

**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

SENTENCING SERVICES

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.**

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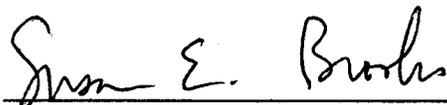
SENTENCING SERVICES

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 This schedule is to remain in effect until superseded.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



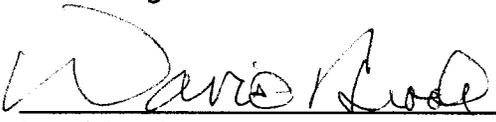
Michael J. Unruh, Chief Records Officer
Administrative Office of the Courts



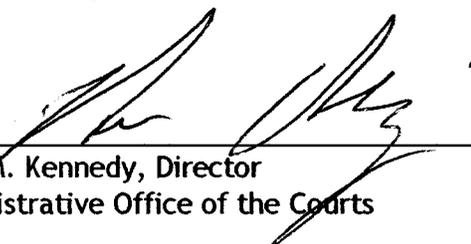
Susan E. Brooks, Administrator
Sentencing Services



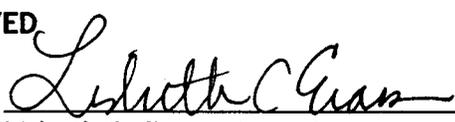
Malcolm Hunter, Executive Director
Office of Indigent Defense Services



David Brook, Director
Division of Historical Resources



John M. Kennedy, Director
Administrative Office of the Courts

APPROVED


Lisbeth C. Evans, Secretary
Department of Cultural Resources

April 8, 2004

LDR

**OFFICE OF INDIGENT DEFENSE SERVICES
OFFICE OF SENTENCING SERVICES
ADMINISTRATION**

Item 35477. POLICIES AND PROCEDURES FILE. Records concerning the policies and procedures of the program. 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 division and Sentencing Services offices.

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 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 Comprehensive Sentencing Services Plans File (Item 35479) immediately after approval. Destroy rejected proposals and remaining records in office after 1 year.

Item 44091. 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 contractor's used for assessment, medical and/or school records, and other related data. (Comply with applicable provisions of G.S. 8-53 and the Health Insurance Portability and Accountability Act (HIPAA) regarding confidentiality of medical records and 20 USCA 1232g regarding confidentiality of student records.)

DISPOSITION INSTRUCTIONS: Item discontinued. Retain in office permanently.

Item 44147. LEGAL OPINIONS AND DECISIONS FILE. Records concerning legal opinions and decisions made regarding criminal laws and procedure sentencing act. File includes copies of administrative orders, appeals, Attorney General's 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 Archives

Item 47250. COMPREHENSIVE SENTENCING SERVICES PROGRAM PLAN FILE. Records 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 when superseded or obsolete.

**OFFICE OF INDIGENT DEFENSE SERVICES
OFFICE OF SENTENCING SERVICES
ADMINISTRATION**

Item 47251. MONTHLY SENTENCING SERVICES REPORTS FILE. Records 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: Retain in office permanently.

**OFFICE OF INDIGENT DEFENSE SERVICES
OFFICE OF SENTENCING SERVICES
DISTRICT OFFICES**

Item 35479. COMPREHENSIVE SENTENCING SERVICES PLANS FILE. Records concerning defendants' sentencing plans. File includes approved grant applications for each organization, approved proposals, monthly statistics, and copies of court judgments for each of the Sentencing Services Program clients.

DISPOSITION INSTRUCTIONS: Destroy in office 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. Destroy records currently stored in the State Records Center 3 years from date received.

Item 43569. AGENCY, INSTITUTIONAL, AND ORGANIZATIONAL CORRESPONDENCE FILE. Correspondence and memorandums received 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 when reference value ends.

