RECORDS RETENTION SCHEDULE

LG12

Municipal Court Records

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Office of the Secretary of State
Rhode Island State Archives & Public Records Administration
Rhode Island Local Government Records Program
33 Broad Street
Providence, Rhode Island 02903

Records Retention Schedule LG12
Municipal Court Records

This Records Retention Schedule has been developed by the Rhode Island Local Government Records Program of the State Archives in an effort to assist government officials in the proper management of public records.

The schedule consists of fifteen (15) separate sets of records, or series, recognized as those records generated by the municipal court. Included in each entry is a series number, records series title and description, and a retention period. For example,

Series No.	Series Title & Description	Retention Period
LG12.2.4	**Transmittal Lists**	

List of summonses issued for local ordinance violations. Includes summons number, offender's name, officer's number, date, whether paid or hearing required.

Retention: Retain one (1) year.

The retention periods set forth in this document are minimum periods and are the result of analysis on the part of the State Archives concerning the legal, fiscal, administrative, and historical value of the records. Because many retention periods are based on state and federal statute and regulation, updates to this schedule may be issued to incorporate any changes.

Proper procedures for the destruction of public records must be adhered to. Records that are eligible for destruction can only be legally destroyed with an approved "Certificate of Records Destruction" (§38-1-10, §38-3-6 (j), and §42-8.1-10). A Certification of Records Destruction form and instructions are included with this schedule. State Archives staff members are always available to answer questions you might have regarding any records issues.

Local government officials should also consult with the municipal solicitor to determine if any records eligible for destruction may be involved in current, pending or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act (RIGL §38-2).

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State of Rhode Island and Providence Plantations

Rhode Island State Archives & Public Records Administration

CERTIFICATION OF RECORDS DESTRUCTION

1. Department			
2. Division		3. Date	
In accordance with the Authority granted by Title 38 of the Rhode Island General Laws these records have met the legal retention requirements and are eligible for destruction.			
4. Record Series Number (from schedule)	5. Record Series Title	6. Dates to/from	7. Volume
8. 1 certify that I have reviewed the above listed records and authorize their destruction. Dept. Head or Records Custodian _____ State Archivist & Public Records Administrator _____			

Signed and executed Certificate is a permanent record. (§42-8.1-10)

Form RI/PRA 003 (Rev. 5/99)

May be reproduced locally

Certification of Records Destruction

Instructions for completing the form. Numbers below correspond with blocks on the Certification of Records Destruction form, a copy of which is provided on the previous page. The form may be reproduced.

1. Department - means any state or local government entity. Include the name of your city or town.

2. Division - means any sub-unit of any department.

3. Date - the date your department prepared the form.

4. Record Series Number - enter the exact series number. Each series listed on retention schedules has a unique identifying number. Series numbers are preceded by the letters LG on municipal schedules and on General Schedules by the letters GS.

5. Record Series Title - enter the exact record series title, as listed on the retention schedule. Each series title should correspond to the one cited in the schedule. If your department uses different titles than those found in the schedules, you may want to add the local title in square brackets [ ] under each entry on the form.
Note: Using the precise record series number and title will expedite the approval process.

6. Dates to/from - enter the earliest and latest dates covered by the records proposed for destruction. In most cases just the year will suffice.
Note: For purposes of calculating retention, do not count the year in which the records were created.
If the retention period of a particular series is qualified by wording such as "Audit plus one year" or "three years after expiration," the date of the completed Audit or the year of expiration needs to be also noted.

7. Volume - enter the volume of records to be destroyed. Volume is most easily measured by the number of inches or linear feet of records, although cubic foot measurements give a more accurate figure. A table of volumes and a cubic foot equivalency formula are provided below.

8. Department Head or Records Custodian - signature of the local official authorized to request records destruction.

Send the completed form to the Rhode Island State Archives. The Certificate will be reviewed, countersigned by the State Archivist/Public Records Administrator, and then returned. Upon receipt the records may legally be destroyed. The signed and executed Certification of Records Destruction must be retained as a permanent record under RIGL §42-8.1-10.

Table of Volumes

standard records storage box (15" x 12" x 10")	1.2 cubic foot
letter size file drawer	1.5 cubic feet
legal size file drawer	2 cubic feet
lateral file drawer	2.5 cubic feet

Cubic Foot Equivalency Formula

$$\frac{L \times W \times H \text{ (inches)}}{1728} = \text{cubic feet/unit}$$

LG12.1 Traffic

LG12.1.1 Universal Summons

Summons issued for moving vehicle violations. Violations may include speeding, expired registration, failure to stop at a stop sign, etc.

(a) Paid in Full

Payment of universal summons without court action.

Retention: Retain three (3) years after final disposition.

(b) Court Disposition/Closed Case Files.

Closed files of universal summons heard by court with all fines paid. File may include original summons, receipt of payment, driving abstract, and court disposition.

Retention: Retain three (3) years after final disposition.

(c) Clearance for Reinstatement/Blue Forms

Forms indicating satisfaction/payment of universal summons violations which resulted in loss of drivers license. Forms authorize reinstatement of license.

Retention: Retain five (5) years after final disposition.

(d) Traffic Tribunal Hearing Closed

Universal summons cases heard initially by municipal court and appealed to Traffic Tribunal. Original file returned from Traffic Tribunal with final disposition.

Retention: Retain five (5) years after final disposition.

(e) Universal Summons copies

Universal summons cases to be heard by Traffic Tribunal only per RIGL § 8-8.2-2.

Retention: Retain three (3) years.

LG12.1.2 Transmittal Lists

List of summons issued for moving violations. Includes summons number, offender's name, officer's number, date, whether paid or hearing required.

Retention: Retain one (1) year.

LG12.1.3 Record and Receipts for Distributed Summons Books

Record of summons books distributed by court clerk and receipts signed by chief administrative officer of municipal police department for books received.

Retention: Retain two (2) years.

LG12.1.4 Summary Sheets

Original summary sheets signed by chief administrative officer of municipal police department and deposited with the clerk of the municipal court. Purpose is to record the use and date of each summons in summons book. Includes the date of issuance of all summons for each book, court complaint number and disposition if known, and accounts for the mutilation or destruction of any summonses.[RIGL 31-27-12.3(b)]

Retention: Delivery annually during the month of July to the administrative clerk in the Traffic Tribunal.

LG12.2 Local Ordinance

LG12.2.1 Local Ordinance Violations - Zoning, Fire and Health.

Summons/tickets issued for local ordinance violations. Does not include minimum housing violations.

(a) Warnings.

Summons issued for local ordinance violation no fine issued, no court action.

Retention: Retain seven (7) years from date of issuance.

(b) Paid in Full.

Payment of summons with no court action.

Retention: Retain seven (7) years after final disposition.

(c) Court Disposition/Closed Case Files

Closed files of local ordinance summons heard by court with all fines paid.

Retention: Retain seven (7) years after final disposition.

LG12.2.2 Other Local Ordinance Violations

Includes animal control and parking violations.

a) Warnings

Summons issued for local ordinance violation no fine issued, no court action.

Retention: Retain three (3) years from date of issuance.

(b) Paid in Full

Payment of summons with no court action.

Retention: Retain three (3) years after final disposition.

(c) Court Disposition/Closed Case Files

Closed files of local ordinance summons heard by court with all fines paid.

Retention: Retain three (3) years after final disposition.

LG12.2.2 Other Local Ordinance Violations (Continued)

(d) Clearance for Reinstatement/Blue Forms.
Forms indicating satisfaction/payment of local ordinance violations (usually parking violations) which resulted in loss of drivers license. Forms authorize reinstatement of license.

Retention: Retain five (5) years after final disposition.

LG12.2.3 Minimum Housing Violations
Summons tickets issued for violations to minimum housing ordinances.

(a) Paid in Full
Payment of summons with no court action.

Retention: Retain seven (7) years after final disposition.

(b) Court Disposition/Closed Case Files
Closed files of summons heard by court with all fines paid.

Retention: Retain ten (10) years after final disposition.

LG12.2.4 Transmittal Lists
List of summonses issued for local ordinance violations. Includes summons number, offender's name, officer's number, date, whether paid or hearing required.

Retention: Retain one (1) year.

LG12.3 Administration

LG12.3.1 Dockets
List of persons scheduled to appear in court. May include summons number, offender's name, license and registration number, and usually accompanied by a sign in sheet.

Retention: Retain three (3) years

Recommendation: Docket should include names of complainant and respondent, license and registration numbers, offense, court date, judgment and disposition. Alternatively, this information should be kept in a separate Docket Book. In either case, **retain as a permanent record** to satisfy RIGL 42-8.1-17.

LG12.3.2 Video Tapes
Evidence relating to a particular case of non-compliance in violation of town/city ordinance.

Retention: Retain until final disposition of case.

LG12.3.3 Audio Tapes
Audio tapes of court proceedings.

Retention: Retain three (3) years.

LG12.3.4 Cash Drawer Receipts/Deposits
Daily deposit receipts of payments received by municipal court. May include an individual listing of payments and a breakdown of accounts into which fines are deposited.

Retention: Retain until audit plus one (1) year.

LG12.3.5 Warrants Canceled
Copy of warrants issued and then canceled by the municipal court. File may include court and police copy of warrant and letter/fax to police calling for cancellation of warrant.

Retention: Retain five (5) years.

LG12.3.6 Reports

(a) Paid Suspension List
Retention: Retain three years.

(b) Suspensions Sent to Traffic Tribunal to be Satisfied
Retention: Retain five years.

(c) Ticket Status Report
Retention: Retain one year.

(d) Paid Ticket Computer Printout
Retention: Retain until audit plus one (1) year.

(e) Annual Reports
Retention: Permanent.

LG12.3.7 Certificates of Record Destruction
Certification of Records Destruction forms (PRA 003) signed by authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (RIGL § 38-1-10, § 38-3-6, and § 42-8.1-10.).

Retention: Permanent.

See also:

GRS1 Executive, High-Level and Policy Making Records
GRS2 Legal Records
GRS3 Safety and Security Records
GRS4 Facilities Records
GRS5 Daily Operations Records
GRS6 Records Management Records
GRS7 Information Management Records
GRS8 Fiscal Records (if not fiscal authority)
GRS9 Personnel Records (if not delegated authority)

All GRS schedules are available at:
http://sos.ri.gov/divisions/frequent-filers/records-management