

# **Schedule 18**

# COUNTY COURTS

August 4, 2010

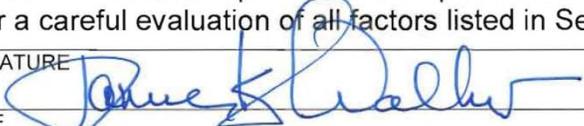
Nebraska Records Management Division  
440 South 8<sup>th</sup> Street, Suite 210  
Lincoln, NE 68508  
(402) 471-2559

**REQUEST FOR APPROVAL  
OF RECORDS RETENTION  
AND DISPOSITION SCHEDULE**

<b>TO: STATE RECORDS ADMINISTRATOR STATE OF NEBRASKA</b>	SCHEDULE <b>18</b>
	AGENCY, BOARD OR COMMISSION <b>COUNTY COURT</b>
	DIVISION, BUREAU OR OTHER UNIT
	Supersedes Edition of October 8, 2008

**PART I – AGENCY STATEMENT:**

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE 	
TITLE STATE COURT ADMINISTRATOR	DATE July 21, 2010

**PART II – APPROVAL OF STATE ARCHIVES:**

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE 	DATE 7/21/2010
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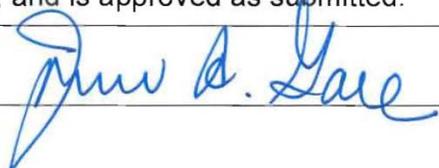
**PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:**

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE 	DATE 7/30/10
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**PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:**

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE 	DATE 8/4/10
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RMA 01005D

## **INSTRUCTIONS FOR USING THIS SCHEDULE**

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, ***regardless of the media on which they reside***, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the Local Agencies General Records Schedule #24 contains those records common to most local government agencies. These retention schedules, which are approved by the State Records Administrator, provide your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

### **DISPOSING OF RECORDS**

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over General Records Schedule #24 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods.
3. For records requiring a review of or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives and negotiate the transfer. Additionally, **once the records are accessioned to their collection, they become the property of the State Archives**. The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Nebr. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is the last page of this schedule. Remove the form, photocopy it, complete the form, make a photocopy for your records, and send the completed form to the Records Management Division at the address below. If you wish, you may receive this form electronically by contacting the Records Management Division. This report establishes that the destruction was performed in your normal course of business.

**Please remember to retain the blank form for future use.**

### **NON-SCHEDULED RECORDS**

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

### **SCHEDULE UPDATE**

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

### **QUESTIONS**

If you have any questions about these procedures, please contact your agency Records Officer or your Records Management Specialist in Records Management. We will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division  
440 South 8th Street, Suite 210  
Lincoln, NE 68508-2294  
402-471-2559**

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## **SCHEDULE 18 – COUNTY COURTS**

### **18-1            ADOPTION RECORDS**

#### **18-1-2            ADOPTION CASE FILES**

This is a CONFIDENTIAL RECORD (See 43-113, R.R.S. 1943) which includes the name of the person adopted, the identity of the attorney, and all original papers filed in the court.  
**ORIGINAL RECORD: Scan to JUSTICE and retain originals permanently OR microfilm and destroy originals.**

**PRIOR TO 1920: Records not microfilmed may be transferred to the State Archives.**

**SECURITY MICROFILM: Transfer to the State Archives.**

**MICROFILM WORK COPY: Retain permanently.**

**ELECTRONIC RECORD: Retain permanently.<sup>2</sup>**

#### **18-1-1            ADOPTION REGISTER OF ACTIONS (UPDROA)**

This is a CONFIDENTIAL RECORD (See 43-113, R.R.S. 1943). Index to adoption records listing both child and parents. It also lists case number, all fees paid, reason for payment, file-stamp dates, and date of entry of each court order and judgment.

**ORIGINAL RECORD: Scan to JUSTICE and retain originals permanently OR microfilm and destroy originals.**

**PRIOR TO 1920: Records not microfilmed may be transferred to the State Archives.**

**SECURITY MICROFILM: Transfer to the State Archives.**

**MICROFILM WORK COPY: Retain permanently.**

**ELECTRONIC RECORD: Retain permanently.<sup>2</sup>**

### **18-2            BIRTH AND DEATH RECORDS (OBSOLETE)**

County Courts ceased issuing delayed birth registration on September 6, 1985. Registrations issued before that date are on file at the Bureau of Vital Statistics.

#### **18-2-1            DELAYED BIRTH REGISTRATION DOCKET (OBSOLETE SEPTEMBER 6, 1985)**

This docket records court orders where the registration of a birth was delayed. Section 71-618, R.R.S. 1943, repealed 1985, required this record.

