

Schedule 18

COUNTY COURTS

Nebraska Records Management Division
440 South 8th Street, Suite 210
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REQUEST FOR APPROVAL OF RECORDS RETENTION AND DISPOSITION SCHEDULE

TO: STATE RECORDS ADMINISTRATOR STATE OF NEBRASKA	SCHEDULE NUMBER 18
	AGENCY, BOARD OR COMMISSION COUNTY COURTS
	DIVISION, BUREAU OR OTHER UNIT
	Supersedes Edition of March 5, 1998

PART I -- AGENCY STATEMENT

<p>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.</p>		
<p>SIGNATURE * <i>John Harriott</i></p>		
<p>TITLE <i>Records Officer</i></p>		<p>DATE <i>August 7, 1998</i></p>

PART II -- ARCHIVAL APPROVAL

<p>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.</p>		
<p>SIGNATURE * <i>Andrea E. Faling</i></p>		<p>DATE <i>Aug. 13, 1998</i></p>
<p>STATE ARCHIVIST</p>		

PART III -- APPROVAL BY STATE RECORDS ADMINISTRATOR

<p>The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.</p>		
<p>SIGNATURE * <i>[Signature]</i></p>		<p>DATE <i>8-20-98</i></p>
<p>ADMINISTRATOR</p>		

INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guidelines for storing and disposing of records, regardless of the media on which they reside. Local Agencies General Records Schedule #24 contains those records common to most local government agencies. This schedule, along with the unique schedule written specifically for records unique to your office, 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. 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. 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 Consultant 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 Consultant in Records Management can assist you with the schedule update, which involves adding new records and making revisions to existing items. Keeping your schedule current will ensure that 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 Consultant in Records Management. We will help you with any questions the schedule may present, including: transferring records to the State Records Center or State Archives, microfilming records, scanning records, etc.

**Records Management Division
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SCHEDULE NO. 18 - COUNTY COURTS

18-1 ADOPTION RECORDS

18-1-1 ADOPTION REGISTER OF ACTIONS AND INDEX

Alphabetical index to adoption records, listing both child and parents. It also lists application number, all fees paid, reason for payment, dates papers were filed, and date of entry of each court order and judgment.

ORIGINAL RECORD: Retain permanently, OR, microfilm and destroy originals.

SECURITY MICROFILM: Transfer to the State Archives; retain permanently.

MICROFILM WORK COPY: Retain permanently.

18-1-2 ADOPTION CASE FILES

This is a CONFIDENTIAL RECORD (See 43-113, R.R.S. 1943) used to record the page or roll and frame where the adoption is recorded, the name of the person adopted, the identity of the attorney, and copies of original papers filed in the court including the petition for adoption, relinquishment of child to new home, consent to adoption, decree of adoption, and petition for adoptive birth certificate.

ORIGINAL RECORD: Retain permanently; OR, microfilm and destroy originals.

SECURITY MICROFILM: Transfer to the State Archives; retain permanently.

MICROFILM WORK COPY: Retain permanently.

18-2 BIRTH AND DEATH RECORDS (OBSOLETE RECORDS)

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.

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 record.

18-3 BOND RECORDS

18-3-1 DELETED

18-3-2 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).

Dispose of 10 years after the release, replacement or expiration of the bond.

18-3-3 ALL OTHER 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.

Retain in appropriate case file and follow the disposition schedule which applies to that case.

18-4 CIVIL RECORDS

18-4-1 CIVIL, SMALL CLAIMS, AND CONDEMNATION REGISTERS OF ACTION

Registers of action replace the former "Civil, Small Claims, and Condemnation Docket and Index" which are now obsolete records. Those records are to be retained according to this section of this retention schedule. 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. Current registers of action are on cards filed in alphabetical order, replacing the Index.

CIVIL AND SMALL CLAIMS CASES: Dispose of 15 years after the date the last pleading was filed.

CONDEMNATION CASES: Dispose of 20 years after the date the last pleading was filed, subject to review by the State Archivist before disposal for possible accession.

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: Dispose of 5 years after the date a case is dismissed or a judgment satisfied; otherwise dispose of 15 years after the date the last pleading in the case was filed.

CONDEMNATION CASE FILES: Dispose of 20 years after the date the last pleading in the case was filed, subject to review by the State Archivist for possible accession.

