BOARD OF LAW EXAMINERS OF THE STATE OF
NORTH CAROLINA

Records Retention and Disposition Schedule

The Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

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do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. **Public records including machine readable records not listed in this schedule are not authorized to be destroyed.**

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agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

APPROVAL RECOMMENDED

Fred P. Parker, III, Executive Director
Board of Law Examiners of the State
of North Carolina

Jeffrey J. Crow, Director
Division of Archives and History

APPROVED

Joe L. Webster, Chairman
Board of Law Examiners of the State
of North Carolina

Betty Ray McCain, Secretary
Department of Cultural Resources

October 16, 1998

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RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT

BOARD OF LAW EXAMINERS OF THE STATE OF NORTH CAROLINA

Amend the records retention and disposition schedule approved July 1, 1997 by adding the Item 3324 as shown on substitute pages dated July 28, 2000.

APPROVAL RECOMMENDED

Fred P. Parker, III, Executive Director
Board of Law Examiners of the
State of North Carolina

Jeffrey J. Crow, Director
Division of Archives and History

APPROVED

Joe Webster, Chairman
Board of Law Examiners of the
State of North Carolina

Betty Ray McCain, Secretary
Department of Cultural Resources

July 28, 2000

LLBH

Board of Law Examiners of the State of North Carolina

Item 21821. LITIGATION FILE. Records concerning litigation involving the Board of Law Examiners.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when reference value ends. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives.

Item 41902. APPLICATIONS FOR EMPLOYMENT FILE. Completed applications for employment with resumes and other supporting documentation. (Comply with applicable provisions of G.S. 126-22 regarding confidentiality of personnel records.)

DISPOSITION INSTRUCTIONS: Transfer applications and other records for individuals hired to appropriate personnel file when individual accepts position. Destroy in office applications and other records that are unsolicited and for individuals not hired 2 years after date of receipt, if no charge of discrimination has been filed. If charge has been filed, destroy in office 1 year after resolution of charge.

Item 20182. EXAMINATION QUESTIONS FILE. Booklets of questions prepared by board members for each bar examination.

DISPOSITION INSTRUCTIONS: Retain in office 1 copy of each booklet permanently. Destroy in office remaining copies when reference value ends.

Item 20183. TRANSITORY CORRESPONDENCE FILE. Transitory board correspondence. File includes requests for information, requests for motel reservations, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office after 2 years.

Item 20181. REPORTS FILE. Reports detailing board activities and accomplishments. File includes annual reports to the Secretary of State and to the North Carolina State Bar.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when administrative value ends. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives.

Item 20166. LEGISLATION FILE. Records concerning bills, legislation, legislative summaries affecting licensing boards, correspondence and other related information.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

Item 20162. PURCHASE ORDERS FILE. Records concerning the ordering and shipping of supplies and equipment for the board. File includes purchase orders and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office after 1 year(s) and when released from all audits, whichever occurs later.

Item 20164. TRAVEL REIMBURSEMENTS FILE. Requests for reimbursements for travel expenses incurred during official duties.

DISPOSITION INSTRUCTIONS: Destroy in office after 1 year(s) and when released from all audits, whichever occurs later.

Item 20168. SUPREME COURT CERTIFICATION FILE. Duplicate copies of certifications of individuals passing bar examinations sent by board to the North Carolina Supreme Court.

DISPOSITION INSTRUCTIONS: Retain in office permanently.

Item 20163. STATEMENTS OF ACCOUNT FILE. Monthly checking and savings account statements of the board.

DISPOSITION INSTRUCTIONS: Destroy in office after 1 year(s) and when released from all audits, whichever occurs later.

Item 20167. REFERENCE FILE. Records concerning board operations. File includes reports, bulletins, rules and regulations, Multistate Bar Examination scores, guidelines, and other publications. File also includes reference copies of records concerning lawsuits brought against other boards.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

Item 41884. PERSONNEL FILE. Records concerning office personnel. File includes applications for employment, resumes, payroll forms, personnel action forms, and other related records. (Comply with applicable provisions of G.S. 126-22, 126-23, and 126-24 regarding confidentiality of personnel records.)

DISPOSITION INSTRUCTIONS: Retain in office permanently.

Item 41882. BAR EXAMINATION ADMINISTRATIVE FILE. Records concerning bar examinations administered by the board. File includes applicant lists, examination review schedule, law school graduates' pass/fail statistics, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office after 3 years.

Item 20161. GENERAL LEDGER FILE. Ledgers listing receipts, disbursements, and other budget code transactions of the board.

DISPOSITION INSTRUCTIONS: Destroy in office after 4 year(s) and when released from all audits, whichever occurs later.

Item 41881. ADMINISTRATIVE (ELECTRONIC) FILE. Machine readable records concerning daily operations of the office. Electronic files on hard drives and magnetic disks include form letters to applicants, background checks, reports, bar examination forms, and other related records.

DISPOSITION INSTRUCTIONS: Transfer 1 security copy of each magnetic disk to an off-site location for backup storage. Agency representative will update periodically. Erase in office magnetic disks and hard drives when administrative value ends.

