

Superior Courts Common Records Retention Schedules

Schedules relating to Case Records

SERIES TITLE: **FELONY CASE FILES**

Schedule: **86-21**

Consists of: Documents relating to trying felony cases in superior courts and documenting proceedings in those cases. Included are indictments, pleadings, motions, warrants, bond applications, sentences, correspondence, and all other papers pertinent to felony cases.

Retention: **Files Generated from 1900 to Present:** Hold in active files until all appeals have been exhausted; transfer to inactive files; cut off inactive files at end of calendar year; hold in office five years; transfer to local holding area or County Records Center; hold permanently. Files may be microfilmed provided: 1) filming is done according to Georgia Microfilm Standards; 2) a security copy of the film is deposited in the Georgia Department of Archives and History; 3) a reference copy of the film is kept in the office of the clerk of superior court and a reader-printer is available to facilitate reference.

Files Generated before 1990: Transfer to local holding area or County Records Center; hold permanently. Even if microfilmed, destruction of these originals is not approved.

Approved April 8, 1986

SERIES TITLE: **CERTIFIED FELONY TRANSCRIPTS**

Schedules **SCO0101-105**

Consists of: **Capital Felonies:** Documents relating to certified verbatim records or narrative recollections of judicial proceedings in felony cases. Included are certified records of court reporters' transcripts and certified records in narrative form of recollections of the motions, colloquies, objections, ruling, evidence (documentary or otherwise), charge of the courts, and all proceedings in any judicial action based on a charge of felony offense punished by death or life imprisonment.

Non-capital Felonies: Documents relating to certified verbatim records or narrative

recollections of judicial proceedings in felony cases. Included are certified records in narrative form of recollections of the motions, colloquies, objections, rulings, evidence (documentary or otherwise), charge of the court, and all other proceedings in any judicial action based on a charge of a felony offense punished by a term of imprisonment less than life.

Certified Felony Transcripts Filed in Case Files. See descriptions above.

Criminal Evidence Books: Capital and Non-Capital Felonies. This includes well-bound books used to contain court reporter's transcripts and recollection transcripts of judicial proceedings involving charges of felony offenses.

Court Reporter's Note Files: Capital and Non-capital Felony Offenses: Documents of recordings, notes or other records relating to generation of certified transcripts. Included are: recordings, notes, and other records which have not been reduced to typed or printed documents.

Retention:	SCO0101	Capital Offenses: Cut off file at end of each calendar year; hold for 70 years; then destroy.
	SCO0102	Non-capital Felonies: Cut off file at end of calendar year; hold for 20 years; then destroy.
	SCO0103	Certified Felony Transcripts Filed in Case Files: Capital and Non-capital Felonies. Dispose of in accordance with retention schedules for felony case files.
	SCO0104	Criminal Evidence Books: a) General: Hold 20 years after date of most recent transcript entered; remove capital felony transcripts; then destroy. Hold capital felony transcripts an additional 50 years; then destroy. b) Duplicate Records: If books duplicate felony transcripts on file, check for and remove non-duplicated transcript; then destroy books. Hold non-duplicated transcripts for recommended retention periods; then destroy.
	SCO0105	Court Reporter's Note Files: Cut off file at end of each calendar year; hold 2 years; then destroy.

Supreme Court Order June 30, 1981

SERIES TITLE: **MISDEMEANOR COURT RECORDS**

Schedules: SCO0401-404

Consists of: **Case Files:** Includes original papers which are called or serve as: accusation, affidavit, appearance bond, arresting officer's affidavit, bail bond, cash bond, conviction, disposition, fine, indictment, judgment, motion, notice of appeal, notice of arraignment, notification of hearing, order, plea, pleading, sentence, subpoena, summons, waiver, warrant, or certified copies of the same. This schedule does not apply to any record books which contain references to felony cases.

Docket Books: Books which generally contain essential information in summary form about each particular misdemeanor case adjudicated. Most dockets contain an alphabetical index in front of each book which references the defendant's name to the page number on which the case summary is docketed.

Minute Books: Books which contain photostatic copies of the accusation and disposition associated with each case, or contain typewritten or handwritten entries regarding the defendant, charge and disposition of each case.

Books of Fines and Forfeitures: Books which contain listings of fines and forfeitures received by the court regarding each particular misdemeanor offense.

Retention: SCO0401 **Case Files:** Cut off file of disposed cases at end of calendar year, hold closed files 20, then destroy; or microfilm entire contents of case files; hold originals for 4 years, then destroy originals; hold microfilm for 20 years from date of disposition, then destroy.

SCO0402 **Docket Books:** Hold for 20 years from date of last disposition entry, then destroy; or microfilm, hold original for 4 years, then destroy; hold microfilm 20 years from date of last disposition entry, then destroy.

SCO0403 **Minute Books:** Hold for 20 years after date of last disposition recording, then destroy; or microfilm, hold originals for 4 years beyond date of last disposition recording, then destroy; hold microfilm for 20 years after date of last disposition entry, then destroy.

SCO0404 **Books of fine and forfeitures:** Hold for 20 years after last entry, then destroy; or microfilm, hold original for 4 years, then destroy original. Destroy microfilm 20 years after last entry.

