

1.

Meeting Minutes



JISC DATA DISSEMINATION COMMITTEE
Friday, February 23, 2024, 9:00 a.m. – 10:00 a.m.
Zoom Teleconference
URL: provided via invite

MEETING MINUTES

Members Present:

Judge John Hart, Chair
Judge Valerie Bouffiou
Ms. Stephanie Kraft
Judge David Mann
Ms. Heidi Percy
Ms. Paulette Revoir
Judge Allyson Zipp

AOC Staff Present:

Kerra Lynch, Contracts Manager
Kevin Cottingham, Data Dissemination
Administrator
Jan Nutting, Public Records Officer
Maureen Roberts, MSD Administrative
Secretary

Guests Present:

Jennifer Ortega, WSBA Access to Justice
Misty Mann, Friendship Diversion Services
Tammie Ownbey, Pend Oreille County Clerk

Call to Order

Judge Hart called the meeting to order at 9:06 a.m. and welcomed all participants. He gave a brief overview of the mission of the DDC to new members, and members and guests introduced themselves.

1) Approval of Minutes

Motion: It was moved and seconded to approve the Feb 23, 2023, minutes.

2) Ms. Mann JABS Access Request

Misty Mann of Friendship Diversion Services brought a JABS request before the committee. Being familiar with JABS from a previous position, she requested access to the system to use in providing diversion services to contracted courts. She noted that JABS provides an individual's full criminal history on one screen, and would value the time saved in looking up an estimated 50 individuals per day; what currently takes several minutes per person could be cut down to seconds. Ms. Mann noted that her present request was for one site with seven users; Friendship Diversion has multiple locations, but she is not requesting for them at this time. DDA Cottingham explained that JABS was developed primarily for judges, and has never had a level of access added intended for public consumption. All levels of JABS access provide some level of confidential data; the level being requested has access to litigant addresses, which have been designated as confidential data by the DDC. He did, however, note that if access were to be granted by the DDC, all users would have confidentiality agreements and the site administrator would certify compliance annually.

Ms. Percy expressed concern that if the DDC were to open access in this situation, it would open the door to other court contractors.

The committee discussed how a similar request had been previously declined, and that granting access here would be treated as precedential; new similarly situated entities would be granted access. Members of the committee cited concerns for releasing more data than needed if the agency already has access to all the necessary data through JIS-Link, even if the application is not as convenient or efficient as users may desire.

Motion: It was moved and seconded to deny Ms. Mann's request for JABS access at this time. The motion passed unanimously.

3) Revision of Data Dissemination contract

DDA Cottingham presented this issue regarding proposed revisions to the data sharing agreement. The main goals of the revisions include additional language regarding classification of the requested data, an obligation to notify AOC in case of a data breach, and updated language regarding electronic copies of records. Additionally, because AOC is not responsible for entering data into case management systems, Requester will have a responsibility to notify DDA if nonpublic information is found in public fields.

One revision was to remove the section spelling out contact information regarding the project manager, and DDA Cottingham reported that the section is often outdated due to agency turnover, and that he generally will reach out to agency contracts officers after an internet search. Judge Zipp expressed reluctance at removing the section, asked for a definition of "logically secure location" in section 4. DDA Cottingham stated that he would get one by the next meeting.

Motion: It was moved and seconded to table the proposed changes to the DD contract to the next regularly scheduled meeting. The motion passed unanimously.

4) Other Business

Hearing no further business, Judge Hart thanked the Committee members and adjourned the meeting at 9:57 a.m. The next meeting will be held on April 26, 2024 via Zoom.

2.

**Updates to standard
Data Dissemination
Agreement**

**STATE OF WASHINGTON
ADMINISTRATIVE OFFICE OF THE COURTS
AND
[REQUESTOR]**

DATA SHARE AGREEMENT – [Number]

This Agreement is entered into between the Washington State Administrative Office of the Courts (AOC), P.O. Box 41170, Olympia, WA, 98504, and the [Requestor] (“Requestor”), [Requestor Address].

PURPOSE

[Purpose of Contract; see example below]

The purpose of this agreement is to provide terms and conditions under which AOC will deliver to DCYF data on juveniles who start and complete Evidence-Based Programs. Data on each individual includes name, JUV #, date of birth, race, ethnicity, sex, risk level on both final and initial assessments, and other data points detailed in the Request for Information, attached and incorporated as Appendix A. The information will be used by local and juvenile courts to monitor performance metrics, pursuant to a requirement in RCW 43.216.015(6) that all DCYF contracts be performance-based. The data will additionally be used to evaluate administration of Aggression Replacement Training programs during FY20.