Item 20169. BONDS, CONTRACTS, AND AGREEMENTS FILE. Records concerning employee bonds, contracts, and agreements. File includes Fidelity Bond for Executive Secretary (and other employees), Workmen's Compensation and Valuable Papers policies, Social Security Coverage Agreement, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office 3 years after termination of agreement if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

Item 41883. LEAVE FILE. Records concerning leave taken by office personnel. File includes leave reports and yearly leave recapitulations. (Comply with applicable provisions of G.S. 126-22 regarding confidentiality of personnel records.)

DISPOSITION INSTRUCTIONS: Destroy in office after 5 year(s) if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

Item 3322. FAILED APPLICATIONS FILE. Applications for admission to the North Carolina State Bar received from candidates who subsequently failed examination. File includes certifications of moral character, affidavits and certifications by deans of approved law schools, correspondence, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 3 years if applicant does not reapply. Records will be held for agency in the State Records Center 18 additional years and then destroyed.

Item 3326. FAILED EXAMINATIONS FILE. Completed North Carolina State Bar examinations of students who failed the examination. File includes booklets of questions, candidates answers, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after examination results are completed. Records will be held for agency in the State Records Center 3 additional years and then destroyed.

Item 3328. COMITY APPLICATIONS DENIED FILE. Applications to practice law by comity which were denied. File includes character references, duplicate copies of diplomas, release authorizations, petitions, correspondence, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office when administrative value ends.

Item 3324. REGISTRATION FILE. Applications for registration as law students. Amended 7-28-00

DISPOSITION INSTRUCTIONS: Item discontinued. Destroy records currently held in the State Records Center immediately.

Item 3327. APPLICATIONS DENIED FILE. Applications for examination rejected due to failure of applicants to comply fully with admission requirements. File includes affidavits and certifications by deans of approved law schools, certificates of moral character, petitions, correspondence, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office after 25 years.

Item 3323. WITHDRAWN APPLICATIONS FILE. Applications for examinations withdrawn by applicants. File includes affidavits and certifications by deans of approved law schools, reports of Bar Candidate Committee, correspondence, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 3 year(s). Records will be held for agency in the State Records Center 15 additional years and then destroyed.

Item 3325. PASSED EXAMINATION FILE. Completed North Carolina State Bar examinations of students who passed the examination. File includes booklets of questions, candidates answers, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after examination results are completed. Records will be held for agency in the State Records Center 3 additional years and then destroyed.

Item 20159. POLICIES AND PROCEDURES FILE. Records concerning policies and procedures affecting board personnel and applicants for the bar examination. File includes policies regarding bonding, workmen's compensation, social security, review procedures for applicants failing the examination, and board rules and regulations.

DISPOSITION INSTRUCTIONS: Destroy in office when superseded or obsolete.

Board of Law Examiners of the State of North Carolina

Item 3321. BOARD MEMBER CORRESPONDENCE FILE. Board correspondence regarding the establishment and execution of policies relating to the examination of and licensing of candidates to the bar. File includes information concerning preparation of examination questions and licensing agency policies and procedures. File also includes critiques of questions, appointment notifications, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 10 year(s). Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives.

Item 20158. MINUTES FILE. Approved minutes of each meeting of the Board of Law Examiners of the State of North Carolina.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center immediately to be microfilmed for permanent security storage in the Archives vault. Microfilmed paper records will be returned to agency. Transfer returned paper records to the State Records Center when reference value ends. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives. Transfer a duplicate copy of subsequent minutes to the State Records Center for security storage.

Item 20175. PASSED EXAMINATION-NOT LICENSED FILE. Applications for examination by applicants who subsequently passed the examination but who were not licensed to practice law. File includes affidavits and certifications by deans of approved law schools, Bar Candidate Committee reports, correspondence, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office after 24 years.

Item 20171. APPLICATIONS FILE. Applications to take the North Carolina State Bar Examination. File includes affidavits and certifications by deans of approved law schools, Bar Candidate Committee reports, correspondence, and other related records.

DISPOSITION INSTRUCTIONS: Transfer records concerning each applicant who passes examination to the North Carolina State Bar when license is issued. Transfer remaining records to appropriate file when applicant fails examination, withdraws application, or is denied application.

Item 20176. CURRENT COMITY APPLICATIONS FILE. Completed applications to practice law by comity (an attorney admitted to the bar of another state may be admitted to the North Carolina State Bar without taking the bar examination). File includes applicant questionnaires, affidavits, correspondence, and other related records.

DISPOSITION INSTRUCTIONS: Transfer approved applications to the North Carolina State Bar when approved. Transfer denied applications to Comity Applications Denied File when denied.

Item 20170. EXECUTIVE SECRETARY'S CORRESPONDENCE FILE. Original copies of correspondence of the executive secretary documenting the activities of the chief administrator in carrying out board policies and procedures. File includes information concerning the preparation of examinations, student academic standings, appointments to board, and other matters. File also includes correspondence with other state agencies and institutions and with law examining agencies in other states.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 10 year(s). Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives.