

OFFICE OF THE GOVERNOR  
ADMINISTRATION  
LEGAL COUNSEL

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.

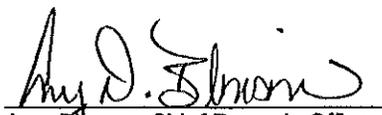
The Office of the Governor and the Department of Cultural Resources agree that certain records series have minimal administrative, reference, or historical value. When the custodian of any official State records certifies to the Department of Cultural Resources that such records have no further use or value for official and administrative business and when the Department certifies that such records appear to have no further use or value for research or reference, then such records may be destroyed or otherwise disposed of by the agency having custody of them. As part of its program operations the Office of the Governor agrees to establish and enforce internal policies. The policy will specify how long those records must be retained and when they must be destroyed.

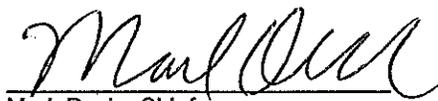
E-mail messages sent or received by Executive Branch agencies shall be retained for 10 years pursuant to Executive Order No. 18 (issued July 7, 2009 by Governor Beverly Perdue) and as set forth in G1 of the General Schedule for State Agency Records. Any E-mail messages requiring retention longer than 10 years, including those with permanent historical value, shall be designated with specific retention periods in this program records 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

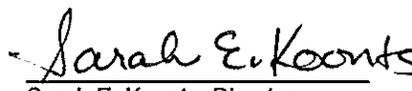
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agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

APPROVAL RECOMMENDED

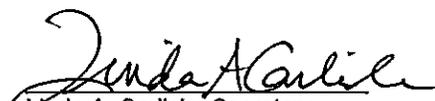
  
Amy Blinson, Chief Records Officer  
Office of the Governor

  
Mark Davis, Chief  
Legal Counsel

  
Sarah E. Koonts, Director  
Division of Archives and History

APPROVED

  
Beverly Eaves Perdue  
Governor

  
Linda A. Carlisle, Secretary  
Department of Cultural Resources

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**ITEM 48926. DIRECTOR'S CORRESPONDENCE FILE.** Records in paper and electronic formats, including e-mail, concerning section goals and objectives of the office. File includes memoranda, correspondence and other related records received from and sent to the governor, other officials within the department and other state and federal agencies concerning the administration and management of the section. (Comply with applicable provisions of G.S. 132-1.1-132.1.2; 132-1.4-132-1.11; 126-22-126-24; and 126-27-126-29).

**DISPOSITION INSTRUCTIONS:** Transfer paper and electronic records, including e-mail, to the State Records Center after 4 years, but no later than the end of the Governor's administration, for immediate transfer to the custody of the Archives. Contact the Electronic Records Unit prior to the transfer of any electronic records.

**ITEM 48927. ETHICS OFFICER FILE.** Records in paper and electronic formats, including e-mail, concerning the topic related to ethics. File includes correspondence, reports, legal opinions and other related records. (Comply with applicable provisions of G.S. 132-1.1-132.1.2; 132-1.4-132-1.11; 126-22-126-24; and 126-27-126-29).

**DISPOSITION INSTRUCTIONS:** Transfer paper and electronic records, including e-mail, to the State Records Center after 4 years, but no later than the end of the Governor's administration, for immediate transfer to the custody of the Archives. Contact the Electronic Records Unit prior to the transfer of any electronic records.

**ITEM 33945. EXECUTIVE ORDERS, DISASTER PROCLAMATIONS, AND LEGISLATIVE APPOINTMENTS FILE.** Records in paper and electronic formats, including e-mail, concerning executive orders issued by the Governor. File includes original copies of executive orders; executive directives; and proclamations concerning disasters, states of emergency, and legislative appointments.

**DISPOSITION INSTRUCTIONS:** Transfer original copies of orders, proclamations, and appointments at the end of the Governor's administration to the State Records Center for immediate transfer to the custody of the Archives. Transfer electronic records, including e-mail, after 4 years, but no later than the end of the Governor's administration, for immediate transfer to the custody of the Archives. Contact the Electronic Records Unit prior to the transfer of any electronic records.

**ITEM 34001. SPECIAL TOPICS/PROJECTS FILE.** Records in paper and electronic formats, including e-mail, concerning special topics of interest to the office. File includes correspondence, reports, legal opinions, and other related records. Some reports or project files may include confidential information. (If so, comply with applicable provisions of G.S. 132-1.1-132.1.2; 132-1.4-132-1.11; 126-22-126-24; and 126-27-126-29).

**DISPOSITION INSTRUCTIONS:** Transfer paper records when administrative value ends, but no later than the end of the Governor's administration, to the State Records Center for immediate transfer to the custody of the Archives. Transfer electronic records, including e-mail, after 4 years, but no later than the end of the Governor's administration, for immediate transfer to the custody of the Archives. Contact the Electronic Records Unit prior to the transfer of any electronic records.

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**ITEM 47826. DEATH ROW CASES FILE.** Records in paper and electronic formats concerning Death Row cases. File includes court transcripts, court documents, correspondence, and other related records. (Comply with applicable provisions of G.S. 148-74 and 148-76 regarding the confidentiality of prison records. See also *Goble v. Bounds*, 13 N.C. App. 579.)

**DISPOSITION INSTRUCTIONS:** Print electronic records and interfile with related paper records. Destroy in office electronic versions of records which were printed and filed when administrative value ends. Transfer paper records when administrative value ends, but no later than the end of the Governor's administration, to the State Records Center for immediate transfer to the custody of the Archives.

**ITEM 47827. JUDICIAL APPOINTMENTS FILE.** Records concerning the appointment of judges in the various judicial districts of North Carolina. File includes correspondence, e-mails, and other related records. (Comply with applicable provisions of G.S. 126-22 through 126-24.)

**DISPOSITION INSTRUCTIONS:** Transfer paper records when administrative value ends, but no later than the end of the Governor's administration, to the State Records Center for immediate transfer to the custody of the Archives. Transfer electronic records, including e-mails, after 4 years, but no later than the end of the Governor's administration, for immediate transfer to the custody of the Archives. Contact the Electronic Records Unit prior to the transfer of any electronic records.

**ITEM 48949. COUNCIL OF STATE FILE.** Reference copies of records concerning cabinet secretaries and members of the Council of State. File includes memorandums, correspondence, minutes, and other related records.

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

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**ITEM 33997. COMMUTATIONS FILE.** Records in paper and electronic formats, including email, concerning requests for reductions in criminal sentences from inmates. File includes correspondence, briefs, summaries, and other related records. (Records related to the Governor's clemency power, including commutation files, are confidential records not subject to the Public Records Law. See *News & Observer Publ'g Co. v. Easley*, 182 N.C. App. 14. Comply with applicable provisions of G.S. 148-74 and 148-76 regarding the confidentiality of prison records. See also *Goble v. Bounds*, 13 N.C. App. 579.)

**DISPOSITION INSTRUCTIONS:** Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Print e-mail and other electronic records, and interfile with related paper records. Destroy in office electronic records, which were printed and filed when reference value ends. Transfer paper records annually to the State Records Center for immediate transfer to the custody of the Archives.

**ITEM 33999. MISCELLANEOUS INMATE CORRESPONDENCE FILE.** Correspondence, including email, received from inmates and their supporters, as well as responses by the Office of Executive Clemency. (Comply with applicable provisions of G.S. 148-74 and 148-76 regarding the confidentiality of prison records. See also *Goble v. Bounds*, 13 N.C. App. 579.)

**DISPOSITION INSTRUCTIONS:** Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Print email and other electronic records, and interfile with related paper records. Destroy in office electronic records, which were printed and filed when reference value ends. Transfer paper records to the State Records Center biennially for immediate transfer to the custody of the Archives.

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**ITEM 34000. PARDONS FILE.** Records in paper and electronic formats, including email, concerning pardons and commutations (not involving death penalty cases) issued by the Governor for state crimes. File includes correspondence, briefs, summaries, and other related records. (Records related to the Governor's clemency power, including pardons files, are confidential records not subject to the Public Records Law. See *News & Observer Publ'g Co. v. Easley*, 182 N.C. App. 14. Comply with applicable provisions of G.S. 148-74 and 148-76 regarding the confidentiality of prison records. See also *Goble v. Bounds*, 13 N.C. App. 579.)

**DISPOSITION INSTRUCTIONS:** Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Print e-mail and other electronic records, and interfile with related paper records. Destroy in office electronic records which were printed and filed when administrative value ends. Transfer paper records annually to the State Records Center for immediate transfer to the custody of the Archives.

**ITEM 47828. MISCELLANEOUS INMATE CORRESPONDENCE (DEATH ROW CASES) FILE.** Correspondence, including email, received from inmates on Death Row and their supporters, as well as responses by the Office of Executive Clemency. (Records related to the Governor's clemency power are confidential records not subject to the Public Records Law. See *News & Observer Publ'g Co. v. Easley*, 182 N.C. App. 14. Comply with applicable provisions of G.S. 148-74 and 148-76 regarding the confidentiality of prison records. See also *Goble v. Bounds*, 13 N.C. App. 579.)

**DISPOSITION INSTRUCTIONS:** Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Print e-mail and other electronic records, and interfile with related paper records. Destroy in office electronic records, which were printed and filed when reference value ends. Transfer paper records to the State Records Center when administrative value ends for immediate transfer to the custody of the Archives.

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**ITEM 33998. EXTRADITIONS FILE.** Records in paper and electronic formats, including e-mail, concerning the legal surrender of an alleged criminal subject to extradition. File includes correspondence, briefs, summaries, waivers and other related records. File also includes warrants for arrest issued for fugitives in North Carolina. (Comply with applicable provisions of G.S. 148-74 and 148-76 regarding the confidentiality of prison records. See also *Goble v. Bounds*, 13 N.C. App. 579.)

**DISPOSITION INSTRUCTIONS:** Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Print electronic records, including e-mail, and interfile with related paper records. Transfer paper records annually to the State Records Center for immediate transfer to the custody of the Archives.

**ITEM 48376. WAIVERS OF EXTRADITION FILE.** Reference copies concerning waivers for the legal surrender of a fugitive to the jurisdiction of another state, country or government. (Comply with applicable provisions of G.S. 148-74 and 148-76 regarding the confidentiality of prison records. See also *Goble v. Bounds*, 13 N.C. App. 579.)

**DISPOSITION INSTRUCTIONS:** Transfer records annually to the State Records Center for immediate transfer to the custody of the Archives.

**ITEM 48377. FUGITIVE WARRANTS FILE.** Reference copies concerning the authorizations to arrest persons who have fled from prosecution in the State of North Carolina. (Comply with applicable provisions of G.S. 148-74 and 148-76 regarding the confidentiality of prison records. See also *Goble v. Bounds*, 13 N.C. App. 579)

**DISPOSITION INSTRUCTIONS:** Transfer records annually to the State Records Center for immediate transfer to the custody of the Archives.

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**ITEM 48378. GOVERNOR'S EXECUTIVE AGREEMENTS FILE.** Correspondence in paper and electronic formats, including e-mail, concerning agreements between the governor of North Carolina and a governor of another state covering unusual extradition cases. File may contain original signed Executive Agreements and other related records. (Comply with applicable provisions of G.S. 148-74 and 148-76 regarding the confidentiality of prison records. See also *Goble v. Bounds*, 13 N.C. App. 579.)

**DISPOSITION INSTRUCTIONS:** Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Print electronic records including e-mail and interfile with related paper records. Transfer records when administrative value ends to the State Records Center for immediate transfer to the custody of the Archives.

**ITEM 48379. REWARDS FILE.** Reference copies in paper and electronic formats, including e-mail, concerning rewards offered for the capture, return, or conviction of a fugitive from justice. File includes letters of request for payment and other related records. (Comply with applicable provisions of G.S. 148-74 and 148-76 regarding the confidentiality of prison records. See also *Goble v. Bounds*, 13 N.C. App. 579.)

**DISPOSITION INSTRUCTIONS:** Print electronic records and interfile with related paper records. Destroy in office electronic versions of records which were printed and filed when reference value ends. Transfer to the State Records Center for immediate transfer to the custody of the Archives after reward is paid or when administrative value ends, if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer records upon completion of action and resolution of issues.