

BARBERTON MUNICIPAL COURT  
SUMMIT COUNTY, OH

IN RE: COURT RECORDS  
MANAGEMENT AND  
RETENTION RULE FOR  
THE OFFICE OF THE  
CLERK OF COURTS

ADMINISTRATIVE JUDGE  
GREG MACKO  
  
JUDGE  
DAVID FISH

Pursuant to **Rule 26 (C)** of the **Rules of Superintendence for the Court of Ohio**, the Municipal Court of Barberton, Ohio adopts the following **Records Management and Retention Rules of the Office of the Barberton, Ohio Clerk of Courts**.

It is therefore

**ORDERED, ADJUDGED AND DECREED** that the Court adopts the combined indexes, dockets and journals as defined in **Superintendence Rule 26.01** through **26.05**.

**ORDERED, ADJUDGED AND DECREED** the following retention schedule shall apply for the administrative records of the court:

- (A) **Administrative journal:** Administrative journals that consist of court entries, or a record of court entries, regarding polices and issues not related to the cases shall be retained permanently.
- (B) **Annual reports:** Two copies of each annual report shall be retained permanently.
- (C) **Bank records:** Bank transaction records, whether paper or electronic, shall be retained for three years or until the issuance of an audit report by the Auditor of the State, whichever is later.
- (D) **Cash Books:** Cash books, including expense and receipt ledgers, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
- (E) **Communication records:** Communication records, including routine telephone messages on any medium where official action will be recorded elsewhere, may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the records.
- (F) **Correspondence and general office records:** Communication records, including all sent and received correspondence, in any medium, may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the records.
- (G) **Drafts and informal notes:** Drafts and informal notes consisting of transitory information used to prepare the official record in any other form may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the drafts or informal notes.
- (H) **Employment applications for posted positions:** Employment applications for posted or advertised positions shall be retained for two years.
- (I) **Employee benefits and leave records:** Employee benefit and leave records, including court officer copies of life and medical insurance records, shall be retained by the appropriate fiscal officer for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
- (J) **Employee history and discipline records:** Records concerning the hiring, promotion, evaluation, attendance, medical issues, discipline, termination, and retirement of court employees shall be retained for ten years after termination of employment.
- (K) **Fiscal records:** Fiscal records including copies of transactional budgeting and purchasing documents maintained by another office or agency shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
- (L) **Grant records:** Records of grants made or received by a court shall be retained for three years after expiration of grant.

- (M) **Payroll records:** Payroll records of personnel time and copies of payroll records maintained by another office or agency shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
- (N) **Publications:** received: Publications received by a court may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the publications.
- (O) **Receipt records:** Receipt and balancing records shall be retained for three years or until the issuance of an audit by the Auditor of State, whichever is later.
- (P) **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 shall be retained for three years after the expiration of the contract that is awarded pursuant to the request for proposal.
- (Q) Any items not covered under this section may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding these items.

**IT IS ORDERED; ADJUDGED AND DECREED THE FOLLOWING RETENTION SCHEDULE SHALL APPLY FOR THE CLOSED CASE FILE RECORDS OF THE COURT:**

- (A) **CIVIL CASE FILES:** Civil case files shall be retained for two years after the issuance of an audit report by the Auditor of State.
- (B) **DUI CASE FILES:** Driving under the influence of alcohol or drug ("DUI") case files shall be retained for fifty (50) years after the date of the final order of the municipal court.
- (C) **FIRST THROUGH FOURTH DEGREE MISDEMEANOR TRAFFIC AND CRIMINAL FILES:** Except for DUI case files, first through fourth degree misdemeanor traffic files shall be retained for twenty-five (25) years and criminal case files shall be retained for fifty (50) years after the date of the final order of the municipal court or one year after the issuance of an audit report by the Auditor of State, whichever is later.
- (D) **MINOR MISDEMEANOR TRAFFIC AND MINOR MISDEMEANOR CRIMINAL CASE FILES:** Minor misdemeanor traffic and minor misdemeanor criminal case files shall be retained for five (5) years after the final order of the municipal court or one year after the issuance of an audit report by the Auditor of State, whichever is later.
- (E) **PARKING TICKET RECORDS:** Parking ticket records shall be retained until the ticket is paid and the Auditor of State issues an audit report.
- (F) **REAL ESTATE:** Case files of matters that resulted in a final judgment determining title or interest in real estate shall be retained permanently.
- (G) **SEARCH WARRANT RECORDS:** Search warrant records shall be indexed and the warrants and returns retained in their original form for five years after the date of service or last service attempt.

**IT IS SO ORDERED.**



JUDGE GREG MACKO  
BARBERTON MUNICIPAL COURT



DAVID E FISH  
BARBERTON MUNICIPAL COURT

March 23, 2010  
DATE

March 23, 2010  
DATE