SERIES TITLE: **MISDEMEANOR TRANSCRIPTS**

Schedule: SCO0301-303

Consists of: Documents relating to certified verbatim records or narrative recollections of judicial proceedings in misdemeanor cases. Included are certified records of court reporters' transcriptions and certified records in narrative form of recollections of the motions, colloquies, objections, rulings, evidence (documentary or otherwise), charge of the court and all proceedings in any judicial action based on a charge of a misdemeanor offense.

Retention: **SCO0301** **Certified Misdemeanor Transcripts:** Cut off file at end of calendar year; hold 3 years; destroy. Exception: Transcripts of cases resulting in sentences of five (5) or more years. Hold for duration of sentence imposed; then destroy.

SCO0302 **Certified Misdemeanor Transcripts Filed in Cases Files:** Use retention schedules for case files.

SCO0303 **Court Reporter's Notes Files:** Cut off file at end of calendar year; hold one (1) year; destroy.

Supreme Court Order June 30, 1981

SERIES TITLE: **TRAFFIC COURT RECORDS**

Schedule: SCO0501-505

Consists of: **Case Files:** Includes documents which are called or serve as the following: accusation, affidavit, appearance bond, arresting officer's affidavit, bail bond, cash bond, conviction, disposition, fine, indictment, judgment, motion, notice of appeal, notice of arraignment, notification of hearing, order, plea, pleading, sentence, subpoena, summons, uniform traffic citation, waiver, and warrant, or certified copies of the same.

Docket Books: Books which generally contain essential information in summary form about each traffic case adjudicated. Most dockets contain an alphabetical index which references the defendant's name to the page number on which the case is docketed. This schedule applies to docket books which contain misdemeanor traffic records only.

Minute Books: Books which contain photostatic copies of the accusation and disposition associated with each case, or contain typewritten or handwritten entries

detailing the defendant, charge and disposition of each case. Only minute books exclusively for misdemeanor traffic violations are covered.

Books of Fines and Forfeitures: Books which contain listings of fines and forfeitures received by the court regarding each particular offense. Only books containing fines and forfeitures exclusively for misdemeanor traffic violations are covered.

Retention: **SCO0501-02 Case Files:** Cut off file of disposed misdemeanor traffic cases at end of calendar year. Hold closed files 6 years, then destroy.

Approved October 31, 2000 *Replaces previous schedule SC0501-01 of 1981.*

SCO0502 Docket Books: Hold docket books used exclusively for misdemeanor traffic cases 10 years from date of last disposition entry, then destroy; or microfilm docket books, hold for 4 years from date of last disposition entry, then destroy docket books, retaining microfilm for additional 6 years.
EXCEPTION: If the docket contains an index to case files, hold the index portion 10 years, then destroy; hold the balance of the docket 4 years, from date of last disposition entry, then destroy.

SCO0503 Minute Books: Hold for 10 years from date of last disposition entry, then destroy or microfilm, hold for 4 years from date of last disposition entry, then destroy retaining microfilm for an additional 6 years.

SCO0504 Books of Fines and Forfeitures: Hold for 10 years from date of last disposition entry, then destroy.

SCO0505 Records Concerning Traffic Violations Which Result In a Felony Charge: Hold indefinitely unless specified otherwise by statute or order of the Supreme Court.

Supreme Court Order June 30, 1981

SERIES TITLE: **CIVIL CASES NOT PROCEEDING TO FINAL JUDGMENT**

Schedule: **83-1202**

Consists of: Documents relating to trying civil suits in Superior Courts. Included are civil case files in which the plaintiff never carried through to judgment. Cases dismissed without prejudice are included. Not included are cases dismissed with prejudice or cases in which the judge's order specifies terms of out of court settlement.

Retention: Cut off file five years after last action or when dismissed without prejudice; then destroy.

Approved November 30, 1983

SERIES TITLE: CIVIL CASE FILES

Schedule: 86-23

Consists of: (Replaces Supreme Court Order of March 3, 1981 for Superior Court Civil Judgments.) Documents relating to trying civil cases in superior courts and documenting the proceedings in those cases. Included are pleadings and judgments in civil cases, including divorce and domestic relations, complaints, summonses, defensive pleadings, court orders, notices of appeal, appellate pleadings, and determinations of appellate courts.

Retention: Hold in active file until case is closed; then transfer to inactive file. Cut off inactive file at end of calendar year; hold in office seven years; then transfer to a local holding area or County Records Center is authorized. Retain permanently, except that files may be microfilmed provided that (1) filming is done in accordance with any required microfilm standards; (2) a security copy of the film is placed in the Georgia Archives; (3) a reference copy is available in the clerk's office; and (4) a reader-printer is available in the clerk's office. If microfilming is done, the paper copies of cases filed after 1900 may be destroyed at the time they are eligible for transfer to a local holding area or County Records Center. Paper copies of cases filed prior to 1900 may not be destroyed.

Approved April 8, 1986

SERIES TITLE: CIVIL DOCKETS (Also called Issue, Motion, Bench or Bar Dockets)

Schedule: 83-862

Consists of: Documents relating to indexing all pleadings filed in the course of civil actions, including independent motions which are to be decided by the judge without the intervention of a jury. Included are bound volumes which serve as an index to pleadings for each case. Entries vary from one time period to another and from one court to another but generally show term of court, names of parties and their attorneys, case numbers, nature of actions and subsequent service and/or pleadings. Entries are in case number order (assigned by filing date). Most dockets contain an index to defendants and plaintiffs, showing case numbers for each case.

Retention: Cut off on completion of the volume; hold permanently. Transfer to a local holding area or a county archives is authorized after ten years. Microfilming and subsequent destruction of original volume is authorized provided that silver security copy of film

is transferred to State Archives for continuing retention and provided that a reference copy of film is maintained for local use by the court and the public. Note: This schedule does not apply to any court which maintains dockets through the use of electronic data processing.

Approved July 26, 1983

SERIES TITLE: **MINUTE BOOKS**

Schedule: **85-99**

Consists of: Documents relating to recording proceedings and orders in superior courts. Included are court orders, oaths, bonds, motions, certifications; transcripts, full proceedings, and other documents regarding cases; charges to and presentments of grand juries; local rules of procedure; orders or other documents regarding court administrative matters; and other documents. Minute books are often divided, with civil and criminal matters in separate volumes.

Retention: Cut off file series upon completion of book. Hold in the current files area 20 years; then transfer to local holding area; hold permanently; except that original book created by typewriter or by photographic recording methods may be destroyed provided that (1) they have been microfilmed in accordance with applicable microfilm standards; (2) the books are thoroughly indexed; (3) the court has a microfilm reader-printer for generating paper copies; (4) the court has two reference copies of the microfilm; and (5) the security (camera) copy of the film is deposited with the Georgia Department of Archives and History.

Approved December 31, 1985

SERIES TITLE: **RECORD OF WRITS** (Also called Final Records, Final Settlements, Declarations, Or Proceedings)

Schedule: **83-863**

Consists of: Documents recording the text of each case heard by the courts, especially recording writs issued. Included are volumes containing, for each case heard by the court, copies of the complete text of the case or copies of any actions taken by the court.

Retention: Cut off file on completion of volume and hold permanently. Transfer to a local holding area or to a County Records Center or archives is authorized five years after cut-off. Microfilming and subsequent destruction of the original volume is authorized provided that (1) the silver security copy of the film is transferred to the Georgia Archives for permanent retention, and (2) a reference copy of the film is maintained in the county for use by the court and the public.

Approved July 26, 1983

SERIES TITLE: CIVIL AND CRIMINAL CALENDARS

Schedule: 83-864

Consists of: Documents relating to listing civil and criminal matters to be heard, dates for hearing, and styles of cases. Included are calendars for judges and magistrates. Calendars may be made for pre-trial proceedings, trials, motion hearings, small claims, appearances, appellate causes, and other reasons as the court sees fit.

Retention: Cut off file at end of calendar year; hold in current files area 1 year; then destroy. Note: It is recommended that a record copy of each series of calendar be maintained by the clerk as this schedule specifies. Other copies generated for office use, publication, or notification purposes may then be destroyed at the end of the week or weeks of court for which they were produced.

Approved July 26, 1983

SERIES TITLE: SEALED CIVIL DEPOSITIONS

Schedule: 86-22

Consists of: Documents related to obtaining pre-trial testimony from parties and witnesses during discovery for civil cases filed in the superior court under O.C.G.A. §§9-11-(27-31). File consists of sealed envelopes containing depositions taken of parties or witnesses. File may be in form of stenographic transcripts or of videotapes. Envelopes are endorsed with the title of the action and the name of the deponent. Note: depositions which have been opened for use in the court become a part of the case file and are not included in this schedule.

Retention: Hold in the current files area until the case is terminated by order of the court and until all appeals of the corresponding case are completed or until the case is dismissed by order of the court for want of prosecution; the transfer to inactive file; hold in inactive file 1 year; then destroy. (Inactive file may be stored in local holding area or in the county records center.) Note: if the deposition is used in a court proceeding, place in appropriate case in Civil Case Files series and apply the schedule applicable to that series.

Approved April 8, 1986

SERIES TITLE: **GENERAL EXECUTION DOCKET AND GENERAL EXECUTION DOCKET INDEXES**

Schedule: **84-31**

Consists of: Documents relating to recording basic information concerning the execution of the court's decisions. Included are books with entries showing the date case adjudged, names of the parties and their attorneys, case number, date fi. fa. issued, and disposition of the execution. After 1971, photostatic copies of fi. fa. is used in place of these entries. Entries are in the order in which the fi. fa.'s are filed with the clerk's office.

Retention: Cut off file series when last judgment is entered in book; then hold 17 years; then destroy. Transfer to a local holding area is authorized after 7 years.

Approved May 7, 1984

Schedules relating to Jury Management

SERIES TITLE: **JURY MASTER LIST (BOX)**

Schedule: **83-1203**

Consists of: Documents relating to persons qualified for jury service. Included are lists composed of all persons qualified to serve as jurors--whether lists be tickets, computer printouts, microfilm, or in any other form except computer file data storage banks.

