

NORTH CAROLINA SUPREME COURT
CLERK OF SUPREME COURT

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

CLERK OF SUPREME COURT

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

CLERK OF SUPREME COURT

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 This schedule is to remain in effect until superseded.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

Christie S. Cameron

Christie S. Cameron, Chief Records Officer
North Carolina Supreme Court

Christie S. Cameron

Christie S. Cameron, Clerk
North Carolina Supreme Court

Jeffrey J. Crow

Jeffrey J. Crow, Director
Division of Archives and History

Burley B. Mitchell, Jr. APPROVED

Burley B. Mitchell, Jr., Chief Justice
North Carolina Supreme Court

Betty Ray McCain

Betty Ray McCain, Secretary
Department of Cultural Resources

RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT

NORTH CAROLINA SUPREME COURT
CLERK OF SUPREME COURT

Amend the records retention and disposition schedule approved November 18, 1996 by adding Item 41798 as shown on substitute page dated July 24, 1998.

APPROVAL RECOMMENDED

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Burley B. Mitchell, Jr.

Burley B. Mitchell, Jr., Chief Justice
North Carolina Supreme Court

Betty Ray McCain

Betty Ray McCain, Secretary
Department of Cultural Resources

July 24, 1998

MS

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North Carolina Supreme Court

APPROVED

Betty Ray McCain

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.

November 18, 1996

MS

**NORTH CAROLINA SUPREME COURT
CLERK OF SUPREME COURT**

ITEM 2330. ORIGINAL CASE FILE.

Case files concerning each case heard by the Supreme Court. Case file includes docket sheets, correspondence, the record, transcripts, briefs, opinions, and judgments. (Cases through Fall Term 1970 are arranged by court term and then sequentially numbered by originating judicial district. Beginning Spring Term 1971, cases are arranged by court term and are sequentially numbered by docketing order.) Information entered into Clerk's Docket Database (Electronic) File (Item 39473).

DISPOSITION INSTRUCTIONS: Microfiche by an outside vendor to state standards and guidelines as issued by the Division of Archives and History 18 months after an opinion is rendered. Retain 1 diazo copy of microfiche in agency permanently. Transfer 1 diazo copy of microfiche to the State Records Center to be transferred to the custody of the Archives. Transfer original copy (silver-halide) of microfiche to the State Records Center for permanent storage in the security vault. Paper records will be returned to the agency. Destroy in office paper records after microfiche has been verified and quality control procedures completed, and notification received from Division of Archives and History, Imaging Sub-unit. Transfer to the State Records Center original copy (silver-halide) microfiche (1982-1992) immediately for permanent storage in the security vault. Destroy paper records (1982-1992) currently stored in the State Records Center immediately. Microfilm case files dated prior 1982 currently stored in the State Records Center for permanent storage in the security vault. Paper records will be destroyed in the State Records Center after microfilming. A copy of the microfilm will be sent to the agency for permanent retention.

ITEM 2331. CLERK'S DOCKETS (PRINTOUTS) FILE.

Computer generated docket sheets produced from Clerk's Docket Database (Electronic) File (Item 39473). Printouts include case names, docket numbers, originating counties and districts, dates entered, dates argued, dates of opinions, names of attorneys, fees charged, surety on bonds, motions in the case, and other related data. (File is arranged chronologically by term of court through 1981 and by calendar year thereafter, then numerically by assigned number.)

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 10 years to be microfilmed for permanent storage in the security vault. Paper records will be destroyed in the State Records Center after microfilming. A copy of the microfilm will be sent to the agency for permanent retention.

ITEM 2332. PHOTOGRAPHS FILE.

Photographs of members of the Supreme Court, beginning with Fall Term, 1978.

DISPOSITION INSTRUCTIONS: Function and records transferred to Supreme Court Library.

ITEM 3379. MINUTE BOOKS FILE.

Official minutes of the Supreme Court. File also includes oaths of office, listings of cases considered by the courts and their disposition, listings of successful applicants for law licenses, rules and regulations adopted by the court, and other related records documenting the actions of the Supreme Court. (Data is arranged in bound volumes by date of court term.) (This is an essential agency record.)

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when volume is completed to be microfilmed for permanent storage in the security vault. Paper records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives. A copy of the microfilm will be sent to the agency for permanent retention.

**NORTH CAROLINA SUPREME COURT
CLERK OF SUPREME COURT**

ITEM 3380. JUDGMENT DOCKET FILE.

Formal judgments (1990 and prior) of the Supreme Court. Docket includes each court decision and the amount of costs assessed against the losing party. (Information is contained in bound volumes which are arranged chronologically by date of judgment.) (Judgments after 1990 filed with Original Case File (Item 2330).)

DISPOSITION INSTRUCTIONS: Item discontinued. Transfer to the State Records Center immediately to be microfilmed for permanent storage in the security vault. Paper records will be destroyed in the State Records Center after microfilming. A copy of the microfilm will be sent to the agency for permanent retention.

ITEM 10540. ORIGINAL CASE CARD INDEX FILE.

Index card file listing data concerning each case docketed in Supreme Court. Information includes name of case, court term, docket number and date, originating judicial district, disposition of case, and date.

DISPOSITION INSTRUCTIONS: Item discontinued. Transfer to the State Records Center immediately to be microfilmed for permanent storage in the security vault. Paper records will be destroyed in the State Records Center after microfilming. A copy of the microfilm will be sent to the agency for permanent retention.

ITEM 10541. RECORDS AND BRIEFS FILE.

Record copies of records and briefs extracted from original case files and contained in bound volumes.

DISPOSITION INSTRUCTIONS: Transfer immediately to Supreme Court Library.

ITEM 10545. REFERENCE COPIES OF RECORDS AND BRIEFS FILE.

Reference copies of the record and briefs (dated 1874-1981) beyond those needed for Original Case File (Item 2330) and the Records and Briefs File (Item 10541). (These copies are available for sale to the public.)

DISPOSITION INSTRUCTIONS: Destroy in office after 18 month(s).

ITEM 10546. RECORD OF OPINIONS FILE.

Listing of opinions signed by the Supreme Court Reporter acknowledging receipt of the opinions, the records, and briefs.

DISPOSITION INSTRUCTIONS: Destroy in office 3 years after volume has been completed.

ITEM 10547. PETITIONS TO REHEAR FILE.

Record copies of bound listings of petitions filed with the Supreme Court requesting the court to rehear a specific case.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 10548. LICENSED ATTORNEYS CARDS FILE.

Cards listing each attorney who has passed the N.C. Bar Examination. Cards list names of attorneys, towns or cities of residence, and dates attorneys passed the examination.

DISPOSITION INSTRUCTIONS: Destroy in office when superseded or obsolete.

ITEM 10549. SUPREME COURT CLERK'S CORRESPONDENCE FILE.

Correspondence created and/or received by the Clerk of the Supreme Court. File also includes requests for information and general inquiry correspondence and replies.

DISPOSITION INSTRUCTIONS: Destroy in office after 3 years.

**NORTH CAROLINA SUPREME COURT
CLERK OF SUPREME COURT**

ITEM 10554. BILLS OF COST FILE.

Records concerning the cost of bringing cases to court. File includes correspondence, notification that bill was sent, Bill of Cost, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office after 3 year(s) and when released from all audits, whichever occurs later.

ITEM 10556. CERTIFICATES OF DEPOSIT FILE.

Reference copies of certificates of deposits used by court for making deposits of receipts and revenues.

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

ITEM 10557. FINANCIAL CORRESPONDENCE FILE.

Record copies of correspondence received from attorneys requesting certificates of good standing. File also includes copies of certificate letters and other related correspondence.

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

ITEM 10558. CASH BOND BOOKS FILE.

Cash Bond Books dated prior 1990 listing bonds held by Supreme Court. Books includes names of attorneys, file numbers, amounts of bonds, dates bonds paid, dates of refund, and other related data.

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

ITEM 39473. CLERK'S DOCKET DATABASE (ELECTRONIC) FILE.

Machine readable records concerning each case scheduled for hearing by the Supreme Court. Electronic file includes case names, docket numbers, names of originating counties and districts, dates entered, dates argued, dates of opinions, names of attorneys, fees charged, surety on bonds, motions in the cases, and other related records. (Electronic database systems are maintained by Information Services Division for Appellate Courts.)

DISPOSITION INSTRUCTIONS: Transfer printed copy of docket sheets to Clerks' Dockets (Printouts) File (Item 2331) upon receipt. Transfer 1 copy of each magnetic tape to an off-site location for backup storage. Agency representative will update electronic file periodically. Erase in office electronic file when administrative value ends.

ITEM 39474. DEATH CASE RECORDS FILE.

Records concerning individuals who have received the death penalty in North Carolina. File includes docket sheets, correspondence, the record, transcripts, briefs, opinions, judgments, and other related records.

DISPOSITION INSTRUCTIONS: Microfiche by an outside vendor to state standards and guidelines as issued by the Division of Archives and History after final action (i.e. execution) is taken on case. Retain 1 copy of microfiche in agency permanently and transfer original copy (silver-halide) of microfiche to the State Records Center for permanent storage in the security vault. Paper records will be returned to the 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 to the State Records Center original copy (silver-halide) microfiche (1982-1992) immediately for permanent storage in the security vault.

**NORTH CAROLINA SUPREME COURT
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ITEM 39475. DENIED PETITIONS FILE.

Petitions submitted to the Supreme Court which the Supreme Court decided not to hear. File also includes records from Court of Appeals, if applicable, orders from Trial Courts, if applicable, and correspondence from the Supreme Court.

DISPOSITION INSTRUCTIONS: Destroy in office 2 years after petition denied.

ITEM 39476. DENIED PETITIONS DOCKET SHEETS FILE.

Docket sheets concerning the filing of denied petition cases. Docket sheets include case numbers, docket numbers, types of petitions, attorney names, names of appellate, previous case numbers, and other related data.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center immediately records dated prior December 1995 to be microfilmed for permanent storage in the security vault. Paper records will be destroyed in the State Records Center after microfilming. A copy of the microfilm will be sent to the agency for permanent retention. Transfer to the State Records Center after 2 years records dated after December 1995 to be microfilmed for permanent storage in the security vault. Paper records will be destroyed in the State Records Center after microfilming. A copy of the microfilm will be sent to the agency for permanent retention.

ITEM 41798. UNOFFICIAL LETTERS-COMMUNICATION FILE.

Correspondence received from individuals and various organized groups conveying extremist political views. Amended 7-24-98

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center when reference value ends for immediate transfer to the custody of the Archives.