

INDIGENT DEFENSE SERVICES COMMISSION  
OFFICE OF INDIGENT DEFENSE SERVICES  
OFFICE OF SENTENCING SERVICES

Program Records Retention and Disposition Schedule

The Program 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 electronic records not listed in this schedule or in the *General Schedule for State Agency Records* 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 This schedule is to remain in effect until superseded.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



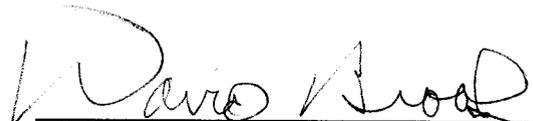
Michael J. Unruh, Chief Records Officer  
Administrative Office of the Courts



Susan E. Brooks, Administrator  
Office of Sentencing Services



Malcolm Ray Hunter, Jr., Executive Director  
Office of Indigent Defense Services



David Brook, Director  
Division of Historical Resources

APPROVED



Ralph A. Walker, Director  
Administrative Office of the Courts



Lisbeth C. Evans, Secretary  
Department of Cultural Resources

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ADMINISTRATION**

**ITEM 35477. POLICIES AND PROCEDURES FILE.** Records in paper and electronic formats concerning the policies and procedures of the administrative office and its programs. File includes operational manuals, regulations for the implementation, operation, and monitoring of the program in accordance with G.S. 7A-772. File also includes manuals detailing procedures and policies for the central office, and all regional and district offices.

**DISPOSITION INSTRUCTIONS:** Print electronic records and interfile with related paper records. Destroy in office electronic versions of records when reference value ends. Transfer paper records to the State Records Center when administrative value ends. Records will be held in the State Records Center 5 additional years and then transferred to the custody of the Archives.

**ITEM 35480. PROPOSALS FILE.** Proposals submitted for new grants. File also includes applications, correspondence, approvals and/or denials of proposals, and other related records.

**DISPOSITION INSTRUCTIONS:** Transfer approved proposals to the appropriate District Office's Comprehensive Sentencing Services Plans File (Item 35479) immediately after approval. Destroy in central office rejected proposals and remaining records after 1 year.

**ITEM 44072. CLIENT/DEFENDANT ASSESSMENT FILE.** Records in paper and electronic formats concerning client/defendant assessment. File includes outcome studies, original and completed Level of Services Inventory-Revised forms, Adult Substance Usage Surveys (ASUS), Quality Control Checklists and Transformation Table, and other related records.

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records 3 years after research studies are completed.

**ITEM 44091. INACTIVE BACKUP DATA TAPE FILE.** Backup tapes received from district and regional offices concerning adult alternative sentencing. Tapes include case file numbers, case status, court hearings, and names of contractors used for assessment, medical and/or school records, and other related data. (Tapes are no longer being created.) (Comply with applicable provisions of G.S. 130A and 45 CFR Parts 160 and 164 regarding confidentiality of medical records and 20 USCA 1232g regarding confidentiality of student records.)

**DISPOSITION INSTRUCTIONS:** Destroy in office when administrative value ends.

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**ITEM 44147. LEGAL OPINIONS AND DECISIONS FILE.** Records concerning legal opinions and decisions made regarding criminal laws and procedural sentencing act. File includes copies of administrative orders, appeals, Attorney General and Institute of Government opinions, and other related records.

**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 47250. COMPREHENSIVE SENTENCING SERVICES PROGRAM PLAN FILE.** Records in paper and electronic formats concerning program plan for the development, implementation, operation, and improvement of a sentencing services program for each superior court district served in accordance with applicable provision of G.S. 7A-774. File also contains original one page continuation sheet with endorsements and approval signatures.

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records when superseded or obsolete.

**ITEM 47251. MONTHLY SENTENCING SERVICES REPORTS FILE.** Records in paper and electronic formats concerning monthly statistics for Sentencing Services program. File includes monthly totals for the number of clients or defendants contacted, cases opened, plans prepared, and plans presented in court.

**DISPOSITION INSTRUCTIONS:** Print electronic records and interfile with related paper records. Destroy in office electronic versions of records when reference value ends. Retain in office paper records permanently.

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**ITEM 35479. COMPREHENSIVE SENTENCING SERVICES PLANS FILE.** Records in paper and electronic formats concerning plans for the development, implementation, operation, and improvement of the local sentencing services programs for the judicial districts. File includes approved grant applications for each organization, approved proposals, and monthly statistics.

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records 4 years after court adjudication 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 43569. AGENCY, INSTITUTIONAL, AND ORGANIZATIONAL CORRESPONDENCE FILE.** Records in paper and electronic formats of correspondence and memorandums received by each district office from local and state agencies, institutions, colleges, general public, judiciary, legislative, media, private organizations, and social services agencies concerning the program.

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records when reference value ends.

**ITEM 43571. CLIENT CASES FILE.** Records in paper and electronic formats concerning independent investigations for alternative sentencing performed by each district offices' staff and contracted sentencing specialists. File includes clients' sentencing plans, completed Level of Services Inventory-Revised (LSIR) forms, Adult Substance Usage Surveys (ASUS), Client Planning Worksheets, Quality Control Checklists, court reports, medical and/or school records, family histories, copies of court judgments, and other related records. Data is entered into Profiler/Sentencing Services District Database (Electronic) File, Item 43572. (Comply with applicable provisions of G.S. 130A and 45 CFR Parts 160 and 164 regarding confidentiality of medical records and 20 USCA 1232g regarding confidentiality of student records.)

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records 4 years after case closed 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.

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**ITEM 43572. PROFILER/SENTENCING SERVICES DISTRICT DATABASE (ELECTRONIC)**

**FILE.** Electronic records concerning the adult alternative sentencing program. Electronic file includes case file numbers, case status, court hearings, and names of contractors used for assessment, and other related records including medical and/or school records. Data is input from each district office's Client Cases File, Item 43571. (File maintenance and backup procedures conducted by District Office staff.) (Comply with applicable provisions of G.S. 130A and 45 CFR Parts 160 and 164 regarding confidentiality of medical records and 20 USCA 1232g regarding confidentiality of student records.)

**DISPOSITION INSTRUCTIONS:** Update in office routinely. Retain in office permanently.

**ITEM 43576. DISTRICT FILE.** Records in paper and electronic formats concerning services provided within each judicial district in the court system. File includes evaluation records concerning the programs for judicial districts.

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records when reference value ends.

**ITEM 43580. FILM FILE.** Reference films used for counseling and training staff. File also includes a listing of films available and notebooks containing completed forms showing who borrowed the film and when it was returned.

**DISPOSITION INSTRUCTIONS:** Destroy films in office when superseded or obsolete. Retain in office permanently the lists of films and notebooks tracking staff usage.

**ITEM 43581. GRANTS FILE.** Records in paper and electronic formats used in administering grants. File includes application instructions, reference copies of budgetary records, and research and planning materials.

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records 5 years after termination of the grant or submission of the final report 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.

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**ITEM 43585. LEGISLATION FILE.** Records in paper and electronic formats concerning legislative issues affecting the district. File includes reference copies of legislative information, listing of the members of House and Senate, proposed and/or enacted legislation, and other related records.

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records when administrative value ends.

**ITEM 43588. OPERATIONS AND PROGRAMS FILE.** Records in paper and electronic formats concerning each district office's operations and programs. File includes information regarding alternatives to commitment, computer applications instructions quarterly updates, and intensive supervision/probation programs. (These records reflect the responsibilities of the Sentencing Services Program as required by G.S. 7A-770.)

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records when superseded or obsolete.

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**ITEM 43624. AGENCY, INSTITUTIONAL, AND ORGANIZATIONAL CORRESPONDENCE FILE.** Records in paper and electronic formats of correspondence and memorandums received by each regional office from local and state agencies, institutions, colleges, general public, judiciary, legislative, media, private organizations, and social services agencies concerning the program.

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records when reference value ends.

**ITEM 43633. DISTRICT OFFICES CORRESPONDENCE FILE.** Records in paper and electronic formats of correspondence concerning sentencing services within each judicial district in each region and correspondence between the Sentencing Services Administrator and other local court officials. File also includes evaluation records concerning Sentencing Services Programs.

**DISPOSITION INSTRUCTIONS:** Print electronic records and interfile with related paper records. Destroy in office electronic versions of records when reference value ends. Transfer paper records 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.

**ITEM 43641. FILM FILE.** Reference films used for counseling and training staff. File also includes a listing of films available and notebooks containing completed forms showing who borrowed the film and when it was returned.

**DISPOSITION INSTRUCTIONS:** Destroy films in office when superseded or obsolete. Retain in office permanently the lists of films and notebooks tracking staff usage.

**ITEM 43651. OPERATIONS AND PROGRAMS FILE.** Records in paper and electronic formats concerning each regional office's operations and programs. File includes information regarding alternatives to commitment, computer applications instructions, and operations of the office. (These records reflect the responsibilities of the Sentencing Services Program as required by G.S. 7A-770.)

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records when superseded or obsolete.

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**ITEM 43659. SPECIAL PROJECTS OR COMMITTEES AND PROGRAMS FILE.** Records in paper and electronic formats of working papers for special projects and programs implemented by each regional office. File also includes copies of surveys.

**DISPOSITION INSTRUCTIONS:** Destroy in office paper and electronic records when reference value ends.

**ITEM 44071. PROFILER/SENTENCING SERVICES REGIONAL DATABASE (ELECTRONIC) FILE.** Electronic records concerning the adult alternative sentencing program. Electronic file includes case file numbers, case status, court hearings, and names of contractors used for assessment, and other related records including medical and/or school records. Data is entered from each district office's Client Case File, Item 43571 and each regional office's Profiler and Sentencing Services File, Item 47578. (File maintenance and back up procedures performed by Regional Office staff.) (Comply with applicable provisions of G.S. 130A and 42 USC 1320d-2(d)(2) regarding confidentiality of medical records and 20 USCA 1232g regarding confidentiality of student records.)

**DISPOSITION INSTRUCTIONS:** Update in office routinely. Retain in office permanently.

**ITEM 47578. PROFILER AND SENTENCING SERVICES FILE.** Records concerning the adult alternative sentencing program. File includes individual client profile sheets containing data on plans presented, plans withdrawn, plans not used for each fiscal year, All Activities to Date report, attachments, annual statewide clients' reports, and other related records. Data is entered into Profiler/Sentencing Services Database (Electronic) File, Item 44071. (Comply with applicable provisions of G.S. 130A and 45 CFR Parts 160 and 164 regarding confidentiality of medical records and 20 USCA 1232g regarding confidentiality of student records.)

**DISPOSITION INSTRUCTIONS:** Destroy in office when reference value ends.