Retention: **Counties using mechanical or electronic means of juror selection:** The computer data storage bank file itself is excluded from this schedule. See O.C.G.A. § 15-12-40 (b) (3) which makes this file the permanent jury box. Cut off file series (bound paper copy of computer printout and updates of jury master list required by O.C.G.A. §15-12-43) when a new bound copy of the complete computer file master list is made. Hold in current files area 1 year; then transfer to local holding area; hold 9 years; then destroy. In lieu of the paper computer printout master list, microfilm created in accordance with O.C.G.A. §15-12-44 (b) may be used for record retention purposes after the cut off date. Then, the microfilm of the jury master list must be maintained in the same manner and for the same period as the computer printout retention requirements set out.

Counties using non-mechanical means of juror selection:

Cut off file series (including tickets of jurors names in juror box and bound copy of jury master list) after revision of jury master list. Then destroy tickets and keep

bound copy of jury master list (created in accordance with O.C.G. A. §15-12-43) in current file area 1 year; then transfer to local holding area; hold 9 years; then destroy.

Approved November 28, 1983

SERIES TITLE: JURY QUESTIONNAIRE FILE

Schedule: 83-1204

Consists of: Documents relating to selection and qualification of jurors. Included are completed jury questionnaire forms and consolidated lists (including computer output) where applicable.

Retention: Cut off file at the end of each major revision of the jury list; then transfer to local holding area; hold 10 years; then destroy. Note: for purposes of this schedule, a major revision of the jury list is defined as the point at which the jury qualification questionnaires are mailed to citizens of a county who are considered prospective jurors.

Approved November 28, 1983

SERIES TITLE: JUROR INFORMATION FORM

Schedule: 84-32

Consists of: Documents relating to: (1) providing information to attorneys about summoned jurors in order to facilitate jury selection, and/or (2) correcting errors on or updating information on juror master list. Included are juror information forms turned in by summoned jurors to jury clerk on first day of jury service. Forms contain information provided by jurors and may include occupation, age, marital status, age and occupation of spouse, number of children, previous jury service, and similar data.

Retention: Cut off file series at the end of each calendar year; hold 1 year; then destroy. Transfer to a local holding area is authorized.

Approved May 7, 1984

SERIES TITLE: GRAND JUROR AND TRIAL JUROR LISTS

Schedule: 83-1206

Consists of: Documents relating to summoning and service of grand jurors and trial jurors.

Included are: (1) lists of grand or trial jurors summoned at a term or week of court, (2) lists of grand or trial jurors sworn to serve at a term or week of court, and (3) lists of grand jurors serving at a term of court and trial jurors serving in a case before the court. (Specifically excluded from this schedule are the jury master list - jury box, jury qualifications questionnaires, and jury script.)

Retention: Cut off file series at end of each term of court; hold in current files area 1 year; then transfer to Records Center; hold 9 years; then destroy. Except, if these lists are recorded on the court minutes and verified, then the originals and any duplicates (other than the minute book copy) of the jurors summoned list and jurors sworn list may be destroyed after 30 days have expired from the close of the term of court for which the jurors served or were summoned. If a final trial jury list (serving) in each case is incorporated into the case file, all other copies (excluding minute book copies, if any) may be destroyed after 30 days have expired since the close of the term of court in which jurors served; and the case file copy shall not be destroyed unless in accordance with the records retention schedule established for such type of case file.

Approved November 28, 1983

SERIES TITLE: **JURY DRAFTS AND SCRIPTS**

Schedule: **83-1207**

Consists of: Documents relating to juror payment for service. Included are copies of juror drafts and script.

Retention: Cut off file at end of each calendar year; hold in the current files area 4 years; then destroy.

Approved November 28, 1983

SERIES TITLE: **SHERIFF'S JUROR PRECEPTS**

Schedule: **83-1208**

Consists of: Documents relating to summoning of grand and trial jurors. Included are clerk's list to sheriff showing jurors to be summoned for service for term of court.

Retention: Cut off file series at the end of each calendar year; hold in current files area 3 years; then destroy.

Approved November 28, 1983

Schedules relating to Property Records

SERIES TITLE: **DEED BOOKS**

Schedule: **SCO0901**

Consists of: Books containing instruments pertaining to ownership and transfer of ownership of real and personal property.

Retention: Cut off at end of calendar year; hold permanently; paper copy may be transferred to County Records Center or local holding area after 20 years; or microfilm; hold paper copy 1 year, then destroy; retain copy of micro film permanently and transfer silver original to State Archives.

Approved March 3, 1981

SERIES TITLE: **INDEXES TO DEEDS**

Schedule: **87-69**

Consists of: Documents relating to maintaining an index for recorded deeds. Included are bound volumes containing grantor and grantee indexes to deeds recorded by the clerk. For each deed recorded the index shows the name of the grantor, the name of the grantee, the character of the instrument, the date of the instrument, the volume and page where recorded, and the date of recording. Usually there are separate volumes for grantors and grantees.

Retention: Cut off file when volume is full, then hold permanently.
Note: If the office uses an indexing system in connection with a computer, any weekly, monthly, quarterly, annual or other interim printouts (which are superseded by consolidated volumes) may be destroyed when the larger consolidation is received.