IT IS THEREFORE AGREED AS FOLLOWS:

1. AOC will provide [a description of reports]. The reports will include the data elements described in this Agreement and in Appendix A. Data provided under this Agreement is hereinafter referred to as “AOC Data”. AOC will not provide data to Requestor from any court case records that were sealed by court order.
2. AOC has no obligation to provide any other data elements that are not contained in the AOC databases. AOC makes no representations or guarantees that all the requested data is available in the AOC databases.
3. The parties acknowledge that future changes in the law regarding the confidential nature of the AOC Data received under this Agreement may affect the Requestor’s ability to obtain or use it.
4. Requestor agrees to securely protect any AOC Data that is confidential and any information which identifies an individual, including but not limited to, name, date of birth, social security number and court case number, by maintaining the AOC Data in a physically and logically secure location when not in use. AOC Data will be electronically stored and transmitted using NIST-approved encryption algorithms. Electronic and physical access to the AOC Data is to be granted solely to those persons necessary to conduct the work described this Agreement, and by using computer passwords and/or encryption, physical locks and restricting access solely to those persons necessary to conduct the work described this Agreement.
5. Requestor shall:

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- 5.1. Use the data provided under this Agreement only for the purposes described in this Agreement and any appendices and for no other purpose;
- 5.2. Limit access to the data provided under this Agreement to those persons necessary to conduct the work described in this Agreement;
- 5.3. Agree that the name and address of any individual is ancillary to this request for access and that no identifying information will be used in reports or publications prepared in relation to this request;
- 5.4. Prohibit the disclosure of the data provided under this Agreement in any form which identifies an individual;
- 5.5. Prohibit the copying or duplication of the data provided under this Agreement other than for the stated purpose set forth in Appendix A;
- 5.6. Immediately notify the AOC of any material changes in the purposes, scope, or objectives of its proposed research or in the manner in which the data provided under this Agreement will be gathered or used;
- 5.7. Agree not to use any of the data provided under this Agreement to create a contact list for commercial purposes; and
- 5.8. Provide AOC with a copy of any report generated from this research project 60 days prior to publication with the opportunity for AOC to object to the use of the AOC Data in the report; however, any objection must be reasonable and rationally based. If such objection is made the data in question shall be removed from the report.

Commented [CK1]: Only required in research contracts for nonpublic data

- 6. In the event Requestor deems it necessary, for the purposes consistent with this Agreement, to disclose the AOC Data to any other person or entity outside the Requestor, the Requestor shall:
 - 6.1. Secure the written agreement of any such person or entity to comply with all terms of this Agreement as if they were Requestor named herein;
 - 6.2. Submit such written agreement to the AOC with a request for its written consent; and
 - 6.3. Shall not disclose any of the AOC Data until the AOC has provided such written consent.
- 7. Requestor further agrees that the AOC shall have the right, upon reasonable notice, to monitor, audit, and/or review the activities and policies of the Requestor (or any person or entity granted access to information and/or data under Section 6) in order to assure compliance with this Agreement.
- 8. The effective date of this Agreement is the date of last signature. The term of this Agreement ends two years from the effective date, unless terminated sooner or extended as provided herein.
- 9. Requestor will be invoiced for the AOC fees associated with providing the data requested and for any subsequent request made thereafter.
 - 9.1. Requestor shall make a non-refundable payment within 30 days of invoice receipt.
 - 9.2. Requestor agrees to pay the following amount to AOC to provide the data described in this Agreement:

Fee Category	Cost
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Administrative Fee	\$62 per report
Data Warehouse Evaluation/Research/Programming	\$68 per hour
Evaluation/Research	\$67 per hour
JIS System Run Time	\$15 per minute or portion thereof, two minute minimum

10. Requestor acknowledges that the AOC does not maintain official court records. Official court records are maintained by the courts of record. The AOC, the Washington Courts, and the Washington State County Clerks:

10.1. Do not warrant that the AOC Data provided pursuant to this Agreement is accurate or complete;

~~10.2. Will not include any information to Requestor that has been sealed by a court;~~

~~10.3-10.2.~~ Do not guarantee that the AOC Data is in its most current form;

~~10.4-10.3.~~ Make no representations regarding the identity of any person whose name is included in the AOC Data provided; and

~~10.5-10.4.~~ Do not assume any liability resulting from the release or use of the AOC Data.

11. The highest category of AOC Data to be transferred under this Agreement is:

Category 1: Public information is information that can be or currently is released to the public in accordance with GR 31

Category 2: Sensitive information may not be specifically protected from disclosure by law and is generally for official use only

Category 3: Information that is specifically protected from disclosure by law and General Rules

Category 4: information requiring special handling is information that is specifically protected from disclosure by law and for which:

a. Especially strict handling requirements are dictated, such as by statutes, regulations, or agreements.

b. Serious consequences could arise from unauthorized disclosure, such as threats to health and safety, or legal sanctions.

AOC is not responsible for restricted information entered improperly into case management systems. If Requestor becomes aware of unintentional disclosures of restricted information within AOC Data, Requestor shall notify AOC within 5 business days of discovery.

44. The parties agree to protect the confidentiality of the AOC Data provided under this Agreement and shall adhere to any current or future statutory or administrative rules regulating the right of privacy and confidentiality, which relate to such data; such rules may impact the classification of AOC Data. The parties shall exercise due care to protect the AOC Data from unauthorized physical and electronic access. Due care includes establishing and maintaining security policies, enforcing access control, providing cyber security awareness training, standards and procedures which detail access security,

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numbering

premise security, and sanctions for unauthorized use or disclosure of data. Requestor shall notify the AOC immediately after becoming aware of any unauthorized access, use, or disclosure prior to any public notification.

12. At the conclusion of this Agreement, Requestor shall destroy all electronic copies of AOC data or return to the AOC any AOC Data received under this Agreement. This includes any data copied and any data in backup and/or storage media, including disk drives and flash memory.
13. Either party may terminate this Agreement without cause by providing written notification to the other party. If the Agreement is terminated by either party, Requestor shall return all AOC Data to AOC including all originals, copies, extracts, or other forms and/or formats. Section 14 and Section 15 will survive upon termination of this Agreement. Requestor's obligation to maintain the confidentiality of the data received under this Agreement shall survive termination of this Agreement in accordance with applicable laws.
14. Each party to this Agreement shall be responsible for its own acts and/or omissions and those of its officers, employees, and agents. No party to this Agreement shall be responsible for the acts and/or omissions of entities or individuals not a party to this Agreement.
15. Requestor acknowledges that AOC shall not be responsible or liable in any way whatsoever for the validity of any AOC Data provided or for the use of AOC Data provided. Specifically:
 - 15.1. AOC shall not be liable for any demand or claim, regardless of form of action or venue thereof, for any damages resulting from the use by Requestor or other third parties of any data provided under this Agreement.
 - 15.2. AOC shall not be liable for any demand or claim, regardless of form of action or venue thereof, for any damages arising from incorrect or incomplete data provided under this Agreement.
 - 15.3. AOC shall not be liable to Requestor or any other party for any loss, including revenue, profits, time, goodwill, computer time, destruction, damage or loss of data, or any other indirect, special or consequential damage which may arise from the use, operation, or modification of data provided under this Agreement.
16. The Project Manager for each of the parties shall be the contact person responsible for all communications regarding the performance of this Agreement.

AOC Project Manager	Requestor Project Manager
Kevin Cottingham, Data Dissemination Administrator Administrative Office of the Courts Management Services Division PO Box 41170 Olympia WA 98504-1170 Phone: 360-705-5226 Email: kevin.cottinghamdda@courts.wa.gov	Name Address CSZ Phone: Email:

17. GENERAL TERMS AND CONDITIONS:

- 17.1. **ALTERATIONS AND AMENDMENTS:** This Agreement may be amended at any time by the mutual written agreement of the parties.
- 17.2. **ASSIGNMENT:** Requestor may not transfer or assign:
- 17.2.1. this Agreement or any portion thereof;
 - 17.2.2. any right or benefit accruing to Requestor under this Agreement; or
 - 17.2.3. any claim arising under this Agreement.
- 17.3. **DISPUTES:** Except as otherwise provided in this Agreement, in the event that a dispute arises under this Agreement, a Dispute Board shall determine it in the following manner: each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint one additional member to the Dispute Board. The Dispute Board shall review the facts, agreement terms and applicable statutes and rules and make a determination of the dispute. Both parties agree to exercise good faith in dispute resolution and to avoid litigation whenever possible.
- 17.4. **ENTIRE AGREEMENT:** This Agreement sets forth the entire agreement between the parties with respect to the subject matter hereof and supersedes all previous discussions and agreements. Understandings, representations, or warranties not contained in this Agreement or a written amendment hereto shall not be binding on either party.
- 17.5. **GOVERNING LAW:** This Agreement shall be governed in all respects by the laws and statutes of the State of Washington. The jurisdiction for any action hereunder shall be the Superior Court for the State of Washington. The venue of any action hereunder shall be in the Superior Court for Thurston County, Washington. Requestor, by execution of this Agreement, acknowledges and agrees to the jurisdiction of the courts of the State of Washington in all matters relating to this Agreement.
- 17.6. **HEADINGS:** The headings used herein are for reference and convenience only and shall not enter into the interpretation hereof unless otherwise specified herein.
- 17.7. **CONFLICTS OF AUTHORITY:** If any provision of this Agreement shall be deemed in conflict with any statute or rule of law, such provision shall be deemed modified to conform to said statute or rule of law.
- 17.8. **INDEPENDENT STATUS OF PARTIES:** The parties to this Agreement will be acting in their individual capacities and not as agents, employees, partners, joint venturers, or associates of one another. The employees or agents of one party shall not be considered or construed to be the employees or agents of the other party for any purpose whatsoever.
- 17.9. **NON-EXCLUSIVITY:** This Agreement is non-exclusive. During the term of this Agreement, the AOC reserves the right to enter into agreements with other parties as it deems fit. Nothing contained in this Agreement shall be construed to limit in any way the AOC's right to enter a like or similar agreement or grant a like or similar license to any other entity or party on such terms as the AOC may in its sole discretion deem appropriate.
- 17.10. **NOTICES:** Any notice required or permitted to be given under this Agreement shall be effective if and only if it is in writing. Notice must be given by personal delivery or sent by United States mail. Mail to Requestor must be sent to Requestor's address as set forth in this Agreement and mail to the AOC must be sent to the Data Dissemination Administrator, Administrative Office of the Courts,

1206 Quince Street SE, PO Box 41170, Olympia, WA 98504-1170, or to such other address as each party has notified the other in writing.