**Immediately transfer to the State Archives.**

#### **18-2-2            DELAYED BIRTH FILES (OBSOLETE SEPTEMBER 6, 1985)**

These files contain original papers filed with the court to prove the date of birth where a petition for delayed birth registration was filed.

**Immediately dispose of obsolete record.**

#### **18-2-3            CORRECTION OF BIRTH OR DEATH CERTIFICATES (OBSOLETE SEPTEMBER 6, 1985)**

Original papers filed with the court to substantiate requests to correct erroneous or incomplete birth or death certificates. Includes the petition, items submitted to prove the correct information, a copy of the incorrect certificate, etc.

**Immediately dispose of obsolete records.**

## **18-3            BOND RECORDS**

### **18-3-2            BONDS**

Bonds of personal representatives, administrators, conservators, executors, guardians, and trustees, as well as appeal, appearance, bail, and cost bonds are maintained as part of the case file, and are not kept separately.

**NOT FILED CRIMINAL CASES:** Dispose of after 3 years OR after audit has been completed, whichever is longer. <sup>1</sup>

**OTHER BONDS:** Retain in appropriate case file and follow the disposition schedule which applies to that case.

#### **ELECTRONIC RECORD:**

**NOT FILED CRIMINAL CASES:** Dispose of after 3 years OR after audit has been completed, whichever is longer. <sup>1, 2</sup>

**OTHER BONDS:** Retain in appropriate case file and follow the disposition schedule which applies to that case.<sup>2</sup>

### **18-3-3            COUNTY OFFICIALS' BONDS AND BOND RECORD**

Record of bonds executed to guarantee performance of duties by the county clerk and members of the county board as well as the bonds themselves. See §25-209, R.R.S 1943 (statute of limitations).

**ORIGINAL RECORD:** Dispose of 10 years after release, replacement or expiration of the bond.

**ELECTRONIC RECORD:** Dispose of 10 years after release, replacement or expiration of the bond.<sup>2</sup>

## **18-4            CIVIL RECORDS**

### **18-4-2            CIVIL, SMALL CLAIMS, AND CONDEMNATION CASE FILES**

All original papers, documents, and court orders filed in a case.

**CIVIL AND SMALL CLAIMS CASE FILES:** Scan to JUSTICE Case Management system and dispose of after image quality has been verified OR dispose of 5 years after the date a case is dismissed or a judgment satisfied OR dispose of 15 years after the date the last pleading in the case was filed.<sup>2</sup>

**CONDEMNATION CASE FILES:** Scan to JUSTICE Case Management system and dispose of after image quality has been verified OR dispose of 20 years after the date the last pleading in the case was filed.<sup>2</sup>

#### **ELECTRONIC RECORD:**

**CIVIL AND SMALL CLAIMS IMAGES:** Dispose of 5 years after the date a case is dismissed or a judgment satisfied OR dispose of 15 years after the date the last pleading in the case was filed.<sup>2</sup>

**CONDEMNATION CASE IMAGES:** Dispose of 20 years after the date the last pleading in the case was filed.<sup>2</sup>

**18-4-1 CIVIL, SMALL CLAIMS AND CONDEMNATION REGISTERS OF ACTION (UPDROA)**

Registers of action summarize the activity in a case. These records contain the names of the parties and their attorneys, the kind of action, the date and amount of judgment, a record of fees and costs, the date of filing and a brief summary of the contents of each paper filed and the date of entry and a summary of each order of the court. Until 2000, registers of action were on cards filed in alphabetical order, replacing the Index. Currently all information is retained in the JUSTICE computer system.

**CIVIL AND SMALL CLAIMS CASES: Dispose of 15 years after the date the last pleading was filed, provided audit has been completed.<sup>1</sup>**

**CONDEMNATION CASES: Dispose of 20 years after the date the last pleading was filed.**

**ELECTRONIC RECORD:**

**CIVIL AND SMALL CLAIMS CASES: Dispose of 15 years after the date the last pleading was filed, provided audit has been completed.<sup>1, 2</sup>**

**CONDEMNATION CASES: Dispose of 20 years after the date the last pleading was filed.<sup>2</sup>**

**18-5 ESTATE RECORDS**

**18-5-4 ENTRY BOOK AND ESTATE BOOK (DEFUNCT)**

These records were created by 1866 Territory Law and discontinued by 1895 Session Laws. Information is now contained in the PROBATE FEE BOOK and PROBATE RECORD (see Estate Case Files), respectively.

**Immediately transfer to the State Archives.**

**18-5-1 ESTATE CASE FILES**

Files contain original papers relating to a case. A sample of documents which might be found in a file includes: petitions, wills, letters appointing a personal representative, guardian or conservator, bonds, oaths, inventories, appraisals, affidavits of publication, claims against the estate, pleadings, and orders of the court.