Approved June 27, 1987

SERIES TITLE: **PERSONAL PROPERTY RECORDS**

Schedule: SCO0801 - SCO0810

Consists of: ***STATEMENTS FILED AND INDEXED AFTER JANUARY 1, 1964. Real property records in which are noted fixture filings or filings concerning crops, minerals, or accounts subject to O.C.G.A. §11-9-103(5).***

Financing Statements: Documents indicating the names and addresses of the debtor and the secured party, signed by the debtor, and containing a “statement indicating

the types or describing the items of collateral.”

Continuation Statements: Documents identifying the original financing statement by number and stating that the original statement is still effective which is signed by the secured party.

Statements of Assignment: Documents setting forth the name of the secured party of record, the debtor, the file number, the date of the filing of the financing statement, and the name and address of the assignee, and descriptions of the assigned collateral.

Statements of Release: Documents containing a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement.

Termination Statements: Documents stating that there is no outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value, indicating the financing statement’s file number and/or signed by the secured party.

Indexes of Financing Statements: Books containing the name and address of the debtor, and the file number of the financing statement, as well as entries regarding receipt of continuation statements, termination statements, and statements of assignment and release.

Retention:

SCO0805 Financing Statements: Cut off after date of filing; hold 6 years; destroy; or microfilm, destroy originals; hold microfilm 6 years; destroy. Exceptions: 1) If notice of action involving statement given (including insolvency proceeding), hold statement or copy for duration of proceedings and 60 days thereafter or 6 years whichever is later; then destroy. 2) If continuation statement filed; hold financing statement for 6 years from date of continuance; destroy unless another continuation statement filed. 3) If real estate mortgage is effective as a fixture (UCC) filing, hold financing statement or copy for 1 year after mortgage released or satisfied of record or otherwise terminates. 4) If financing statement filed before July 1, 1978, hold 6 years and 2 months after filing; then destroy. 5) If a termination statement is filed, hold financing statement or microfilm copy for 1 year; destroy after termination date.

SCO0806 Continuation Statements: Hold same term as financing statement.

SCO0808 Statements of Assignment: Hold same term as financing statement.

SCO0807 Statements of Release: Hold same term as financing statement.

SCO0809 **Termination Statements:** Cut off when received; hold 1 year; then destroy; or microfilm, destroy original and hold microfilm 1 year.

SCO0810 **Indexes of Financing Statements:** Retain permanently; or microfilm and hold original book until all statements indexed are destroyed, then destroy original and retain microfilm permanently.

Approved June 30, 1981

RECORDS RECORDED PRIOR TO JANUARY 1, 1964

Original Instruments: Includes documents designed as bills of sale, personal property mortgages (including all instruments styled as “note” or “Personalty Deed to Secure Debt”), contracts, conditional sales contracts, bill of sale to secure debt, liens, assignments, leases, liens of conveyances of crops, transfers, bonds for title, renewals (of debt), affidavits, agreements, or retention title contracts delivered to the clerk for recording but never picked up by or returned to the parties to the transaction to which the documents relate.

Record Books and Indexes Containing Entries Relating to Personalty Only:

Consists of copies of original instruments written or typewritten on blank pages, or copies onto forms in a record book kept expressly for that purpose. Indexes may be contained in a separate volume from entries. Record Books include: books of bills of sale, deeds to personal property, books for bills of sale to secure debt, chattel mortgage record docket, chattel mortgages and liendockets, filing docket and general index to chattel mortgages, filing docket and general index to personalty mortgages, personal property docket, personal liendockets, personalty mortgages- grantor index, and public index to personalty mortgages. Some of these books are singles volumes or parts of a records series containing both volumes for personalty and volumes for realty records.

Record Books and Indexes Relating to Both Personalty and Realty:

Consists of copies of original instruments written or typewritten on blank pages, or copies into forms in a record book kept expressly for that purpose. Indexes to these entries may be contained in the record books themselves or may be in separate volumes. Books include: Book for Mortgage Liens, Book for Title, Contract Records, Factor’s Lien Records, File Docket for Liens, Lease Record, Lien Book, Lien Stock Record, Mortgages and Lien Record, Mortgage Record, Promiscuous Record, Security Bonds and Deeds, Security Deed Record, Filing Docket and General Index to Mortgages/Other Items, Filing Docket and General Index to Property, Filing Docket and Index to Mortgages, General Index to Deeds and Personalty Mortgages, Grantee Index to Deeds and Personalty Mortgages, Grantee Index to Mortgages, Grantor Index to Deeds and Personalty Mortgages, and Grantor Index to Mortgages.

Duplicate index books.

- SCO0801** **Original Instruments:** Return to parties; if impossible, destroy.
- SCO0802** **Record Books and Indexes Containing Entries Relating to Personalty Only:** Cut off at last entry; hold 20 years; destroy. Exception: Books created prior to 1900 must be offered to Department of Archives and History 60 days prior to proposed destruction.
- SCO0803** **Record Books and Indexes Relating to Both Personalty and Realty:** Extract realty records, rebind; retain permanently; treat personalty records according to personalty schedules; or microfilm book; retain film permanently; destroy book according to personalty schedule.
- SCO0804** **Duplicate Index Books:** Verify entries, then destroy.

