

Clerk of Courts- Domestic Division Records Retention Schedule (Draft)

This schedule lists records commonly created by the Clerk of Courts Domestic Division. The retention periods specified herein are either required by statute or have been determined by best practice. Permanent records existing solely in electronic format may become inaccessible through media decay and/or hardware/software obsolescence. The Ohio History Connection recommends that digital records with greater than a 10 year retention period also be maintained in either paper or microfilm formats. Records may not be disposed of until all audits are released and audit discrepancies have been settled. Where a lawsuit or agency proceeding is pending, a legal hold on relevant records is required. Records shall be retained until the legal hold has been removed. ELECTRONIC MAIL (e-mail) is a format on which records are sent, received and/or drafted using electronic mailing systems. E-mail is NOT a record series. Instead, each individual e- mail should be evaluated according to its content and retained in accordance with the record series adopted within this schedule that the content most closely fits.

Record Series	Description	Retention Period
ADMINISTRATIVE RECORDS		
Administrative Journal	Consists of court entries, or a record of court entries, regarding policies and issues not related to cases	Permanent (26.01 A)
Annual Budgets	Annual fiscal allocation, may include working documents	3 years, provided audited
Annual Reports	Contains substantive information of operations, policies, procedures and planning	2 copies maintained permanently (26.01 B)
Application for Employment	Application submissions for open positions	2 years (26.01 H)
Audit Reports	Financial examinations and reports	3 years
Bank Records	Record of all bank transactions	3 years, provided audited (26.01 C)
Cash Books	Includes expense and receipt ledgers	3 years, provided audited (26.01 D)
Communication Records	Includes routine telephone message on any medium where official action will be recorded elsewhere	Until no longer of administrative value (26.01 E)
Correspondence and General Office Records	Includes all sent and received correspondence on any medium	Until no longer of administrative value (26.01 F)
Drafts and Informal Notes	Drafts and informal notes consisting of transitory information used to prepare the official record	Until no longer of administrative value (26.01 G)
Employee Benefit and Leave Records	Includes copies of life and medical insurance records	3 years, provided audited (26.01 I)

Record Series	Description	Retention Period
Fiscal Records	Includes copies of transactional budgeting and purchasing documents maintained by another office or agency. May include invoices, billing records/statements, and receipt documents	3 years, provided audited (26.01 K)
Grant Records	Records of grants made or received by the court	3 years after expiration (26.01 L)
Ohio Supreme Court Quarterly Report	Statistical reporting information provided to the Ohio Supreme court	Permanent
Pay-Ins to Treasury	Receipt of funds paid into the county Treasury	3 years, provided audited
Payroll Records	Payroll records of personnel time and copies of payroll records maintained by another office	3 years, provided audited (26.01 M)
Personnel Files	Records concerning the hiring, promotion, evaluation, attendance, medical issues, discipline, termination and retirement of court employees	10 years after termination (26.01 J)
Publications Received	Publications received by the Court	Until no longer of administrative value (26.01 N)
Receipt Records	Receipt and balancing records	3 years, provided audited (26.01 O)
Reparations Rotary Reporting	The monthly payment of all reparations rotary fees through the Treasurer of State's online payment system	3 years, provided audited
Requests for proposals, bids and resulting contracts	Requests for proposals, bids received in response to a request for proposal, and contracts resulting from a request for proposal	3 years after expiration of contract (26.01 P)
Tape Recordings	Recordings of court proceedings	1 year from hearing date, unless there is an appeal
CLERK OF COURTS - DOMESTIC RELATIONS DIVISION		
Per Rule 26 C, the Court may create Combined Files wherein the components of Indexes, Dockets and Journals are contained in the electronic case file.		
Certified Mail Receipts - Uncontested Cases and Post-Decree Motions	Certified mail receipts for new cases and cases involving post-decree motions where personal jurisdiction is established by certified mail receipt and the defendant/respondent fails to answer, enter an appearance, or otherwise defend. May be retained in a separate file from the case file.	30 years after the date of issuance (26.03 G1)
Divorce or Dissolution - Minor Children	Case files of divorce or dissolution that involve minor children.	25 years after the date of the final order (26.03 G2)

Record Series	Description	Retention Period
Divorce or Dissolution - No Children	Case files of divorce or dissolution not involving minor children.	12 years after final order (26.03 G3)
Domestic Violence Petitions	Case files for petitions for domestic violence protection orders.	1 year after the expiration of any resulting protection order (26.03 G4)
Domestic Violence Petitions - Divorce	Case files for petitions for domestic violence protection orders in which parties are also parties to a divorce.	1 year after the expiration of any resulting protection order or until the parties are divorced, whichever is later (26.03 G4)
Domestic Violence Petitions - No Order Issued	Case file for petitions of domestic violence protection orders in which no protection order is issued.	1 year from the date the petition was filed (26.03 G4)
Domestic Violence Petitions - Post Decree Motions	Case file for petitions of domestic violence protection orders in which post-decree motions have been filed.	1 year after adjudication of the post-decree motion or the date specified for case files of petitions for domestic violence protection orders in 26.03 G4, whichever is later. (26.03 G4)
Docket (Blotter, Appearance Docket)	A chronological record of all orders and judgements in each case before the court.	Permanent (26.03 D)
Drafts and Informal Notes	Judge, magistrate and clerk notes, drafts and research prepared for the purpose of compiling a report, opinion or other document or memorandum.	Destroy when no longer of administrative value. (26.03 E)
Exhibits, Depositions, Transcripts	Documents, records or other tangible objects formally introduced as evidence in court; witness's out-of-court testimony that is reduced to writing for later use in court, and official record of proceedings in a trial.	60 days after notification of destruction (26 F)
Index	Reference record used to locate journals, dockets, case files and case numbers, including directly and in reverse the names of all parties to the cases.	Permanent (26.03 D)
Journal (Record)	Verbatim record of a court proceeding arranged chronologically.	Permanent (26.03 D)

Record Series	Description	Retention Period
Legal Separation	Case files of legal separations.	Retain until parties are divorced or for two years after the spousal support terminates, whichever is later, unless otherwise ordered by the court (26.03 G5)
Legal Separation - Post Decree Motions	Case files of legal separations in which post-decree motions have been filed.	2 years after the adjudication of the post-decree motion or the date specified for case files in division 26.03 G5 of this rule, whichever is later (26.03 G5)
Minutes	A verbatim record of every court order or judgement issued by the court arranged chronologically.	Permanent
Real Estate	Case files of matters that result in a final judgement determining title or interest in real estate.	Permanent (26.03 G6)
Registration or Adoption of Foreign Decree	Case files of registrations or adoptions of foreign (i.e., out of state) decrees.	2 years after the emancipation of all the parties' minor children. (26.03 G7)
Registration or Adoption of Foreign Decree - Post Decree Motions	Case files of registrations or adoptions of foreign (i.e., out of state) decrees in which post-decree motions have been filed.	2 years after the adjudication of the post-decree motion or the date specified for case files in division 26.03 G7 of this rule, whichever is later (26.03 G7)
Uniform Reciprocal Enforcement of Support Act (URESAs) Filings	Case files involving the enforcement of alimony or child support orders across state lines.	19 years after the final order of the domestic relations division or 1 year after the transfer of the case to another jurisdiction (26.03 G8)