- 17.11. **SEVERABILITY:** If any term or condition of this Agreement or the application thereof to any person(s) or circumstances is held invalid, such invalidity shall not affect other terms, conditions, or applications which can be given effect without the invalid term, condition, or application; to this end the terms and conditions of this Agreement are declared severable.
- 17.12. **SUBCONTRACTING:** Requestor shall not enter into subcontracts relating to this Agreement without obtaining prior written approval from the AOC.
- 17.13. **WAIVER:** No term or condition of this Agreement shall be held to be waived, modified, or deleted, and no breach excused, except by a written instrument signed by the parties hereto. Waiver of any breach of any term or condition of this Agreement shall not be deemed a waiver of any prior or subsequent breach.
- 17.14. **COUNTERPARTS:** This agreement may be signed in any number of counterparts, each of which is an original and all of which taken together form one single document. Signatures delivered by email in PDF format or facsimile will be binding for all purposes.
- 17.15. **SIGNING AUTHORITY:** The signatories to this contract below represent that they have the authority to bind their respective organizations to this contract.

[Requestor]

**State of Washington
Administrative Office of the Courts**

(Signature) (Date)

(Signature) (Date)

(Print Name)

(Print Name)

(Title)

(Title)

**3. Updates to the Courts of
Limited Jurisdiction
Retention Schedules**

Final Retention Schedule

Retention of Records Summary

<p>Casetype = CV, SC, or PR. The system will determine retention based on overall casetype & cause code</p>	Casetype	Cause Code	Retention	<p>Notes:</p> <ul style="list-style-type: none"> > All retention periods begin after case is closed > Case is retained based on the longest retention period for any violation on the case > Retention not based on a finding of Amended (AM) It is based solely on issues with findings other than AM > See Plea / Sentencing codes at Inside Courts website for code descriptions 	
	CV-Civil	DVP, HAR, SXP, STK	Never Purge		
	CV-Civil	Any other	10 years & 4 months		
	SC-Small Claims	Any	10 years		
	PR - Parking	Any	5 years		
<p>Casetype = IT, IN, CT, CN, PC, CF The system will determine retention based on casetype and disposition of each charge as well as looking for DV flag and Retain Case flag</p>	Finding / Judgment Types	Casetype of Charge			Finding / Judgment Codes Included
		CT, CN	PC, CF	IT, IN	
	Guilty / Committed	Never purged	Never purged	5 yrs	AS, BF, C, P, G, GO, GS, GV, GR, PI, RP, GY, GZ
	Not Guilty / Not Committed	10 yrs	10 yrs	5 yrs	NG, NC
	46.63.070 Deferred Finding (IT only)	NA	NA	7 yrs	CD, DD
	Dismissed - Incompetency, or Not Guilty - Insanity	Never purged	Never purged	5 yrs	D, DO, DR, D'W with reason code of IC; or NS
	10.05 Deferred Prosecution	Never purged	Never purged	5 yrs	GO, GD; or D, DO, DR, D'W with dismissal reason code of DP
	Dismissed for all other reasons	10 yrs	5 yrs	5 yrs	D, DO, D'W, DR, DS, or OD, with a dismissal reason code of blank or anything other than IC, DP, or FD
	Vacated	Never purged	Never purged	N/A	V
	Domestic Violence Flag	15 yrs	15 yrs	15 yrs	Applies to cases where a violation has a DV flag = yes, and the retention of the case without the DV flag was less than 15 years.
	Retain Case Flag	Never purged	Never purged	Never purged	If flag is YES, case will be retained regardless of any other rule.
Case Transferred	5 yrs	5 yrs	5 yrs	BO, CV; or D with a reason of FD	



This schedule applies to: District and Municipal Courts

Scope of records retention schedule

This records retention schedule authorizes the destruction/transfer of the public records of District and Municipal Courts relating to the unique functions of trying criminal and civil cases. The schedule is to be used in conjunction with the *Local Government Common Records Retention Schedule (CORE)*, which authorizes the destruction/transfer of public records common to all local agencies.

Disposition of public records

Public records covered by records series within this records retention schedule (regardless of format) must be retained for the minimum retention period as specified in this schedule. Washington State Archives strongly recommends the disposition of public records at the end of their minimum retention period for the efficient and effective management of local resources.

Public records designated as “Archival (Permanent Retention)” must not be destroyed. Records designated as “Archival (Appraisal Required)” must be appraised by the Washington State Archives before disposition. Public records must not be destroyed if they are subject to ongoing or reasonably anticipated litigation. Such public records must be managed in accordance with the agency’s policies and procedures for legal holds. Public records must not be destroyed if they are subject to an existing public records request in accordance with GR 31.1. Such public records must be managed in accordance with the agency’s policies and procedures for public records requests.

Revocation of previously issued records retention schedules

All previously issued records retention schedules to District and Municipal Courts are revoked. District and Municipal Courts must ensure that the retention and disposition of public records is in accordance with current, approved records retention schedules.

Authority

This records retention schedule was approved by the Local Records Committee in accordance with RCW 40.14.070 on October 4, 2023.