**ORIGINAL RECORD: Scan to JUSTICE Case Management system and retain permanently; OR microfilm and destroy originals pursuant to section 18-13.<sup>2</sup>**

**PRIOR TO 1920: Records not microfilmed may be transferred to the State Archives.**

**SECURITY MICROFILM: Transfer to the State Archives.**

**MICROFILM WORK COPY: Retain permanently.**

**ELECTRONIC RECORD: Retain permanently.<sup>2</sup>**

**18-5-5 ESTATE FEE BOOK OR PROBATE FEE BOOK  
(DEFUNCT)**

Separate book used to record all of the fees paid in an estate case. Information in this record is now recorded on the ESTATE REGISTER OF ACTIONS. The record includes: the case number, the case caption, the date each paper was filed or issued, dates of court orders and the judgment, and an accounting of all fees paid, including the date, name of person making payment, amount of payment, and the name of person entitled to payment, and reason for payment.

**FEE BOOKS USED AS A MICROFILM INDEX: Retain permanently or microfilm and destroy originals pursuant to section 18-13.**

**SECURITY MICROFILM: Transfer to a secure location; retain permanently.**

**MICROFILM WORK COPY: Retain permanently.**

**FEE BOOK NOT USED AS A MICROFILM INDEX: Dispose of after 5 years provided audit has been completed.<sup>1</sup>**

**ELECTRONIC RECORD: Retain permanently.<sup>2</sup>**

**18-5-2 ESTATE INDEX**

Alphabetical index to estate cases, providing first and last names, case number, the docket and page if recorded in an obsolete docket book, and the roll and frame if microfilmed.

**ORIGINAL RECORD: Retain permanently or microfilm and destroy originals pursuant to section 18-13.**

**PRIOR TO 1920: Records not microfilmed may be transferred to the State Archives.**

**SECURITY MICROFILM: Transfer to the State Archives.**

**MICROFILM WORK COPY: Retain permanently.**

**ELECTRONIC RECORD: Retain permanently.<sup>2</sup>**

**18-5-3 ESTATE REGISTERS OF ACTION AND INDEX**

A summary of case activity contained on a card which is filed alphabetically to provide an index. Until 2000, this record served as the probate record, fee book, and general index to probate records which are required by §24-554, R.R.S. 1943. A sample of the information contained on the card includes: case number; filing date; case type; names of the deceased or protected person, personal representative, guardian or conservator, and attorneys; payments received by the court with date of receipt and name of payer; claims filed; etc. Current information is retained on the JUSTICE computer system.

**ORIGINAL RECORD: Retain permanently or microfilm and destroy originals pursuant to section 18-13.**

**PRIOR TO 1920: Records not microfilmed may be transferred to the State Archives.**

**SECURITY MICROFILM: Transfer to the State Archives.**

**MICROFILM WORK COPY: Retain permanently.**

**ELECTRONIC RECORD: Retain permanently.<sup>2</sup>**

**18-5-6 GUARDIANSHIP DOCKET (DEFUNCT)**

This is an alphabetical index to guardianships. The information on this form is now included on the ESTATE REGISTER OF ACTIONS. Information contained on this record includes: case number, classification of guardianship, and fee book and page or roll and frame where the case is recorded.

**ORIGINAL RECORD: Retain permanently or microfilm originals pursuant to section 18-13.**

**PRIOR TO 1920: Records not microfilmed may be transferred to the State Archives.**

**SECURITY MICROFILM: Transfer to the State Archives.**

**MICROFILM WORK COPY: Retain permanently.**

**ELECTRONIC RECORD: Retain permanently.<sup>2</sup>**

**18-5-8 INDEX TO WILLS DEPOSITED FOR SAFEKEEPING AND WILLS NOT PROBATED**

This record includes: the date each will was deposited; an alphabetical listing of the names of people making wills; the name of the person who delivered the will for filing; and the final disposition of the will. This is required by §25-2757, R.R.S. 1943.

**ORIGINAL RECORD: Retain permanently or, microfilm and destroy originals.<sup>2</sup>**

**SECURITY MICROFILM: Transfer to a secure location; retain permanently.**

**MICROFILM WORK COPY: Retain permanently.**

**ELECTRONIC RECORD: Retain permanently.<sup>2</sup>**

**18-5-9 WILLS DEPOSITED FOR SAFEKEEPING AND WILLS NOT PROBATED**

This is required by §30-2355, R.R.S. 1943.

**Deliver to appropriate person or court upon request or dispose of 100 years after deposited with the court.**

**18-6 FISCAL RECORDS**

**18-6-1 AUDIT REPORTS**

Audits authorized by the county board and internal audits reporting on the regularity of all fiscal accounts and records.

