

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 3: Superior Court
Chapter 4: Administration
Section 3-402: Superior Court Records Retention and Disposition Schedule
(new text shown in underline, deletions shown in ~~striketthrough~~)

A. Definitions. In this section the following definitions apply:

“Case data” means the electronic information about a case, but not images of documents, maintained by the clerk or the court, generally found in a case management system, and often posted to the web or the court’s website.

“Case file” means all documents and other material filed with the clerk of the court in an action or proceeding, either in paper or electronic format, and includes items such as CDs, DVDs, or other material requiring the use of a computer to read, as well as oversized items that do not fit within a typical paper case file or that exceed the size permitted to be filed through the e-filing system, depositions and transcripts. *Case file* includes case management system data but does not include illustrative aids or exhibits submitted for use at a hearing or a trial.

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B. and C. [No change]

D. Retention and Disposition Schedule. The clerk of superior court or the records manager shall retain and dispose of superior court records according to the following schedule:

Record Series 1. through 21. [No change]

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Retention Period on Arizona Supreme Court and Local Court Public Websites	Remarks

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
22.	WARRANTS AND SUBPOENAS THAT ARE NOT PART OF A CASE FILE, such as pen register, search warrant, trap and trace, handwriting exemplar, and nursing subpoena	1 year following the date served or issued, whichever is later	N/A	<u>Pre-charge warrants issued under A.R.S. § 13-3897(A) are addressed separately in record series 23.</u> Confidential wiretap warrants and subpoenas are addressed separately in record series 23 <u>24</u> , since these warrants and subpoenas can involve lengthy periods of investigation and require a longer period of retention.
<u>23.</u>	<u>PRE-CHARGE WARRANTS ISSUED UNDER A.R.S. § 13-3897(A) THAT ARE NOT PART OF A CASE FILE</u>	<u>1 year from date of issuance</u>		
23 <u>24.</u>	CONFIDENTIAL WIRETAP WARRANTS AND SUBPOENAS THAT ARE NOT PART OF A CASE FILE	5 years following the date served or issued, whichever is later	N/A	
24 <u>25.</u>	GRAND JURY RECORDS			
	a. Empanelment documents	5 years from the end of the term of empanelment	N/A	
	b. Minutes of grand jury votes	1 year from the date of the minutes	N/A	

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
25-26.	EXHIBITS SUBMITTED for use at TRIAL or HEARING and <u>ILLUSTRATIVE AIDS</u> , in any case type, other than in historically significant and landmark cases, which are governed by section E-F, herein.	Upon dismissal, disposition, or final appellate ruling, whichever comes later, and then 30 days after mailing notice to responsible parties to claim the evidence, all unless otherwise ordered by the court	N/A	Clerks are encouraged to identify historically significant and landmark cases prior to the expiration of the retention period for exhibits. LAPR will accept diagrams, maps, photographs, and any other paper-based materials. LAPR will not accept three dimensional objects, clothing, or security-sensitive exhibits such as weapons, drugs, money, and bio-hazardous materials, so these exhibits should be destroyed <u>disposed of</u> and not sent to LAPR.
	a. Exhibits not offered for admission in evidence	<u>At the conclusion of the trial or hearing unless otherwise ordered by the court</u>		

Records Series #	Records Series Title	Retention Period with Court	LAPR Retention	Remarks
	<u>b.</u> <u>i. Exhibits offered for admission in evidence but not received in evidence;</u> <u>ii. Exhibits admitted in evidence; and</u> <u>iii. Any illustrative aid used under Ariz. R. Evid. 107.</u>	<u>Unless otherwise ordered by the court, when the case is “no longer subject to modification” as defined by the governing rule set. At that time:</u> <u>(1) any exhibit submitted through a digital evidence portal (a “digital exhibit”) must be deleted by the clerk without further notice.</u> <u>(2) For any exhibit or evidence not submitted through a digital evidence portal (a “physical exhibit”) and illustrative aids, the clerk must provide at least 30 days’ notice to the party who submitted the physical exhibit or illustrative aid for that party to claim and, if claimed, return it to the party who submitted it. If the party who submitted the physical exhibit or illustrative aid does not claim it after 30 days from such notice, the clerk may dispose of the physical exhibit or illustrative aid.</u>		
26-27.	CASE DOCKET OR REGISTER OF ACTIONS	Retain for the same period of time as the underlying case, pursuant to this schedule	Permanent	Clerks may transfer the case docket or register of actions to LAPR with the corresponding case file.
27-28.	BAIL BONDSMEN ANNUAL, WRITTEN CERTIFICATION REQUIRED BY RULE 7.1(h), RULES OF CRIM PRO.	3 years from the date filed	N/A	

Record Series 28. through 78. [Renumber]

E. [No change]

F. Historically Significant and Landmark Cases. Clerks shall comply with the following procedures for designating and transferring cases to be historically significant or landmark:

1. Designation of a case as historically significant

- a. and b. [No change]
- c. Processing and transferring. If the motion is granted, the clerk shall, within 90 days of final disposition, transfer the case, a print-out of the register of actions or docket from the case management system, any exhibits or illustrative aids not previously retrieved or ~~destroyed-disposed of~~, and any microfilm to LAPR for permanent retention. LAPR will accept diagrams, maps, photographs, and any other paper-based materials. LAPR will not accept three dimensional objects, clothing, or security-sensitive exhibits such as weapons, drugs, money, and bio-hazardous materials. Identification of the case as historically significant shall be prominently noted on the print-out of the register of actions or docket from the case management system transferred with the case to LAPR.

2. Designation of a case as landmark

- a. and b. [No change]
- c. Processing and transferring. When a case has been designated as landmark, the clerk shall file notice of this designation in the case. The clerk shall immediately transfer the case, a print-out of the register of actions or docket from the case management system, any exhibits or illustrative aids not previously retrieved or ~~destroyed-disposed of~~, and any microfilm to LAPR for permanent retention. LAPR will accept diagrams, maps, photographs, and any other paper-based materials. LAPR will not accept three dimensional objects, clothing, or security-sensitive exhibits such as weapons, drugs, money, and bio-hazardous materials. Identification of the case as landmark shall be prominently noted on the print-out of the register of actions or docket from the case management system transferred with the case to LAPR.