Item 43571. CLIENT CASES FILE. Records concerning independent investigations for alternative sentencing performed by staff and contracted sentencing specialists. File includes the 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, and other related records. Information is entered into Profiler/Sentencing Services Database (Electronic) File, Item 43572. (Comply with applicable provisions of G.S. 8-53 regarding confidentiality of medical records and 20 USCA 1232g regarding confidentiality of student records.)

DISPOSITION INSTRUCTIONS: Destroy in office 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.

Item 43572. PROFILER/SENTENCING SERVICES DATABASE (ELECTRONIC) FILE. Records concerning adult alternative sentencing program. 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 Client Case File, Item 43571. (File maintenance and back up procedures performed by District Office staff). (Comply with applicable provisions of G.S. 8-53 and HIPAA regarding confidentiality of medical records and 20 USCA 1232g regarding confidentiality of student records.)

DISPOSITION INSTRUCTIONS: Update records in office as needed. Retain in office permanently.

**OFFICE OF INDIGENT DEFENSE SERVICES
OFFICE OF SENTENCING SERVICES
DISTRICT OFFICES**

Item 43576. DISTRICT FILE. Records concerning services provided within each judicial district in the court system. File includes correspondence between the District Administrator and the superior and district courts. File also includes evaluation records concerning the programs for judicial district.

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.

Item 43580. FILM FILE. 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: Retain in office permanently.

Item 43581. GRANTS FILE. Records used in administering grants. File includes application instructions, reference copies of budgetary records, and research and planning materials.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

Item 43585. LEGISLATION FILE. Records concerning legislative issues affecting the district. File includes reference copies of legislative information, listing of the members of the House of Representatives and Senate, proposed and/or enacted legislation, 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 Archives

Item 43588. OPERATIONS AND PROGRAMS FILE. Records concerning divisional 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 when superseded or obsolete.

**OFFICE OF INDIGENT DEFENSE SERVICES
OFFICE OF SENTENCING SERVICES
REGIONAL OFFICES**

Item 43624. AGENCY, INSTITUTIONAL, AND ORGANIZATIONAL CORRESPONDENCE FILE.

Correspondence and memorandums received 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 when reference value ends.

Item 43633. DISTRICT OFFICE FILE. Correspondence concerning sentencing services within each judicial district in the region and correspondence between the Sentencing Services Administrator and other local court officials. File also includes evaluation records concerning Sentencing Services Programs.

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.

Item 43641. FILM FILE. 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: Retain in office permanently.

Item 43651. OPERATIONS AND PROGRAMS FILE. Records concerning divisional 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 when superseded or obsolete

Item 43659. SPECIAL PROJECTS OR COMMITTEES PROGRAMS FILE. Working papers for special projects and programs implemented by the Regional Office. File also includes copies of surveys.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

Item 44070 CLIENT CASES FILE. Records concerning independent investigations for alternative sentencing performed by staff and contracted sentencing specialists. File includes the 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, and other related records. Information is entered into Profiler/Sentencing Services Database (Electronic) File, Item 44071. (Comply with applicable provisions of G.S. 8-53 and HIPAA regarding confidentiality of medical records and 20 USCA 1232g regarding confidentiality of student records.)

DISPOSITION INSTRUCTIONS: Destroy in office 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.

**OFFICE OF INDIGENT DEFENSE SERVICES
OFFICE OF SENTENCING SERVICES
REGIONAL OFFICES**

Item 44071. PROFILER/SENTENCING SERVICES DATABASE (ELECTRONIC) FILE. Records concerning adult alternative sentencing program. 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 Client Case File, Item 44070. (File maintenance and back up procedures performed by Region Office staff). (Comply with applicable provisions of G.S. 8-53 and HIPAA regarding confidentiality of medical records and 20 USCA 1232g regarding confidentiality of student records.)

DISPOSITION INSTRUCTIONS: Update records in office as needed. Retain in office permanently.

Item 44072. CLIENT/DEFENDANT'S ASSESSMENT FILE. Records concerning client/defendant's 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 3 years after research studies completed.