**Dispose of after 3 years, provided audit has been completed.<sup>1</sup>**

**18-6-2 CASH AND FEE SHEETS (OBSOLETE 2007)**

Daily cash journal of all receipts and disbursements, recorded in loose-leaf binders. Information is collected from and duplicated in ADOPTION, CIVIL AND CONDEMNATION, CRIMINAL, AND ESTATE REGISTER OF ACTIONS. Accounts which are not settled (where money is held by the court) are contained in the TRUST FUND LEDGER.

**Dispose of after 5 years, provided audit has been completed.<sup>1</sup>**

**18-6-3 INHERITANCE TAX STATEMENTS**

Statements to treasurer by county judge and clerk magistrate concerning parties who are known or presumed to owe inheritance taxes. See §77-2030, R.R.S. 1943.

**Dispose of after 1 year, provided audit has been completed.<sup>1</sup>**

**18-6-4 INVENTORY REPORTS**

Annual inventory report to the county clerk of all county personal property maintained by the clerk of the county court as provided in §23-346 and §23-350. See §24-590, R.R.S. 1943.

**Dispose of 1 year after superseding inventory is taken, provided audit has been completed.<sup>1</sup>**

**18-6-5 RECEIPTS**

The receipt process is part of the JUSTICE Case Management system and receipts are not always printed.

**Give to customer OR retain in and dispose of with the appropriate case file.**

**18-6-7 REPORT OF COUNTY JUDGES' RETIREMENT FUND FEES**

Courts' copy of recurrent report showing fees collected and transmitted to the Director of the Nebraska Retirement Systems for the County Judges Retirement Fund. Payment to the State Treasurer accompanies this report.

**Dispose of after 3 years, provided audit has been completed.<sup>1</sup>**

**18-6-8 TRUST FUND LEDGER (OBSOLETE 2007)**

Unsettled accounts carried over from CASH AND FEE SHEETS or cases which carry an outstanding balance over a period of time. Time pay accounts in criminal and traffic cases are also included in this record.

**Dispose of after account is settled, provided audit has been completed.<sup>1</sup>**

**18-6-9 UNCLAIMED WITNESS FEE STATEMENT**

Quarterly statements to the county board of unclaimed fees in their possession. See §77-2401, R.R.S. 1943.

**Dispose of after 5 years, provided audit has been completed.<sup>1</sup>**

**18-7 FELONY, MISDEMEANOR, AND INFRACTION RECORDS**

**18-7-6 CRIMINAL DOCKET (OBSOLETE)**

Record no longer maintained in most courts; replaced by CRIMINAL REGISTER OF ACTIONS. Contains: Case number; charges filed; name of the accused; identifies attorneys; chronological list of each document filed, order or judgment entered by the court; bonds and fees paid.

**Dispose of 15 years after the latest date of initial filing of all cases in the docket book, subject to review by the State Archives for possible accession.**

**18-7-7 CRIMINAL INDEX (OBSOLETE)**

This record has been replaced by the CRIMINAL REGISTER OF ACTIONS AND INDEX. It provides an alphabetical or pseudo-alphabetical index to all criminal actions, listing the name of defendant, case number or docket and page, and the roll and frame number in some courts which have microfilmed records.

**Dispose of 15 years after the latest date of initial filing of all cases in the index, subject to review by the State Archives for possible accession.**

**18-7-1 CRIMINAL REGISTERS OF ACTION AND INDEX**

Prior to 2000, the CRIMINAL REGISTER OF ACTION was a card filed alphabetically by the last name of the defendant, which contained, case number; the defendant's name; attorneys for the State and defendant; charges filed; fees and costs; a summary of pleadings and orders filed in the case together with the filing date; etc. Currently all information is retained on JUSTICE computer system.

**ORIGINAL RECORD: Dispose of 15 years after date of initial filing of the case.**

**ELECTRONIC RECORD: Dispose of 15 years after date of initial filing of the case.<sup>2</sup>**

**18-7-2 FELONY CASE FILES**

Original papers filed in felony cases. The county court conducts a bond hearing and a preliminary hearing in felony cases. If probable cause is found, the defendant is "bound over" (the case is transferred) to the district court for further proceedings.

**CASE BOUND OVER: Transfer the entire original record to the Clerk of the District Court.**

**CASE NOT BOUND OVER (PROBABLE CAUSE NOT SHOWN):**

**ORIGINAL RECORD: Scan to JUSTICE Case Management system and dispose of after image quality has been verified OR dispose of 2 years after the court's order.**

**ELECTRONIC RECORD: Dispose of 2 years after the court's order.<sup>2</sup>**

**CHARGE REDUCED TO MISDEMEANOR AND DISPOSED OF AS A MISDEMEANOR: See MISDEMEANOR CASE FILES.**

**18-7-3 MISDEMEANOR CASE FILES**

Previously called CRIMINAL CASE FILES, misdemeanor cases include those originally filed as felonies but disposed of in the county court as misdemeanors.

