appeals Excepting death penalty homicide or lifetime probation. Including client sign-in sheets and trust fund records.	5 Years	After appellate decision or 2 years after sentence completed or discharged from probation whichever is later; or after notification of death whichever comes first.		5/3/2019
53119	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: Bench Warrants Including client sign-in sheets and trust fund records.	-	After date of administrative order dismissing warrant or after notification of death whichever comes first.		5/3/2019
53120	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: Death Penalty Homicides and Lifetime Probation Including client sign-in sheets and trust fund records.	-	After notification of death.		5/1/2019
53122	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: Dismissals: Class 2-6 Felony Including client sign-in sheets and trust fund records.	7 Years	After dismissal order issued.		5/1/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53123	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: Dismissals: Misdemeanor Including client sign-in sheets and trust fund records.	1 Year	After dismissal order issued.		5/1/2019
53124	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: Dismissals: Petty Offenses Including client sign-in sheets and trust fund records.	6 Months	After dismissal order issued.		5/1/2019
53125	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: Involuntary Committal Records Including client sign-in sheets and trust fund records.	5 Years	After final disposition of case or after notification of death whichever comes first.		5/1/2019
53126	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: Misdemeanors: All Others Including client sign-in sheets and trust fund records.	2 Years	After final disposition of case or discharged from probation whichever is later; or after notification of death.		5/1/2019

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Record Series Number	Government Body	Record Series Title	Retention Period	Retention Remark	Legal Citation(s)	Approval Date
53127	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: Misdemeanors: DUI Including client sign-in sheets and trust fund records.	7 Years	After final disposition of case or discharged from probation whichever is later; or after notification of death.		5/1/2019
53128	All Public Bodies	General Records: Post-Conviction Relief (PCR) Records: Sex Crime Cases Including client sign-in sheets and trust fund records.	35 Years	After final disposition of case or after notification of death whichever comes first.		5/2/2019
53129	All Public Bodies	Juvenile Case Records: Adoption Records: Attorney Files Including work papers.	7 Years	After calendar year of final disposition of case.	ARS 8-120	7/2/2019

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53130	All Public Bodies	Juvenile Case Records: Adoption Records: Other Records This record series includes material other than attorney files that are not filed in or in the possession of a court.	99 Years	After calendar year of final disposition of case.	ARS 8-120	7/2/2019
53167	All Public Bodies	Juvenile Case Records: Cases Not Filed	60 Days	From date submitted. After 60 days return submittal documents to originating law enforcement agency.		5/1/2019
53131	All Public Bodies	Juvenile Case Records: Child Support Records	4 Years	After youngest child's 18th birthday court order of dismissal court closing or settlement whichever comes first.		5/13/2019
53132	All Public Bodies	Juvenile Case Records: Juvenile Civil Case Records Including appeals and dependency / severance cases.	7 Years	After the youngest minor involved reaches the age of majority.		7/22/2019

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53134	All Public Bodies	Juvenile Case Records: Juvenile Delinquency Work Records: DUI Including petition / disposition for prosecuted cases.	-	When juvenile reaches 25 years of age or after notification of death of juvenile whichever comes first.		7/2/2019
53135	All Public Bodies	Juvenile Case Records: Juvenile Delinquency Work Records: Felonies / ARS §13-501 Offenses Including petition / disposition for prosecuted cases.	-	When juvenile reaches 30 years of age after rights restored or after notification of death of juvenile whichever comes first.	ARS 13-501	5/9/2019
53133	All Public Bodies	Juvenile Case Records: Juvenile Delinquency Work Records: Misdemeanors and Citations Including petition / disposition for prosecuted cases.	1 Year	After final disposition of case or after notification of death of juvenile whichever comes first.		5/9/2019
53136	All Public Bodies	Juvenile Case Records: Litigation and Claim Records involving Minor Children	20 Years	After date of birth of minor child.		5/13/2019
53137	All Public Bodies	Juvenile Case Records: Traffic Work Records	-	After juvenile reaches 19 years of age.		8/15/2019

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53138	All Public Bodies	Mental Health Case Records: Mental Health Case Files	5 Years	After last court ordered treatment.		5/3/2019
53139	All Public Bodies	Victim / Witness Records: Intake Sheets	2 Years	After calendar year created or received.		5/3/2019
53140	All Public Bodies	Victim / Witness Records: Post-Conviction Notifications	2 Years	After created or received.		5/1/2019
53141	All Public Bodies	Victim / Witness Records: Property Case Records	-	After final disposition of case.		5/1/2019
53142	All Public Bodies	Victim / Witness Records: Victim Compensation Program Records: Approved Including applications and board decisions.	25 Years	After application is approved.		5/1/2019
53143	All Public Bodies	Victim / Witness Records: Victim Compensation Program Records: Denied or Incomplete Including applications and board decisions.	3 Years	After denied or after date of receipt of non-processed claims.		5/1/2019

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53145	All Public Bodies	Victim / Witness Records: Victim Services Field Case and Witness Records: Class 1 Felonies	25 Years	After final disposition of case.		5/1/2019
53144	All Public Bodies	Victim / Witness Records: Victim Services Field Case and Witness Records: Other Offenses (Non Class 1 Felonies) Includes juvenile victim/witness records.	5 Years	After final disposition of case.		5/1/2019
53146	All Public Bodies	Victim / Witness Records: Witness Client Records: All Others	5 Years	After final disposition of case.		5/1/2019
53147	All Public Bodies	Victim / Witness Records: Witness Client Records: First Degree Homicides	15 Years	After final disposition of case.		5/1/2019
53396	All Public Bodies	Victim / Witness Records: Miscellaneous Records Including intake sheets post-conviction notifications and property case records.	-	Follow the relevant Criminal Prosecution Records retention for these records.		5/13/2019
53397	All Public Bodies	Victim / Witness Records: Victim Services Field Case Records- Juvenile Delinquency Proceedings Not specifically addressed.	-	Follow the relevant Juvenile Case Records retention for Juvenile felony and misdemeanor delinquency proceedings.		5/9/2019