

DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
PROPERTY CONTROL SECTION

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

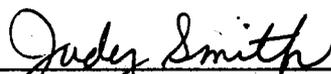
PROPERTY CONTROL SECTION

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.** The

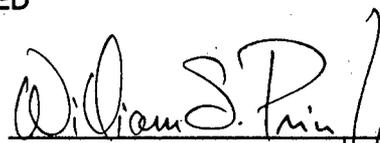
PROPERTY CONTROL SECTION

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 This schedule is to remain in effect until superseded.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



Judy Smith, Chief Records Officer
Department of Justice

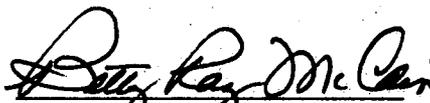


William S. Price, Jr., Director
Division of Archives and History

APPROVED



Michael Easley, Attorney General
Department of Justice



Betty Ray McCain, Secretary
Department of Cultural Resources

July 5, 1994

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... ABOUT THIS RECORDS DISPOSITION SCHEDULE ...

This records disposition schedule lists the records maintained in your office as reported to the Division of Archives and History on the date indicated. It lists all records, whether they are to be destroyed in your office or transferred to the State Records Center, and provides a brief description of each group (following the identification number) and instructions for their legal disposition (following the words "DISPOSITION INSTRUCTIONS"). Records should never be arbitrarily destroyed on the basis of personal opinion but only on the basis of a firm schedule. The disposition instructions contained herein provide that schedule and the legal procedures for records management activities in your agency.

Authority for this schedule, and the disposition instructions therein, is contained in Chapters 121 and 132 of General Statutes of North Carolina. Compliance with the disposition instructions listed herein will help ensure conformity with these laws and that records of continuing value are retained and those no longer of value are destroyed. Procedures to be followed in applying this schedule are explained in the N.C. Administrative Code, Title 7, Chapter 4, Section 500. Errors and omissions do not invalidate this schedule or render it obsolete. All provisions of this schedule remain in effect until it is officially superseded.

Supervisors or other responsible office personnel, acting through their Records Officers, are requested to notify the Records Services Branch whenever corrections, additions, or deletions in the records schedule should be made. Records Services Branch personnel will then amend this schedule in order to ensure that it remains complete and accurate and is in compliance with federal and state laws and regulations.

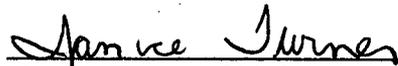
The Records Services Branch will provide, upon request, the following assistance to agencies in the maintenance and operation of records schedules: amendment or update of existing schedules; supply and delivery of boxes, tape, and labels for records scheduled to be transferred to the State Records Center; pickup of records to be transferred; reference service on records stored in the State Records Center; and advice and technical assistance in solving records management problems. There is no charge for these services.

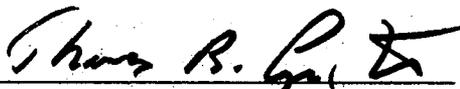
RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT

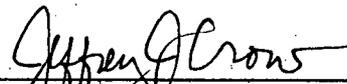
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Amend the records retention and disposition schedule approved July 5, 1994 by changing the disposition instructions for Item 2395 as shown on substitute page dated September 15, 1997.

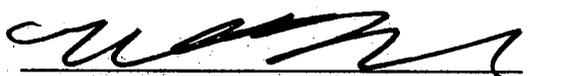
APPROVAL RECOMMENDED


Janice Turner, Chief Records Officer
Department of Justice


Thomas B. Costen, Special Deputy
Attorney General
Property Control Section


Jeffrey J. Crow, Director
Division of Archives and History

APPROVED


Michael F. Easley, Attorney General
Department of Justice


Betty Ray McCain, Secretary
Department of Cultural Resources

September 15, 1997

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DEPARTMENT OF JUSTICE
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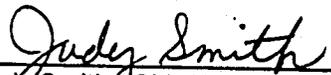
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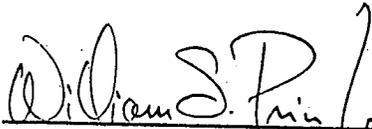
do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention 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. The

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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.

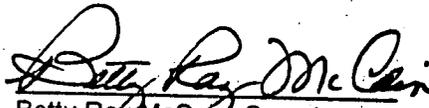
APPROVAL RECOMMENDED


Judy Smith, Chief Records Officer
Department of Justice


William S. Price, Jr., Director
Division of Archives and History

APPROVED


Michael Easley, Attorney General
Department of Justice


Betty Ray McCain, Secretary
Department of Cultural Resources

This schedule was modified to
comply with the provisions of the
General Schedule for State Agency Records,
effective October 1, 2000
Remaining items retain the
original date shown below.

July 5, 1994

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**DEPARTMENT OF JUSTICE
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ITEM 2390. LEGISLATIVE FILE.

Records concerning bills drafted by section. File includes reference copies of bills, letters of transmittal, and other related records.

DISPOSITION INSTRUCTIONS: Transfer records currently stored in the State Records Center to the custody of the Archives 5 years from date received. Destroy in office subsequent records when administrative value ends.

ITEM 2391. ADVISORY LETTERS FILE.

Advisory letters written by the section attorneys to state and local government officials or their attorneys regarding routine legal matters. File includes copies of the request. (Correspondence is not related to Department of Administration.)