SERIES TITLE: **REAL ESTATE TRANSFER TAX DECLARATION FORMS FILE**

Schedule: **83-827**

Consists of: Documents relating to transfer tax on real estate. Included is the duplicate copy of the real estate tax declaration form which is filed in the superior court clerk's office.

Retention: Cut off file at the end of each calendar year; then hold in the office 3 years; then destroy.

Approved March 30, 1983

SERIES TITLE: **FEDERAL TAX LIEN INDEX**

Schedule: **83-866**

Consists of: Documents relating to discharged federal tax liens. Included is the federal tax lien index.

Retention: Retain for ten years from date of discharge of last lien recorded in the index. The index may be microfilmed at any time after the discharge of the last open lien is filed. Retain microfilm 10 years from date of discharge of last lien; retain original for 2 years after microfilming.

Approved July 26, 1983

SERIES TITLE: FEDERAL TAX LIEN FILES

Schedule: 83-867

Consists of: Documents relating to federal tax liens. Included are notice of federal tax lien, discharge from federal tax lien, and release and partial discharge from federal tax lien.

Retention: If federal tax lien index is kept, and if discharges are entered on same line, as required by law, both notice of lien and discharge can be destroyed 7 years from final discharge date. Renewed liens and liens which were discharged in error (and for which notice has been received) are not discharged liens for the purposes of this schedule.

When federal tax lien index is not marked as above, or where any other system (including General Execution Docket) is used, retain notice of federal tax lien and discharge for 50 years.

Approved July 26, 1983

SERIES TITLE: DISCHARGED FEDERAL TAX LIEN FILES

Schedule: 83-868

Consists of: Documents relating to discharged federal tax liens. Included are notice of federal tax lien, discharge from federal tax lien, and release and partial discharge from federal tax lien.

Retention: **A.** If federal tax lien index is kept, and if discharge is entered on same line as the lien as required by law, both notice of lien and discharge can be destroyed 7 years from final discharge date. Renewed liens and liens which were discharged in error (and for which such notice has been received) are not discharged liens for the purpose of this schedule.

B. Where federal tax lien index is not marked as above, or where any other system (including General Execution Docket) is used, retain notice of federal tax lien and discharge for 50 years.

The notices of federal tax lien and their accompanying discharges may be microfilmed at any time after discharge, after which the originals may be destroyed. The same retention schedule applies to the film.

Approved July 26, 1983

Schedules relating to Attorneys

SERIES TITLE: STATE BAR APPLICATIONS FOR ADMISSION WITHOUT EXAMINATION

Schedule: **83-869** Note: This series ended in 1977.

Consists of: Documents relating to admission to State Bar of attorneys from other States. Included are motions for admission, answers of the State Bar, proceedings, rule nisi, judge's orders.

Retention: Cut off file at end of calendar year 1977; transfer to local holding area; then hold 70 years; then destroy or cut off file at end of calendar year 1977; microfilm file; destroy originals; hold microfilm 70 years; then destroy.

Approved July 26, 1983

SERIES TITLE: PRACTICING ATTORNEYS REGISTRATION BOOKS

Schedule: **83-886**

Consists of: Documents relating to registration of practicing attorneys. Included is record of practicing attorneys. Information included is name, address, place, date of admission to practice, and retirement notice.

Retention: Cut off file when book is filled, hold in office 10 years; then transfer to local holding area; hold permanently. Microfilming is authorized when the book is filled. The original record may be destroyed after microfilming and verification.

Approved August 26, 1983

SERIES TITLE: THIRD YEAR LAW STUDENTS' AND STAFF INSTRUCTORS' FILES

Schedule: **83-889**

Consists of: Documents relating to authorization of third year law student or staff instructor to

assist District Attorney or practice legal aid. Included are law school dean's certificates, student and staff instructor oaths.

Retention: Cut off file at end of each calendar year; hold in the current files area 1 year; then transfer to local holding area; hold 2 years; then destroy.

Approved November 3, 1983

SERIES TITLE: CERTIFICATION OF BAR ADMISSION ELIGIBILITY FILE

Schedule: **83-865**

Consists of: Certificates of a passing bar exam score and orders of judge for clerk to issue license to practice law.

Retention: Cut off file at end of each calendar year; hold in office 10 years; then transfer to local holding area; hold for 60 years; then, destroy or cut off file at end of calendar year; then microfilm file; then destroy originals; then hold microfilm 70 years; then destroy.

Approved July 26, 1983

Schedules relating to Election Records

SERIES TITLE: ELECTION RECORDS FILE

Schedule: **83-1205**

Consists of: Documents relating to general and primary elections. Included are: used, unused, and void ballots, ballot stubs, oaths of poll officers, numbered lists of voters, tally papers, voting machine paper proof sheets, and return sheets.

Retention: Cut off file series when delivered to clerk of court; transfer to local holding area; hold 2 years; then present to grand jury for approval at first meeting after 24 months; hold until grand jury adjourns; then destroy, except that in the event of a court case for any race documented by these records, hold until final settlement, then destroy.