**MISDEMEANORS NOT SUBJECT TO ENHANCEMENT AND CASES WHERE DEFENDANT FOUND NOT GUILTY:**

**ORIGINAL RECORD: Scan to JUSTICE Case Management system and dispose of after image quality has been verified OR dispose of 5 years after judgment is entered.**

**ELECTRONIC RECORD: Dispose of 5 years after judgment is entered.<sup>2</sup>**

**DWI CONVICTIONS AND OTHER ENHANCABLE MISDEMEANORS:**

**ORIGINAL RECORD: Scan to JUSTICE Case Management system and dispose of after image quality has been verified OR dispose of 15 years after judgment is entered.**

**ELECTRONIC RECORD: Dispose of 15 years after judgment is entered.<sup>2</sup>**

**DISMISSED:**

**ORIGINAL RECORD: Scan to JUSTICE Case Management system and dispose of after image quality has been verified OR dispose of 2 years after court's order.**

**ELECTRONIC RECORD: Dispose of 2 years after court's order.<sup>2</sup>**

### **18-7-5 TRAFFIC CASE FILES**

These contain the original documents in traffic cases, including: court's copy of the traffic citation, the waiver and plea of guilty signed by the defendant, receipt (if a copy is kept), and any pleadings or orders of the court.

**ORIGINAL RECORD: Scan to JUSTICE Case Management system and dispose of after image quality has been verified OR dispose of 3 years after judgment was satisfied, provided audit has been completed.**<sup>1, 2</sup>

**ELECTRONIC RECORD: Dispose of 3 years after judgment was satisfied, provided audit has been completed.** <sup>1, 2</sup>

### **18-7-4 TRAFFIC REGISTERS OF ACTION AND INDEX**

Until 2000, a card was maintained for each traffic infraction filed which included: traffic misdemeanors (excluding serious traffic offenses such as DWI which are criminal records), traffic ordinances and traffic infractions. The card listed the defendant's name; attorneys; charges filed; and a summary of events in the case. Some courts maintain the record on computers. The information on the card was transmitted to the Department of Motor Vehicles (DMV). For failures to appear, a report sent to DMV resulted in the suspension of the defendant's license to drive. Currently all information is retained on the JUSTICE computer system.

**ORIGINAL CARDS: Dispose of 3 years after judgment was entered, provided audit has been completed.** <sup>1</sup>

**ELECTRONIC RECORD: Dispose of 3 years after judgment was entered, provided audit has been completed.** <sup>1, 2</sup>

## **18-8 GENERAL COURT RECORDS**

### **18-8-1 COURT CALENDAR**

Judges' calendar of cases to be heard in county court.  
**Dispose of when no longer of administrative value.**

### **18-8-2 DEPOSITIONS**

A deposition is the testimony of someone who may know about a case, taken under oath, and committed to writing and authenticated by a court reporter. Under new discovery rules, depositions should not be routinely filed with the court.

**SEALED DEPOSITIONS (NOT USED IN THE CASE): Dispose of after the case is closed and the time for appeal has expired without an appeal being filed.**

#### **DEPOSITIONS USED IN COURT:**

**CIVIL AND EQUITY CASES: Dispose of 1 year after the last matter has been decided.**

#### **CRIMINAL CASES:**

**BINDOVERS FROM PRELIMINARY HEARINGS: Transfer to the district court when the case is bound over.**

**OTHER CRIMINAL CASES: Dispose of 1 year after the date when the records of the court show no unfinished matter pending in the case, including payment of the fine, service of sentence and release from probation or parole. If deposition is retained in the case file, retain and destroy pursuant to the schedule for that case type.**

**18-8-3 EXCEPTIONS, BILLS OF**

A transcript of testimony including an index showing each witness in the order called, witnesses direct, cross or further examinations, DEPOSITIONS and EXHIBITS, and pages where they are identified, offered, ruled and found; stipulations, motions to dismiss or to instruct a verdict, together with rulings thereon, and page(s) where they are found; and Certificate of Court Stenographer.

**CIVIL AND PROBATE CASES: Dispose of one year after the records of the court show no unfinished matter pending in the case.**

**CRIMINAL CASES: Dispose of one year after the records of the court show no unfinished matter pending in the case, including payment of the fine, service of the sentence and release from probation.**

**18-8-4 EXHIBITS**

Exhibits offered or received in evidence in the trial of any action, or materials which have been substituted for those exhibits (such as a photograph instead of a bulky object) pursuant to the rules of the Nebraska Supreme Court, and which remain in the custody of the court after the trial of the case. Release or substitution of exhibits is governed by the rules of the Nebraska Supreme Court, and this disposition item applies only to EXHIBITS which have not been released and therefore remain in the custody of the court.