DISPOSITION INSTRUCTIONS: Transfer records currently stored in the State Records Center to the custody of the Archives 5 years from date received. Transfer subsequent records to the State Records Center when administrative value ends. Records will be held for agency in the State Records Center 10 additional years and then destroyed.

ITEM 2393. ATTORNEY GENERAL'S FORMAL OPINIONS FILE.

Opinions provided to state or local government officials or their attorneys having statewide significance.

DISPOSITION INSTRUCTIONS: Transfer records currently stored in the State Records Center to the custody of the Archives 5 years from date received. Transfer subsequent records, the original inquiry, and response to the Central Files Section, Attorney General's Combined Opinions and Correspondence for State Agencies File (Item 2353) when response has been completed.

ITEM 2394. DEPARTMENT OF ADMINISTRATION (DOA) ADVISORY LETTERS FILE.

Correspondence between the Office of the Attorney General and DOA. File includes agreements, laws concerning real property, contracts and related laws, policies and procedures, and general property matters.

DISPOSITION INSTRUCTIONS: Transfer records currently stored in the State Records Center to the custody of the Archives 5 years from date received. Transfer subsequent records to the State Records Center when legal and reference values end. Records will be held for agency in the State Records Center 10 additional years and then destroyed.

ITEM 2395. CLOSED DEPARTMENT OF ADMINISTRATION (DOA) COURT CASES FILE.

Records concerning each closed court case handled by attorneys for DOA. Cases concern property, contracts, and personnel, and each individual case file includes all documents utilized in the preparation and processing of the case. Amended 9-15-97

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 5 years. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives. Transfer records currently stored in the State Records Center to the custody of the Archives 5 years from date received.

ITEM 14488. PENDING CRIMINAL BRIEFS FILE.

Records presented to the court by counsel in criminal appeals cases that convey to the court essential facts and laws regarding each case.

DISPOSITION INSTRUCTIONS: Transfer to Closed Criminal Briefs File (Item 14489) when case is closed.

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ITEM 14489. CLOSED CRIMINAL BRIEFS FILE.

Records presented to the court by counsel in closed criminal appeals cases that convey to the court essential facts and laws regarding each case.

DISPOSITION INSTRUCTIONS: Destroy in office when administrative value ends.

ITEM 14493. ACTIVE DEPARTMENT OF ADMINISTRATION (DOA) COURT CASES FILE.

Records concerning each pending court case involving DOA being handled by attorneys. Cases concern property, contracts, and personnel. Each individual case file includes all documents utilized in the preparation and processing of the case.

DISPOSITION INSTRUCTIONS: Transfer records involving state property to the State Property Office of DOA when case is closed. Transfer remaining cases to Closed Department of Administration (DOA) Court Cases File (Item 2395) when case is closed.

ITEM 14495. NORTH CAROLINA STATE PORTS AUTHORITY FILE.

Records concerning the legal representation of the North Carolina State Ports Authority. File includes leases, contracts, labor negotiations, land matters, personnel matters, and other related records.

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

ITEM 14496. NORTH CAROLINA PORTS RAILWAY COMMISSION FILE.

Records concerning the legal representation of the North Carolina Ports Railway Commission, which operates railroads located upon North Carolina State Ports Authority property. File includes leases, contracts, labor negotiations, land matters, personnel matters, and other related records.

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

ITEM 14497. NORTH CAROLINA SEAFOOD INDUSTRIAL PARK AUTHORITY FILE.

Records concerning the legal representation of the North Carolina Seafood Industrial Park Authority, which oversees the operations of the seafood industrial parks within the state. File includes leases, contracts, labor negotiations, land matters, personnel matters, and other related records.

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

ITEM 14498. STATE AUDITOR'S OFFICE FILE.

Records concerning the legal representation of the State Auditor's Office, which audits the financial transactions of all state agencies. File includes leases, contracts, personnel matters, and other related records.

DISPOSITION INSTRUCTIONS: Item discontinued. Transfer records currently stored in the State Records Center to the custody of the Archives 5 years from date received. Transfer subsequent records to the Energy and Utilities Section immediately.

ITEM 14499. FEDERAL JURISDICTION IN NORTH CAROLINA FILE.

Records concerning federally-owned military installations within the state and related matters of legal jurisdiction. File includes regulations, maps, and correspondence.

DISPOSITION INSTRUCTIONS: Destroy in office when administrative value ends.

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ITEM 36831. ATTORNEY GENERAL'S ADVISORY OPINIONS FILE.

Opinions provided to state or local government officials or their attorneys regarding legal issues significant to the operation or administration of state agencies or local governments.

DISPOSITION INSTRUCTIONS: Transfer original inquiry and response to the Central Files Section, Attorney General's Combined Opinions and Correspondence for State Agencies File (Item 2353) when response has been completed.

ITEM 36832. INFORMATIONAL LETTERS FILE.

Letters to private citizens and organizations requesting legal assistance.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

ITEM 36833. INDIAN AFFAIRS FILE.

Court cases and correspondence dealing with the Commission of Indian Affairs and legal matters affecting North Carolina's Indians.

DISPOSITION INSTRUCTIONS: Transfer correspondence to Department of Administration (DOA) Advisory Letters File (Item 2394) when response has been completed. Transfer court cases to Closed Department of Administration (DOA) Court Cases File (Item 2395) when case is closed.