Approved November 28, 1983

SERIES TITLE: SUPERIOR COURTS CLERKS LIST OF PERSONS WHO HAVE BEEN CONVICTED OF A FELONY

Schedule: **90-86**

Consists of: Records relating to deleting from elector lists those persons who have become disfranchised because of being convicted of certain felonies. Included are lists

prepared monthly by the clerk of superior court and filed with registrars giving names, addresses, and ages of persons who appear to be disqualified from voting by reason of having been convicted of a crime during the preceding month, the penalty of which is disfranchisement, unless the persons have been pardoned and the right of suffrage has been restored. See O.C.G.A. §21-2-232.

Retention: Retain 2 years, then destroy.

SERIES TITLE: **SUPERIOR COURT CLERKS' CERTIFIED LISTS OF QUALIFIED ELECTORS**

Schedule: **90-87** Note: Requirement for these records was repealed in 1987.

Consists of: Certified lists of qualified electors and the accompanying certification of the number of electors by race in each precinct filed with the clerk of superior court.

Retention: Destroy immediately.

SERIES TITLE: **APPLICATIONS FOR PETITIONS TO RECALL THE PROBATE JUDGE**

Schedule: **90-88**

Consists of: Records related to granting authority, to persons wishing to sponsor a recall drive, for petitions for the recall of the judge of the probate court as provided for in O. C. G.A. §21-4-3 (3) (A).

Retention: Retain 2 years; then destroy.

SERIES TITLE: **CALLS OF RECALL ELECTIONS FOR PROBATE JUDGE**

Schedule: **90-89**

Consists of: Calls for recall elections for a probate judge who also serves as election superintendent. See O. C.G. A. §21-4-13 (c) (2).

Retention: Retain 2 years; then destroy.

Schedules relating to Other Records

SERIES TITLE: **NOTARY PUBLIC APPLICATION, CERTIFICATES AND DOCKETS**

Schedule: **83-1209**

Consists of: Documents relating to certifying persons to be notaries public. Included are applications for becoming a notary public, certificates of persons so commissioned, and docket books listing persons commissioned.

Retention: **Applications and Certificates:** Cut off file at end of each calendar year; hold in current files 5 years; transfer to local holding area for 4 years; then destroy if docket book, index, or other record book exists which contains name, address, and commission period; otherwise retain permanently.

Docket Book: Cut off file when book is completed; hold permanently. The retention of a cumulative alphabetical index in lieu of docket books is authorized if the index states not only the name and address of the notary public, but also the beginning and expiration date of each person's commission. If created, the index shall be kept permanently.

Microfilming and subsequent destruction of these records is authorized provided that : (1) a silver security copy of microfilm is transferred to State Archives for permanent retention and (2) a reference copy of the film is maintained in the county for use by the court and the public.

Approved November 20, 1983

SERIES TITLE: **APPLICATION FOR TRADE NAME AND TRADE NAME REGISTRATION INDEX**

Schedule: **83-1210**

Consists of: Documents relating to registration of trade name under which an individual or company is doing business. Included are applications for registration of trade name. Trade name registration index books include entries of owners, addresses, and names of business. In most counties, recent years of entries are photocopies of applications. Many of the books have a cumulative index which list business name and page number of application.

Retention: Cut off file series at end of each month. If application is entered in registration index book, hold application for 1 year after cut off date, then destroy. Hold registration index book permanently unless book is microfilmed in accordance with Georgia Microfilm Standards. If microfilmed, the original index book may be destroyed 1 year after microfilming. A security copy of the microfilm shall be sent to the State Archives and a reference copy shall be maintained by the court clerk. If the trade name registration index book is generated by computer, the same disposition instructions apply.

Approved November 28, 1983

SERIES TITLE: NEWSPAPERS CONTAINING LEGAL ADVERTISEMENTS

Schedule: 84-3

Consists of: Documents relating to giving public notice, through newspaper advertisements, of official actions or as required by various laws. Included are copies of newspapers containing legal advertisements as required by law. Note: O.C.G.A. §§ 15-6-74 and 15-9-43 authorize newspapers to be maintained on microfilm or by other photographic means. These code sections and O.C.G.A. §15-16-12 authorize clerks of superior court, judges of probate court, and sheriffs to enter into an agreement whereby one of these officials will maintain the official record of these newspapers for the other two.

Retention: Cut off file series at the end of each calendar year; hold in the current files area 50 years; then transfer to library or historical society. Microfilming of the newspapers each year and retention on film, destroying the paper is authorized provided that Georgia Microfilm Standards are followed.

Approved April 3, 1984

Schedules Applicable to All Court Offices

SERIES TITLE: COURT RECORDS DESTRUCTION NOTICE AND CERTIFICATION FILE

Schedule: 84-61

Consists of: Documents relating to notification to county government of pending records destruction and certifications of destruction. This may include notices and certifications of records destruction forms received from the County Records Center, and copies of letters or memos sent to a county records management officer certifying records destruction from the office in accordance with instructions by a retention schedule.

Retention: Cut off at the end of each calendar year; hold in the current files area 10 years; then destroy. The record copy may be maintained by a County Records Center and is not affected by this schedule.

Approved September 19, 1984

SERIES TITLE: RETENTION SCHEDULES FOR COURT RECORDS (REFERENCE COPIES)

Schedule: 85-40

Consists of: Documents relating to establishing retention schedules for court records (under the Georgia Records Act) and implementing the provisions of those schedules. Included are reference copies of approved court records retention schedules, including 1) copies of the "Application for Records Retention Schedule for Georgia Courts," and 2) copies of summaries of schedules such as those in Common Records Retention Schedules for Courts.