Signature on File

For the State Auditor: Al Rose

Signature on File

For the Attorney General: Matt Kernutt

Signature on File

The State Archivist: Heather Hirotaka



REVISION HISTORY

Version	Date of Approval	Extent of Revision
1.0	1999	Initial version.
2.0	2000 – 2001	Major revision and multiple updates.
3.0	2002 – 2004	Major revision and multiple updates.
4.0	2006	Major revision.
5.0	2007	Major revision.
6.0	March 26, 2009	Records series common to all local government agencies now appear in the new <i>Local Government Common Records Retention Schedule (CORE)</i> and have been removed from this schedule. All Disposition Authority Numbers (DANs) in the <i>District and Municipal Courts Records Retention Schedule</i> now begin with the prefix “DM”; there have been no changes to titles, descriptions, retention periods, or archival designations.
7.0	October 4, 2023	Major revision.

For assistance and advice in applying this records retention schedule,
please contact your Court’s Records Officer
or Washington State Archives at:
recordsmanagement@sos.wa.gov



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1. DISTRICT AND MUNICIPAL COURT RECORDS

The function of making or receiving records by the District or Municipal Court while performing the duties pursuant to Title 3 RCW and other state and local statute or court rule.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
DM2023-030 Rev. 0	<p><i>Anti-Harassment Court Case Files</i> Official documentation of court proceedings and filings in anti-harassment cases pursuant to RCW 10.14. Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Dockets, indexes, registers, etc.; • Motions, orders of protection (ex parte temporary or civil), and other filings; • Judgements (abstracts, civil, transcripts, foreign, etc.); • Warrants, notices of appearance, failure to appear, etc.; • Juror and witness daily attendance lists (see note, below). <p><i>Note: Pursuant to RCW 10.14.170, individuals who willfully disobey any anti-harassment protection order shall be guilty of a gross misdemeanor. If criminal charges are filed, these records become part of the associated criminal case file.</i></p> <p><i>Note: Per GR 31(j), "Individual juror information, other than name, is presumed to be private."</i></p>	<p>Retain for 3 years after final expiration of protection order <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OPR</p>
DM2023-031 Rev. 0 <i>Continued Next Page</i>	<p><i>Civil Court Case Files – Judgement Satisfied or Case Dismissed</i> Official documentation of court proceedings and filings in civil cases where the judgement has been paid or performed, or the case has been dismissed. Cases include, but are not limited to:</p> <ul style="list-style-type: none"> • Contract disputes; • Damages for injury to individuals or personal property; <p><i>Continued Next Page</i></p>	<p>Retain for 3 years after date of satisfaction of judgement or dismissal <i>then</i> Destroy.</p> <p><i>Continued Next Page</i></p>	<p>NON-ARCHIVAL ESSENTIAL (For Disaster Recovery) OPR</p> <p><i>Continued Next Page</i></p>



DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
Continued From Previous Page	<p style="text-align: center;"><i>Continued From Previous Page</i></p> <p><i>Note: Pursuant to RCW 6.17.020 subsections (1) and (3), the party in whose favor a judgement of a court has been filed or rendered may have execution, garnishment, or other legal process issued for the collection or enforcement of the judgement at any time within ten years from entry of the judgement or the filing of the judgement in Washington State. A party in whose favor a judgement has been filed may, within ninety days before the expiration of the original ten-year period, apply to the court for an order granting an additional ten years during which an execution garnishment or other legal process may be issued.</i></p> <p><i>Note: Per GR 31(j), "Individual juror information, other than name, is presumed to be private."</i></p>	Continued From Previous Page	Continued From Previous Page
DM52-06B-01 Rev. 1	<p>Civil Infraction Case Files</p> <p>Official documentation of court proceedings and filings in civil infraction cases.</p> <p>Cases include, but are not limited to:</p> <ul style="list-style-type: none"> • Municipal infractions (failure to license pet, littering, permit violations, etc.) • Parking infractions; • Traffic infractions. <p>Records include, but are not limited to:</p> <ul style="list-style-type: none"> • Indexes, registers, etc.; • Uniform notices of infraction, motions, orders, and other filings; • Notices of appearance, failure to appear/respond/pay, etc. 	<p>Retain for 3 years after final disposition of case</p> <p style="text-align: center;"><i>then</i></p> <p>Destroy.</p>	<p>NON-ARCHIVAL</p> <p style="text-align: center;">ESSENTIAL</p> <p>(for Disaster Recovery)</p> <p style="text-align: center;">OPR</p>
DM52-06G-03 Rev. 1	<p>Clerk's Minutes Book</p> <p>Also known as Clerk's Notes.</p>	<p>Retain for 1 year after end of calendar year</p> <p style="text-align: center;"><i>then</i></p> <p>Destroy.</p>	<p>NON-ARCHIVAL</p> <p>NON-ESSENTIAL</p> <p style="text-align: center;">OFM</p>



DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
Continued From Previous Page	<p style="text-align: center;"><i>Continued From Previous Page</i></p> <p>Excludes records covered by <i>Criminal Court Case Judgement and Sentencing Records Filed Post-June 4, 1997 – Filed Internally (DAN DM2023-033)</i>.</p> <p><i>Note: Pursuant to CrRLJ 7.2 and 7.3, the judgement and record of the sentencing proceedings of a court of limited jurisdiction shall be preserved in perpetuity, either in an electronic or hard copy format.</i></p>	Continued From Previous Page	Continued From Previous Page
DM52-06A-13 Rev. 1	<p><i>Criminal Court Case Judgement and Sentencing Records Filed Prior to June 4, 1997</i></p> <p>Official judgement and sentencing records for criminal cases filed prior to June 4, 1997. Cases include, but are not limited to:</p> <ul style="list-style-type: none"> • Misdemeanors (disorderly conduct, minor drug charges, petty theft, etc.); • Gross misdemeanors (domestic violence, DUI, reckless driving, etc.). <p>Records include, but are not limited to:</p> <ul style="list-style-type: none"> • Judgement entered; • Sentencing proceedings (including outcomes of any hearings); • Any indexes necessary for finding/interpreting records. 	<p>Retain for 3 years after final disposition of case</p> <p style="text-align: center;"><i>then</i></p> <p>Transfer to Washington State Archives for appraisal and selective retention.</p>	<p>ARCHIVAL (Appraisal Required) ESSENTIAL (For Disaster Recovery) OPR</p>
DM52-06E-02 Rev. 1 Continued Next Page	<p><i>Domestic Violence Court Case Files</i></p> <p>Official documentation of court proceedings and filings in domestic violence cases in accordance with chapter 7.105 RCW.</p> <p>Records include, but are not limited to:</p> <ul style="list-style-type: none"> • Criminal citations, dockets, indexes, etc. • Charging information, summons, clerk’s minutes; • Motions, published depositions, decrees, verdicts, petitions, orders of protection, & other filings; <p style="text-align: center;"><i>Continued Next Page</i></p>	<p>Retain for 100 years after final disposition of case</p> <p style="text-align: center;"><i>then</i></p> <p>Destroy.</p> <p style="text-align: center;"><i>Continued Next Page</i></p>	<p>NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OPR</p> <p style="text-align: center;"><i>Continued Next Page</i></p>



DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
Continued From Previous Page	<p style="text-align: center;"><i>Continued From Previous Page</i></p> <ul style="list-style-type: none"> • Judgments (abstracts, civil, transcripts, foreign, etc.); • Warrants, notices of appearance, failure to appear, etc.; • Juror and witness daily attendance lists (see note, below). <p>Excludes records covered by:</p> <ul style="list-style-type: none"> • <i>Criminal Court Case Judgement and Sentencing Records Filed Post-June 4, 1997 – Filed in an Administrative Office of the Courts (AOC) Case Management System (DAN DM52-06A-08);</i> • <i>Criminal Court Case Judgement and Sentencing Records Filed Post-June 4, 1997 – Filed Internally (DAN DM2023-033);</i> • <i>Criminal Court Case Judgement and Sentencing Records Filed Prior to June 4, 1997 (DAN DM52-06A-13;</i> • <i>Exhibits – Case Appealed (DAN DM52-06C-10);</i> • <i>Exhibits – Case Not Appealed (DAN DM52-06C-08);</i> • <i>Probation Case Management (DAN DM52-06H-01);</i> • <i>Therapy Court Case Management (DAN DM2023-037).</i> <p><i>Note: Per GR 31(j), "Individual juror information, other than name, is presumed to be private."</i></p>	Continued From Previous Page	Continued From Previous Page
DM52-06C-03 Rev. 1	<p>Electronic Recordings of Court Proceedings – Case Appealed</p> <p>Electronic recordings of court proceedings in cases that are reviewed in appellate court and are returned to the originating court.</p>	<p>Retain for 30 days after remand of appeal <i>then</i> Destroy.</p>	NON-ARCHIVAL NON-ESSENTIAL OPR



DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
DM52-06C-04 Rev. 1	Electronic Recordings of Court Proceedings – Case Not Appealed Electronic recordings of court proceedings in cases that are not reviewed in appellate court.	Retain until expiration of appeal period <i>then</i> Destroy.	NON-ARCHIVAL NON-ESSENTIAL OFM
DM52-06C-05 Rev. 1	Electronic Recordings of Court Proceedings – Indexes and Logs Indexes, chronological listings, and other tracking/organizing records for electronic recordings of court proceedings.	Retain until erasure of last recording listed <i>then</i> Destroy.	NON-ARCHIVAL NON-ESSENTIAL OFM
DM52-06C-10 Rev. 2	Exhibits – Case Appealed Documents, photographs, and audiovisual media received by the court as evidence during a trial or hearing, where the case has been reviewed in appellate court and the exhibits have been returned to the originating court.	Retain for 30 days after remand of appeal <i>then</i> Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR
DM52-06C-08 Rev. 1	Exhibits – Case Not Appealed Documents, photographs, and audiovisual media received by the court as evidence during a trial or hearing, where the case has not been reviewed in appellate court.	Retain until expiration of appeal period <i>then</i> Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR
DM2023-034 Rev. 0 <i>Continued Next Page</i>	Filed Documents (Miscellaneous) All documents filed with the District or Municipal Court Clerk that are not filed with/in a case file and that are not covered by a more specific records series. Includes, but is not limited to: <ul style="list-style-type: none"> Administrative orders; <i>Continued Next Page</i>	Retain for 3 years after end of calendar year <i>then</i> Destroy. <i>Continued Next Page</i>	NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OPR <i>Continued Next Page</i>



DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
Continued From Previous Page	<p style="text-align: center;"><i>Continued From Previous Page</i></p> <ul style="list-style-type: none"> • Judicial resolutions; • Jury show-cause orders and bench warrants; • Miscellaneous orders not related to a case (general orders, jury term orders, inclement weather, etc.). <p>Excludes records covered by <i>Search Warrants (DAN DM52-06A-02)</i>.</p>	Continued From Previous Page	Continued From Previous Page
DM52-06C-09 Rev. 1	<p><i>Involuntary Civil Commitment Case Files</i></p> <p>Official documentation of court proceedings and filings in involuntary civil commitment cases pursuant to RCW 71.05.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Dockets, indexes, registers, etc.; • Motions, orders, and other filings. <p>Excludes records covered by <i>Involuntary Civil Commitment Case Management (DAN DM2023-035)</i>.</p> <p><i>Note: If criminal charges are filed, these records become part of the associated criminal case file.</i></p> <p><i>Note: Retention based on 8-year statute of limitations for injuries resulting from health care (RCW 4.16.350).</i></p>	<p>Retain for 8 years after release of individual from hold</p> <p style="text-align: center;"><i>or</i></p> <p>8 years after final disposition of case, <i>whichever is later</i></p> <p style="text-align: center;"><i>then</i></p> <p>Destroy.</p>	<p>NON-ARCHIVAL</p> <p style="text-align: center;">ESSENTIAL</p> <p>(for Disaster Recovery)</p> <p style="text-align: center;">OPR</p>



DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
DM52-06J-02 Rev. 1	Notices of Delinquent Parking/Traffic Violations or Vehicle Holds	Retain for 3 years after final disposition of case <i>or</i> 3 years after completion of audit examination report, <i>whichever is later</i> <i>then</i> Destroy.	NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OPR
DM52-06A-09 Rev. 1	One-Party Consent Orders Records relating to one-party consent orders issued pursuant to chapter 9.73 RCW for the interception of wire or electronic communication or conversation, where not filed with/in a case file. Includes, but is not limited to: <ul style="list-style-type: none"> • Wiretaps, sealed and unsealed (applications, reviews, etc.); • Pen registers/trap and trace devices, sealed (RCW 9.73.260). <i>Note: Retention based on 3-year statute of limitations for personal injury (RCW 4.16.080).</i>	Retain for 3 years after expiration of authorization <i>then</i> Destroy.	NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OPR



DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
DM52-06A-02 Rev. 1	<p><i>Search Warrants</i></p> <p>Records relating to search warrants issued in accordance with RCW 2.20.030, CrRLJ 2.3, and/or other state statute or court rule, where not filed with/in a case file.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none">• Affidavit/sworn testimony establishing the grounds for issuing a warrant;• Inventory of property taken;• Return. <p><i>Note: Retention based on 3-year statute of limitations for taking, detaining, or injuring personal property (RCW 4.16.080).</i></p>	<p>Retain for 3 years after expiration of warrant <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OPR</p>



2. DISTRICT AND MUNICIPAL COURT SERVICES

The function of providing services outside of the official courtroom setting.

2.1 INVOLUNTARY CIVIL COMMITMENT

The activity of providing assistance with involuntary psychiatric hospital commitment cases outside of official court proceedings.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
DM2023-035 Rev. 0	<p><i>Involuntary Civil Commitment Case Management</i></p> <p>Records relating to the involuntary civil commitment of individuals pursuant to RCW 71.05 where the records are not filed as part of the official court record.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Evaluation notes; • Treatment monitoring records; • Related correspondence/communications. <p>Excludes official court filings covered by <i>Involuntary Civil Commitment Case Files (DAN DM52-06C-09)</i>.</p> <p><i>Note: If criminal charges are filed, these records become part of the respective social file.</i></p> <p><i>Note: Retention based on 8-year statute of limitations for injuries resulting from health care (RCW 4.16.350).</i></p>	<p>Retain for 8 years after release of individual from hold</p> <p><i>or</i></p> <p>8 years after final disposition of case, <i>whichever is later</i></p> <p><i>then</i></p> <p>Destroy.</p>	<p>NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OFM</p>



2.2 PROBATION

The activity of managing probation cases.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
DM52-06H-01 Rev. 1	<p><i>Probation Case Management</i> Records documenting the progress and status of individuals on probation, <i>where the records are not filed as part of the official court record.</i> Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Eligibility assessments; • Case notes and history; • Counselling and service referrals; • Supervisory reports and monitoring; • Related correspondence/communications. <p><i>Note: Retention based on 3-year statute of limitations for personal injury (RCW 4.16.080).</i></p>	<p>Retain for 3 years after completion or termination of probation <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL ESSENTIAL (for Disaster Recovery) OFM</p>



2.3 THERAPY COURT

The activity of providing assistance with therapy court cases outside of the official courtroom setting.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
<i>Continued From Previous Page</i>	<p style="text-align: center;"><i>Continued From Previous Page</i></p> <ul style="list-style-type: none"> • Drug test results; • Medical records; • Supervisory reports; • Incentives and sanctions; • Related correspondence/communications. <p>Excludes:</p> <ul style="list-style-type: none"> • Official court filings covered in the <i>Official District and Municipal Court Records and Exhibits</i> section of this schedule; • Therapy court applications that are denied or withdrawn covered by <i>Therapy Court Applications – Denied/Withdrawn (DAN DM2023-036)</i>. <p><i>Note: Retention based on 8-year statute of limitations for injuries resulting from health care (RCW 4.16.350).</i></p>	<i>Continued From Previous Page</i>	<i>Continued From Previous Page</i>



3. JURY MANAGEMENT

The function of managing jurors and juries for District Courts.

DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
DM52-06F-04 Rev. 1	<p>Jury Duty – General</p> <p>Records relating to individuals being summoned to serve on a jury, serving as jurors, and/or being dismissed by the court, in accordance with chapter 2.36 RCW.</p> <p>Includes, but is not limited to:</p> <ul style="list-style-type: none"> • Summons (acknowledge, returned by postal service as undeliverable, etc.); • Biographical data for preliminary determination of statutory qualification (RCW 2.36.072); • Waiver requests (RCW 2.36.100); • Disqualifications pursuant to RCW 2.36.072(4); • General questionnaires and information forms. <p>Excludes:</p> <ul style="list-style-type: none"> • Records covered by <i>Jury Duty – Special Questionnaires (DAN DM52-06F-05)</i>; • Lists of impaneled juror names filed with/in the case file, covered by the appropriate case file records series in the <i>Official District and Municipal Court Records and Exhibits</i> section of this schedule; • Records used to prepare cost bill covered by <i>Financial Transactions – General (DAN GS2011-184)</i>; • Juror show cause orders and bench warrants for failure to appear covered by <i>Filed Documents (Miscellaneous (DAN DM2023-034))</i>. 	<p>Retain until end of term for which juror was summoned <i>then</i> Destroy.</p>	<p>NON-ARCHIVAL NON-ESSENTIAL OPR</p>



DISPOSITION AUTHORITY NUMBER (DAN)	DESCRIPTION OF RECORDS	RETENTION AND DISPOSITION ACTION	DESIGNATION
DM52-06F-05 Rev. 1	<i>Jury Duty – Special Questionnaires</i> Special questionnaires filled out by prospective jurors and used by the judge and/or attorneys during the voir dire (juror selection) process for a specific case/trial. Excludes general questionnaires filled out by all potential jurors summoned for jury duty covered by <i>Jury Duty – General (DAN DM52-06F-04)</i> .	Retain until completion of proceeding <u>and</u> expiration of appeal period for case for which juror was selected <i>then</i> Destroy.	NON-ARCHIVAL NON-ESSENTIAL OPR



GLOSSARY

Appraisal

The process of determining the value and disposition of records based on their administrative, legal, and fiscal use; their evidential and informational or research value; and their relationship to other records.

Archival (Appraisal Required)

Designation for public records that may possess enduring legal and/or historical value and must be appraised by the Archives. Such records are to be evaluated, sampled, and weeded according to archival principles by Archives staff. Records appraised as non-archival may be destroyed after their retention has been met.

Archival (Permanent Retention)

Designation for public records that possess enduring legal and/or historical value and must not be destroyed. State government agencies must transfer these records to the Archives at the end of their minimum retention period. Local government agencies must either transfer these records to the Archives or retain and preserve them according to archival best practice until transferred to the Archives. Other than removing and disposing of duplicates, the Archives will not sample, weed, or otherwise dispose of records with this designation.

Disposition

Actions taken with records when they are no longer required to be retained by an agency. Possible disposition actions include transfer to the Archives and destruction.

Disposition Authority Number (DAN)

Control number for a specific records series in a retention schedule that authorizes a retention period and disposition action for records belonging to that series.

Essential Records

Records needed to respond to, and/or perform critical operations during/after, a disaster or emergency. They need to be protected through backup or enhance storage. (RCW 40.10.010)

Local Records Committee

Committee established by RCW 40.14.070 to review and approve disposition of local government records through records retention schedules. The Committee's three members include the State Archivist and one representative each from the Office of the Attorney General and the State Auditor.



Non-Archival

Designation given to public records that do not possess sufficient historical value to be designated as “Archival.” Agencies must retain these records for the minimum retention period specified by the appropriate current records retention schedule. Agencies should destroy these records after their minimum retention period expires, provided the records are not required for litigation, public records requests, or other purposes required by law.

Non-Essential Records

Public records which are not required in order for an agency to resume its core functions following a disaster, as described in chapter 40.10 RCW.

OFM (Office Files and Memoranda)

Public records not defined and classified as official public records in RCW 40.14.010 and other documents or records as determined by the records committee to be office files and memoranda.

OPR (Official Public Records)

Public records necessary to document transactions relating to public property, public finances, and other agency business, or records determined by the records committee to be official public records.

Public Records

Records that have been created or received by any government agency in Washington State in connection with the transaction of public business regardless of physical form or characteristics.

Records Series

A group of records performing a specific function, which is used as a unit, filed as a unit, and may be transferred or destroyed as a unit. A records series may consist of a single type or a number of different types of documents that are filed together to document a specific function.

State Records Committee

Committee established by RCW 40.14.050 to review and approve disposition of state government records. Its four members include the State Archivist and one representative each from the Office of the Attorney General, Office of the State Auditor, and the Office of Financial Management.



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