**CIVIL AND DOMESTIC RELATIONS CASES: Dispose of according to the rules of the Nebraska Supreme Court 1 year after the date when court records show no unfinished matter is pending in the case.**

**CRIMINAL CASES BOUND OVER TO DISTRICT COURT: Return to the attorney who introduced them at the close of the preliminary hearing.**

**OTHER CRIMINAL CASES: Dispose of according to the rules of the Nebraska Supreme Court 1 year after the date when court records show no unfinished matter pending in the case, including payment of the fine, service of the sentence and release from jail, probation, or parole.**

**18-8-5 FIREARM CERTIFICATE APPEALS**

Appeal received by the court after police or sheriff denial of a firearm certificate. May include application, copy of criminal history documents, letter of denial, and court decision. **Dispose of 3 years after court decision.**

**18-8-9 GENERAL INDEX (DEFUNCT) (OBSOLETE 1998)**

Records showing the last name of all parties in county court listed in alphabetical order by last name. Information includes: parties' names, type of case, filing date, case number, docket and page, or roll and frame of microfilm.

**Transfer to the State Archives when no longer of reference value.**

**18-8-11 MOTHERS' PENSIONS (1911 – 1930) (OBSOLETE)**

Bound volumes or ledger books of pensions paid to mother of the house (also referred to as mothers aid). The pensions were intended to provide a universal subsidy to families with dependent children but without an adult male income. The male was either deceased or in some instances it was a case of abandonment. Not all counties would have this record as counties were not mandated to provide the plan.

**Immediately dispose of obsolete records, subject to review by the State Archives for possible accession.**

**18-8-6 RECEIPT FOR COURT PAPERS BOOK**

Record of court papers checked out, who took them, and when they were returned.  
**Dispose of when no longer of administrative value.**

**18-8-10 SHORT RECORD (DEFUNCT) (OBSOLETE 1998)**

This record, used in a few courts, appears to have served as an index to cases. Information includes: parties' names; attorneys; and docket and page or roll and frame where the case is located.  
**Transfer to the State Archives when no longer of reference value.**

**18-8-7 TESTIMONY AND PROCEEDINGS RECORDING TAPES/CD'S  
(FORMERLY TESTIMONY AND PROCEEDINGS RECORDING  
TAPES)**

Recordings of testimony on audio tapes or CDs which are maintained in all cases. When transcribed and certified according to court rule, these recordings become the bill of exceptions.

**CRIMINAL CASES: Erase tape or destroy CD 30 days after appeal time has elapsed for every case on the tape or after 15 years if the tapes contain records of enhancible offenses.**

**CIVIL AND DOMESTIC RELATIONS CASES: Erase tape or destroy CD 30 days after appeal time has elapsed for every case on the tape.**

**ADOPTION CASES: Retain permanently.**

**JUVENILE CASES: Erase tape or destroy CD after the juvenile in each case on it has reached the age of majority or is otherwise no longer subject to juvenile court jurisdiction.**

**PROBATE CASES: Erase tape or destroy CD 30 days after appeal time has elapsed for every case on the tape.**

**SMALL CLAIMS CASES: Erase tape or destroy CD 9 months from the date of the proceeding.**

**MULTIPLE TYPES OF CASES ON ONE TAPE: A tape or CD which contains several types of cases, each with its own retention period, should be erased or destroyed pursuant to the records retention rule for the case requiring the longest retention.**

**18-8-8 WIRETAP RECORDS**

Applications, Orders, Oaths or Affirmations, Statements of Procedures, Extensions, wire or tape recording, pen registers, trap-and-trace device records, and judges' reports. See §86-705 (8), R.R.S. 1943.

**Dispose of 10 years after the last action on the matter, provided the judge has ordered destruction.**

## **18-10 JUSTICE REPORTS**

### **18-10-1 DAILY REPORTS**

JUSTICE generated reports that are generally ran daily.

#### **18-10-1-1 ACTION REPORTS**

Daily JUSTICE reports that are used to correct records, information stays on the report until it has been corrected. List may include, but is not limited to:

Daily Warrant Return List – JUSB3590

Overdue Actions – JUSB0220

**PAPER RECORD: Dispose of daily or when no longer of administrative value, whichever is longer.**

**ELECTRONIC RECORD: Dispose of after 7 days.<sup>2</sup>**

#### **18-10-1-2 FISCAL REPORTS**

Daily JUSTICE reports dealing with transactions, action & financial responsibilities of the courts. List may include, but is not limited to:

Cash Short/Long Transactions – JUSB4528

Cumulative Account Balance Report – JUSB4637

Daily Balance – JUSB3455

Receipts Automatically Transferred to Cases – JUSB3460

Receipts by Cash Drawer – RCPTBCB

**PAPER RECORD: Dispose of after 3 years, provided audit has been completed.<sup>1</sup>**

**ELECTRONIC RECORD: Dispose of after 7 days.<sup>2</sup>**

### **18-10-2 DMV (DEPARTMENT OF MOTOR VEHICLES) AND TRAFFIC REPORTS**

JUSTICE generated reports that are DMV related that may include, but are not limited to the following reports:

Create DMV Abstract for Netview/Dm Pickup – JUSB3836

Extract DMV Records for Pickup by Netview/DM – JUSB3835

Non Compliance – Failure to Appear – JUSB3832

Non Compliance – Failure to Pay – JUSB3831

**PAPER RECORD: Dispose of after 6 months.**

**ELECTRONIC RECORD: Dispose of after 7 days. <sup>2</sup>**

CR/TR – Juvenile Dispositions Report – JUSB3478

**PAPER RECORD: Dispose of after AOC prints annual case load report.**

**ELECTRONIC RECORD: Dispose of after 7 days. <sup>2</sup>**

Officer's Report of Disposed Cases – JUSB3500

**PAPER RECORD: Sent to Officer or officer office of jurisdiction, court does not retain a copy of this report.**

**ELECTRONIC RECORD: Dispose of after 7 days. <sup>2</sup>**

### **18-10-3 END OF FISCAL YEAR**

JUSTICE generated reports at the end of the fiscal year that may include, but are not limited to:

Statement of Cash – JUSB4619

Unclaimed Property Worksheet – JUSB3838

Unpaid Inheritance Tax Report to County Attorney – JUSB3408

**PAPER RECORD: Dispose of after 3 years, provided audit has been completed.<sup>1</sup>**

**ELECTRONIC RECORD: Dispose of after 7 days.<sup>2</sup>**

### **18-10-4 FOSTER CARE REVIEW BOARD REPORTS**

Court Action Report (Foster Care Review Board) – JUSB3636

**ORIGINAL RECORD: Send to Foster Care Review Board every week.**

**COPY: File in case file and dispose of after jurisdiction of minor is terminated.**

**ELECTRONIC RECORD: Dispose of after 7 days.<sup>2</sup>**

### **18-10-5 MONTHLY REPORTS**

JUSTICE generated reports that are generally ran monthly.

#### **18-10-5-1 FISCAL REPORTS**

Monthly JUSTICE reports dealing with transactions, action & financial responsibilities of the courts. List may include, but is not limited to:

Automatic Claiming Report – JUSB3010

Case Balance – CASEBALR

Check Reconciliation – CKRECON

Claim Worksheet – JUSB3007

Forfeited Bonds Over 90 Days – JUSB3520

Monthly Fee/Fines Receipt Summary – JUSB3482

Non-Case Receipts Transferred to Cases – JUSB0228

Overdue Case Account – JUS3470

Overdue Case Account Summary – JUS3472

Overdue Case Account Restitution – JUS3476

Overpayment General Ledger Account – JUSB4549

**PAPER RECORD: Dispose of after 3 years, provided audit has been completed.<sup>1</sup>**

**ELECTRONIC RECORD: Dispose of after 7 days.<sup>2</sup>**

#### **18-10-5-2 MISCELLANEOUS REPORTS**

Monthly JUSTICE reports that are used to correct records and may include, but are not limited to:

Active Warrant – JUSB3486

Age of Case Pending Detail – JUSB0225

Age of Case Pending Summary – JUSB0224

Bonds Held – JUSB4522

Cases Exceeding Progression Standards – JUSB3474

Cases/Motion Under Advisement – JUSB4622

Civil/Criminal Cases at Issue – JUSB3477

Civil Dispositions – JUSB0223

Continuance – JUSB3480

Criminal Convictions – JUSB3475

Dismissals/No Service – JUSB4038

Dismissals/Supreme Court Rule – JUSB4037  
Disposition Detail – JUSB1223  
Percent Case Disposition – JUSB0226  
Probate Report 18 Months or Longer – JUSB4542  
Weighted Caseload – JUSB3471

**PAPER RECORD: Dispose of after 6 months.**

**ELECTRONIC RECORD: Dispose of after 7 days.<sup>2</sup>**

Cases Filed – JUSB0222

**PAPER RECORD: Dispose of after AOC prints annual case load report.**

**ELECTRONIC RECORD: Dispose of after 7 days.<sup>2</sup>**

### **18-10-7 ON DEMAND FISCAL REPORTS**

Daily and weekly JUSTICE generated fiscal reports that can be ‘recreated’ and printed as needed ‘on demand’:

Daily Deposit – JUSB3808

Daily G/L Account Balances – DLYACTOT

Court Wide Receipt/Disbursement History – JUSB0116

Fee Forecast – Summary/Detail – JUSB3416

MTD Case Balance – JUSB0219

MTD G/L Account Balance – JUSB0215

Monthly Report of Non-Case Receipts – JUSB0228

**PAPER RECORD: Dispose of when no longer of administrative value.**

**ELECTRONIC RECORD: Dispose of after 7 days.<sup>2</sup>**

### **18-10-6 WEEKLY REPORTS**

Weekly JUSTICE generated reports that may include, but are not limited to:

Holding Account – JUSB4525

**PAPER RECORD: Dispose of after 3 years, provided audit has been completed.<sup>1</sup>**

**ELECTRONIC RECORD: Dispose of after 7 days.<sup>2</sup>**

## **18-13 AUTHORITY FOR DISPOSAL OF RECORDS AFTER MICROFILMING**

Unless specifically prohibited under a separate record series listing, all records of the court may be destroyed immediately after microfilming, provided that the following provisions are met before disposal of such records:

1. The micrographics project shall be registered with the State Records Administrator.
2. All micrographics recording shall be done in accordance with State Records Administrator’s Rule 430 NAC 7, Micrographics Standards.
3. A sample of the micrographics system shall have been inspected and approved by the State Records Administrator before such document disposal.

Records Management Division  
440 S 8<sup>th</sup> Street  
Suite 210  
Lincoln, NE 68508-2294  
(402) 471-2559

**NOTE**

- 1. These records may be disposed of after the required retention period, provided the audit has been completed with the audit report released and all related audit comments resolved. Check with the organization that performed the audit, and, if applicable, the Federal cognizant agency if there is a question whether resolution is complete. For records retention purposes only, the issuance of an audit waiver (or an Unaudited Financial Statement for villages) by the Auditor of Public Accounts shall take the place of an actual audit.*
- 2. Electronic Records: The JUSTICE Case Management system contains the official index and records of the court. Scanned images are stored on the CIO Mid Range Systems and are backed up as part of the OCIO Disaster Recovery item, 124-8. JUSTICE and the CIO Mid Range Systems allow Courts to manually remove records as they meet the end of their lifecycle and each individual Court is responsible for this function. Courts are instructed to perform backup of computer records daily, or monthly depending upon system usage, etc. These backups may be disposed of after a subsequent backup is performed.*

# RECORDS DISPOSITION REPORT

<b>TO: SECRETARY OF STATE RECORDS MANAGEMENT DIVISION 440 S. 8<sup>TH</sup> STREET SUITE 210 LINCOLN, NE 68508-2294</b>	AGENCY
	DIVISION
	SUB-DIVISION

## REQUIRED INFORMATION:

In accordance with the Records Management Act, records of this agency have been disposed of under the authorization granted by the following schedule(s):

SCHEDULE NUMBER(S) ONLY (DO NOT INCLUDE SECTION AND ITEM NUMBERS)	TOTAL VOLUME DISPOSED (SEE REVERSE)

## OPTIONAL INFORMATION (FOR YOUR USE ONLY):

You may include detailed information which will be useful to you in recording exactly what records were disposed of and under what authority. This might include such things as schedule section and item numbers, title of records, inclusive dates of records, etc. This information is not required to be filed with Records Management.

DATE	SIGNATURE
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**SEND ORIGINAL TO RECORDS MANAGEMENT. MAKE A PHOTOCOPY FOR YOUR RECORDS.**

RMA 03006D

## VOLUME ESTIMATING GUIDE

**(PLEASE NOTE THAT FOR REPORTING PURPOSES, A BALLPARK ESTIMATE OF THE TOTAL VOLUME OF MATERIAL DISPOSED IS ADEQUATE.)**

Container	Cubic Feet	Weight (lbs)	Sheets of Paper (8.5" x 11")	Electronic Data Equivalent
			1	20 Kb
			52	1 Mb (1024 Kb)
			53,687	1 Gb (1024 Mb)
N/A	N/A	2,204 lbs (1 metric ton)	220,000	4.1 Gb
Records center carton	1 Cu. Foot	16.66 lbs	1,667	32 Mb
Vertical File Cabinet, 4 drawer letter-size	6 Cu. Feet	100 lbs	10,000	190 Mb
Vertical File Cabinet, 4 drawer legal-size	8 Cu. Feet	133.3 lbs	13,333	254 Mb
Lateral File, 4 drawer/shelf letter-size	9 Cu. Feet	149.94 lbs	15,003	288 MB
Lateral File, 4 drawer/shelf legal-size	12 Cu. Feet	199.92 lbs	20,004	384 MB
About a pickup load	50 Cu. Feet	7,500 lbs	748,638	14 Gb