Retention: Hold in active file until superceded or voided, or until all dispositions instructions are no longer applicable to any existing records, whichever is later; then destroy.

Approved May 6, 1985

SERIES TITLE: COURT RECORDS TRANSMITTAL AND RECEIPT FILES

Schedule: 84-62

Consists of: Documents relating to transferring records to the local County Records Center. Included may be copies of records transmittal and receipt forms showing the records series and dates of the records that have been transferred to records center storage.

Retention: Cut off at the end of each calendar year; hold in the current files area 10 years; then destroy. The record copy may be maintained by a County Records Center and is not affected by this schedule.

Approved September 19, 1984

SERIES TITLE: COURT BUDGET WORKING PAPERS FILE

Schedule: 84-63

Consists of: Documents relating to preparation of annual budget requests. Included are the forms relating to programs, purpose, goals and objectives, budget request, personnel schedule, equipment, description of improvements, capitol projects, budget estimate of revenue, estimated budget projection, budget adjustment requests, and other similar forms and budget documents, working papers, drafts, feeder reports, copies of proposed budgets, correspondence, and memoranda.

Retention: Cut off file series at the end of each fiscal year; hold in current files area 2 years; then destroy. Note: The record copy is generally maintained by the County Department of Finance or the Clerk of the County Commissioners and is not affected by this

schedule.
Approved September 19, 1984

SERIES TITLE: APPROVED BUDGET REFERENCE FILES

Schedule: 85-42

Consists of: Documents relating to planning and controlling the expenditure of appropriated funds. Included are copies of approved budget showing the allocation of funds by the appropriating authority. Working papers showing the planning for the expenditure of these funds, or reports, usually monthly or quarterly, showing the current status of expenditures as compared with the amount budgeted may also be included.

Retention: Cut off at end of fiscal year; hold until no longer needed for reference; then destroy.
Approved May 6, 1985

SERIES TITLE: COURT PROCUREMENT FILE

Schedule: 84-64

Consists of: Documents relating to procurement of goods, equipment, supplies, and services. Included are copies of requisition forms with all attachments and specifications; confirmatory purchasing documents such as bids, copies of invoices, petty cash vouchers, proof of purchase or paid bills, and similar documents; copies of purchase orders; copies of bids; and documents showing selection of vendor. Also included are departmental copies of the requisition forms used to procure standard office supplies from county purchasing departments, if any.

Retention: Cut off file series at the end of each fiscal year. Hold in the current files area 2 years; then destroy. Note: The record copy is generally maintained by the County Department of Finance or Clerk of the County Commissioners and is not affected by this schedule.

Approved September 19, 1984

SERIES TITLE: REVENUE REMITTANCE FILE

Schedule: 85-39

Consists of: Documents relating to remitting revenue to the County Department of Finance or County Treasurer. Included are copies of fee receipts and documents summarizing revenue received or other supporting attachments transmitting funds to the County Department of Finance or County Treasurer.

Retention: Cut off the file series at the end of each fiscal year. **When audited:** Upon completion of audit, transfer to local records center; hold 4 years; then destroy. **When not audited:** Transfer to local records center; hold 4 years; then destroy. The record copy is generally maintained by the County Department of Finance or County Treasurer and is not affected by this schedule.

Approved May 6, 1985

SERIES TITLE: **WORKERS' COMPENSATION CLAIM FILES FOR COURT EMPLOYEES**

Schedule: **85-41**

Consists of: Documents relating to compensating court employees and officials for medical expenses or indemnity compensation for on-the-job injuries or job-related disabilities. Included are workers' compensation occupational injury reports, initial medical reports, final medical reports, various medical bills, reports or verifications, correspondence, and other papers used to support a claim with the State Board of Workers' Compensation.

Retention: If this is employer's record copy, hold in active files until notification is received that a claim is terminated or final settlement has been made; then transfer to the inactive file. Cut off inactive files at the end of the calendar year; transfer to local records center; hold 10 years; then destroy. If notification is received that the claim is terminated or final settlement has been made, then transfer to inactive file. Cut off inactive file at end of calendar year; transfer to local records center; hold 2 years; then destroy.

Approved May 6, 1985

SERIES TITLE: **VEHICLE MAINTENANCE AND REPAIRS FILE**

Schedule: **85-47**

Consists of: Documents relating to maintaining vehicles and recording related costs for budget and other planning purposes. Included are: maintenance logs, records of service or repairs, and records of usage of vehicles.

Retention: Cut off file series at the end of each fiscal year; hold in the current files area 3 years; then destroy.

Approved May 22, 1985

RESOLUTION OF THE STATE RECORDS COMMITTEE APPROVED JANUARY 18, 1996

BE IT RESOLVED THAT,

“all paper records of State agencies and local governments, and all records of the Courts of the State of Georgia which have been microfilmed and verified in accordance with said Micrographic Standards (Georgia Micrographic Standards) may be destroyed, unless specifically prohibited by law, code, resolution, order or an approved State Records Committee records retention schedule.”