18-5 ESTATE RECORDS

18-5-1 ESTATE REGISTERS OF ACTION AND INDEX

A register of actions is a summary of case activity contained on a card which is filed alphabetically to provide an index. This record now serves 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.

ORIGINAL RECORD: Retain permanently; OR, microfilm originals. If microfilmed, notify your local historical society, if one exists, to see if they want to accession the record. Dispose of unaccessioned originals after microfilming.

Records not microfilmed may be transferred to the State Archives after 100 years.

SECURITY MICROFILM: Transfer to the State Archives; retain permanently.

MICROFILM WORK COPY: Retain permanently.

18-5-2 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: Dispose of 100 years after filing of case subject to review by the State Archivist before disposal for possible accession; OR, microfilm originals. If microfilmed, notify your local historical society, if one exists, to see if they want to accession the record. Dispose of unaccessioned originals after microfilming.

SECURITY MICROFILM: Transfer to the State Archives; dispose of 100 years after filing of latest case on the roll subject to review by the State Archivist before disposal for possible accession. Microfilm declined by the State Archives may also be offered to your local historical society, if one exists, for their review before disposal for possible accession.

MICROFILM WORK COPY: Dispose of 100 years after filing of latest case on the roll subject to review by the State Archivist before disposal for possible accession.

Microfilm declined by the State Archives may also be offered to your local historical society, if one exists, for their review before disposal for possible accession.

18-5-3 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 originals. If microfilmed, notify your local historical society, if one exists, to see if they want to accession the record. Dispose of unaccessioned originals after microfilming.

Records not microfilmed may be transferred to the State Archives after 100 years.

SECURITY MICROFILM: Transfer to the State Archives; retain permanently.

MICROFILM WORK COPY: Retain permanently.

18-5-4 ENTRY BOOK AND ESTATE BOOK (Obsolete)

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, respectively.

Immediately transfer to the State Archives; retain permanently.

18-5-5 ESTATE FEE BOOK OR PROBATE FEE BOOK (Obsolete)

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 the payment.

FEE BOOKS USED AS A MICROFILM INDEX: Retain permanently; OR, microfilm and destroy originals. Records *not* microfilmed may be transferred to the State Archives after 100 years.

SECURITY MICROFILM: Transfer to the State Archives; 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.¹

18-5-6 GUARDIANSHIP DOCKET (Obsolete)

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. If microfilmed, notify your local historical society, if one exists, to see if they want to accession the record. Dispose of unaccessioned originals after microfilming.

Records not microfilmed may be transferred to the State Archives after 100 years.

SECURITY MICROFILM: Transfer to the State Archives; retain permanently.

MICROFILM WORK COPY: Retain permanently.

18-5-7 GUARDIANSHIP FEE BOOK (Obsolete)

Guardianship cases are entered in case number order listing all fees paid, the reason for payment, dates papers were filed, and dates of all orders and judgments. Information in this record is now maintained on the ESTATE REGISTER OF ACTIONS.

Dispose of after 5 years provided audit has been completed.¹

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 §24-558, R.R.S. 1943.

ORIGINAL RECORD: Retain permanently; OR, microfilm and destroy originals.

SECURITY MICROFILM: Transfer to the State Archives; retain permanently.

MICROFILM WORK COPY: Retain permanently.

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 subsequent audit has been completed.¹

18-6-2 CASH AND FEE SHEETS

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 audit has been completed.¹

18-6-3 TRUST FUND LEDGER

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.¹

18-6-4 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.¹

18-6-5 INVENTORY REPORTS

Annual inventory report to the county clerk of all county personal property maintained by the clerk of the county court. See §24-590, R.R.S. 1943.

Dispose of after each successive report has been verified and accepted.

18-6-6 MONTHLY STATEMENT OF FEES (OBSOLETE)

Monthly statement to county treasurer of fees taxed, collected, and uncollected.

Dispose of after audit has been completed.¹

18-6-7 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 audit has been completed.¹

18-6-8 REPORT OF COUNTY JUDGES' RETIREMENT FUND FEES

Counties' 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 audit has been completed.¹

18-6-9 RECEIPTS

Retain in and dispose of with the appropriate case file.

18-7 FELONY, MISDEMEANOR, AND INFRACTION RECORDS

18-7-1 CRIMINAL DOCKETS (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. Notify the Nebraska State Archives before destroying any CRIMINAL DOCKET to see if they want it for their collection.

18-7-2 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. Notify the Nebraska State Archives before destroying any CRIMINAL INDEX to see if they want it for their collection.

18-7-3 CRIMINAL REGISTERS OF ACTION AND INDEX

The CRIMINAL REGISTER OF ACTION is maintained on a card and filed alphabetically by the last name of the defendant. The card contains; 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. Misdemeanor cases are processed from start to finish, while felony cases are processed only through the preliminary hearing if the defendant is bound over to district court. If the defendant is not bound over, the case may be dismissed or may be processed as a misdemeanor. Some courts maintain these records on computers.

Dispose of 15 years after date of initial filing of the case. Notify the Nebraska State Archives before destroying any CRIMINAL REGISTER OF ACTION AND INDEX to see if they want it for their collection.

18-7-4 MISDEMEANOR CASE FILES

This was previously called CRIMINAL CASE FILES. These are original papers filed in misdemeanor cases, including those originally filed as a felony but disposed of in the county court as a misdemeanor.

MISDEMEANORS NOT SUBJECT TO ENHANCEMENT AND CASES WHERE DEFENDANT FOUND NOT GUILTY: Dispose of 5 years after judgment is entered.

DWI CONVICTIONS: Dispose of 10 years after judgment is entered.

OTHER ENHANCEABLE MISDEMEANORS: Dispose of 15 years after judgment is entered.

DISMISSED: Dispose of 2 years after court's order.

18-7-5 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): Dispose of 2 years after the court's order.

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

18-7-6 TRAFFIC REGISTERS OF ACTION AND INDEX

This record is kept on a card which is filed alphabetically. The record is maintained for each traffic infraction filed. "Traffic" cases include the following:

- Traffic misdemeanors (excluding serious traffic offenses such a
- DWI which are kept as part of criminal records)
- Traffic ordinances
- Traffic infractions

It lists: 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 is transmitted to the Department of Motor Vehicles (DMV). If a defendant does not appear in court as ordered, a report is sent to DMV which may result in the suspension of the defendant's license to drive. The defendant may be forced to appear in court on order to renew his or her driver's license.

Dispose of 2 years after judgment was entered provided audit has been completed.¹

18-7-7 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.

Dispose of 2 years after judgment was entered provided audit has been completed.¹

18-8 MARRIAGE RECORDS

Transfer all marriage records to the County Clerk.

18-9 JUVENILE RECORDS

18-9-1 JUVENILE REGISTERS OF ACTION AND INDEX

Registers of action replace Juvenile Case Dockets, which are to be retained according to this section of the retention schedule. The activity in the case is summarized on this card-sized document. The name of the juvenile, all attorneys, the name of the guardian, the name of parents, the date of offense, a chronological listing of all court actions, and a financial accounting all appear on a register of actions.

Dispose of after 20 years after last action.

18-9-2 JUVENILE CASE FILES

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

Dispose of 20 years after the last action in the case.

18-9-3 CONFIDENTIAL CASE INFORMATION

Examples of this information are predispositions, medical, psychiatric, psychological, or social welfare reports. This information is a CONFIDENTIAL RECORD as provided by §43-2,108, R.R.S. 1943, and is kept in an envelope within the Juvenile Case File.

Dispose of 20 years after the last action in the case.

18-9-4 PARENTAL NOTIFICATION WAIVER CASE FILES

Action received by the court for order to waive the abortion parental notification legal requirement. Includes petition, testimony, evidence presented to the court, any order entered, and all other records of any nature relating to the case.

NOTE: THESE RECORDS ARE REQUIRED TO BE SEALED AND NOT OPEN TO ANY PERSON EXCEPT UPON COURT ORDER.

Dispose of 1 year after final disposition of the case. Under no circumstances are these to be made available to the public or any historical society. These records shall be securely destroyed.

18-9-5 PARENTAL NOTIFICATION WAIVER DOCKET

Separate docket kept only for abortion parental notification waiver cases.

NOTE: THESE RECORDS ARE REQUIRED TO BE SEALED AND NOT OPEN TO ANY PERSON EXCEPT UPON COURT ORDER.

Dispose of 1 year after final disposition of the case. Under no circumstances are these to be made available to the public or any historical society. These records shall be securely destroyed.

18-9-6 JUVENILE COURT STATISTICAL FORM

Copy of the monthly data reporting form submitted to the Nebraska Commission on Law Enforcement and Criminal Justice by each county for every juvenile case processed during the month. Form includes juvenile's age, sex, ethnic group, offense type, case disposition, and sociological information.

Dispose of after 1 year.

18-10 GENERAL COURT RECORDS

18-10-1 GENERAL INDEX (Obsolete)

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 needed; retain permanently.

18-10-2 SHORT RECORD (Obsolete)

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 needed; retain permanently.

18-10-3 COURT CALENDAR

Judges' calendar of cases to be heard in county court.

Dispose of when no longer of reference value.

18-10-4 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 reference value.

18-10-5 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 having been filed.

DEPOSITIONS USED IN COURT:

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

CRIMINAL CASES: BINDOVERS FROM PRELIMINARY HEARINGS: Transfer any DEPOSITIONS 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; OR, dispose of 1 year after the defendant has paid the fine, served the sentence, or has been released from probation or parole, whichever is later.

JUVENILE CASES: Dispose of 1 year after the records of the court show no unfinished matter pending in the action; OR, 1 year after the juvenile has been discharged or released from commitment, placement, custody, supervision or parole, whichever is later.

18-10-6 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 EXHIBITS in accordance with the rules of the Nebraska Supreme Court 1 year after the date when court records show no unfinished matter is pending in the case. Notify the Nebraska State Archives before destroying any EXHIBITS to see if they want it for their collection.

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 EXHIBITS in accordance with the rules of the Nebraska Supreme Court 1 year after the date when court records show no unfinished matter pending in the case; OR, 1 year after the defendant has paid the fine, served the sentence, or been released from jail, probation, or parole, whichever is later.

JUVENILE CASES: Dispose of EXHIBITS in accordance with the rules of the Nebraska Supreme Court 1 year after the date when court records show no unfinished matter pending in the case, OR, 1 year after the defendant has paid the fine, served the sentence, or been released from jail, probation, or parole, whichever is later.

18-10-10 EXCEPTIONS, BILLS OF

Contains an index showing each witness in the order called, witnesses direct, cross or further examinations. Also contains DEPOSITIONS and EXHIBITS, and page where identified, offered, ruled and found; stipulation, motions to dismiss or to instruct a verdict, together with rulings thereon, and page where found; and Certificate of Court Stenographer.

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

CRIMINAL CASES: Dispose of BILLS OF EXCEPTIONS one year after the records of the court show no unfinished matter pending in the case, OR, one year after the defendant has paid the fine, served the sentence, or has been released from probation, whichever is later.

JUVENILE CASES: Dispose of one year after the date the records of the court show no unfinished matter pending in the action, or one year after the juvenile has been discharged or released from commitment, placement, custody, or supervision, whichever is later.

18-10-7 TESTIMONY AND PROCEEDINGS RECORDING TAPES

Tape recordings of testimony in all cases. When transcribed and certified according to court rule, these recordings become the bill of exceptions. If an appeal has been filed, the tape must be retained until the bill of exceptions has been typed and certified.

CRIMINAL CASES: Erase tape 30 days after appeal time has elapsed for every case on the tape.

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

ADOPTION CASES: Erase tape 2 years after all proceedings on recording tape are final.

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

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

SMALL CLAIMS CASES: These cases are not taped because they are retried if appealed.

MULTIPLE TYPES OF CASES ON ONE TAPE: A tape which contains several types of cases, each with its own retention period, shall not be erased until every retention period for every case has run.

18-10-8 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.

18-10-9 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.

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.

RECORDS DISPOSITION REPORT

TO: SECRETARY OF STATE RECORDS MANAGEMENT DIVISION 440 S. 8TH STREET SUITE 210 LINCOLN, NE 68508-2294	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.)

Vertical File Cabinet, 4 drawer letter-size	6 cubic feet
Vertical File Cabinet, 4 drawer legal-size.....	8 cubic feet
Lateral File, 4 drawer/shelf letter-size	9 cubic feet
Lateral File, 4 drawer/shelf legal size	12 cubic feet
Records center carton.....	1 cubic foot
About a pickup load	50 cubic feet