

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 4: Limited Jurisdiction Courts
Chapter 3: Administration
Section 4-302: Records Retention and Disposition Schedule

A. Definitions. In this section, the following definitions apply:

“Case file” means all documents and other material filed with the clerk in an action or proceeding, either in paper or electronic format, including depositions, transcripts, and case financial records. *Case file* also includes case management system data but does not include exhibits submitted at a hearing or trial.

“Completion of Sentence” and “Satisfaction of Sanctions” mean payment of all fines, fees, and restitution along with compliance with all requirements of the court’s order or law.

“Records Manager” means the person or persons responsible for keeping and disposing of any records held by the court or any department of the court.

B. General Provisions

1. Electronic Case Files and Case Data. At the end of the retention period set forth in section E below, a records manager must destroy electronic case files and case data.
2. Paper Case Files and Administrative Records. At the end of the retention period set forth in section E below, a records manager may destroy case files that are primarily paper in format and all other records, regardless of format.
3. The State Library, Archives, and Public Records (LAPR) is the division of the Arizona Secretary of State that is the archives for Arizona state government. LAPR has decided not to collect limited jurisdiction court records except for case files that have been designated as historically significant or landmark and presiding judge business papers. A presiding judge, upon the completion of the presiding judge’s term may offer his or her business papers to LAPR. Other than with the exceptions set forth in this paragraph, a municipal or justice court need not notify LAPR prior to destruction of records.
4. Conflicting Legal Authority. To the extent that the retention periods specified in this schedule vary from any statutory provision, the longer period of retention, whether in the statute or in the schedule, applies.
5. Destruction. When a paper case file or other paper record is eligible for destruction, the records manager shall take proper precautions to protect the privacy of the individuals identified in the case file or other record and destroy the complete case file or other record by shredding, burning, or pulverizing the physical case file or other record. Electronic images of case file documents or other records and case or other records data shall be deleted from all places in which they or it reside(s), including servers and hard drives. The court may keep a list, containing minimal information, such as case number, case type, party name, and date of destruction, capturing any case files or other records

destroyed, so that the court will know that a case file or other record has been destroyed and has not been merely misplaced or never existed.

C. Historically Significant and Landmark Cases. Records managers shall comply with the following procedures for designating and transferring cases determined to be historically significant or landmark:

1. Designation of a case as historically significant

- a. Purpose. Certain cases filed in Arizona courts may be identified as historically significant because of the unique legal issue or controversy involved, the prominence of one or more of the parties to the action, or because of other high profile or newsworthy reasons. When there is reason to believe that a case falls into this category, the following procedures shall be followed.
- b. Procedure for designating a case as historically significant. A motion to request that a case be designated historically significant shall be filed either by a member of the public or on the court's own motion. The motion shall identify one or more reasons the case should be designated historically significant. The presiding judge shall decide the motion. If the motion is denied, the presiding judge shall identify the reason for the denial. The clerk shall file the order granting or denying the motion for historically significant designation with the case.
- c. Processing and transferring. If the motion is granted, the records manager shall, within 90 days of final disposition, transfer the case, a print-out of the register of actions or docket from the case management system, any exhibits not previously retrieved or destroyed, and any microfilm to LAPR for permanent retention. LAPR will accept diagrams, maps, photographs, and any other paper-based materials. LAPR will not accept three dimensional objects, clothing, or security-sensitive exhibits such as weapons, drugs, money, and bio-hazardous materials. Identification of the case as historically significant shall be prominently noted on the print-out of the register of actions or docket from the case management system transferred with the case to LAPR.

2. Designation of a case as landmark

- a. The following factors shall be considered in deciding whether a case is landmark:
 - (1) The frequency with which the case has been cited;
 - (2) Whether the case has been designated as historically significant;
 - (3) Whether the case caused a change in policies or laws;
 - (4) Whether the case affected a large portion of the community and was controversial;
 - (5) Whether the case is generally viewed by the community as important;
 - (6) Whether the case involved a famous or notorious individual or was the subject of a well-known book or film; and

- (7) Any other relevant factor.
- (8) Any case that has been the subject of a published opinion of the United States Supreme Court and has statewide or national impact shall be designated as a landmark case.

b. Procedure for designating a case as landmark

- (1) The Arizona Historical Records Advisory Board shall designate a case as landmark under section (C)(2)(a)(1) and (3)–(8), above, in consultation with a committee convened by the Board for this purpose. The committee shall consist of Board members, retired appellate court judges or justices, law professors, historians, or other like persons who have objective, informed views about the long-term significance and effect of eligible published appellate opinions. The committee shall meet periodically to review all published appellate opinions no less than five years and no more than nine years after issued to determine whether any of these cases should be designated as landmark.
- (2) No more than ten years after an appellate opinion is issued, and with the Board’s approval, the Director of the Division of Arizona History and Archives shall provide written notice of landmark designation to the records manager of the court of origin, the clerk of the appropriate division of the court of appeals, and the clerk of the supreme court who shall apply the process for transferring the case to LAPR pursuant to (C)(2)(c), below.
- (3) Landmark designation under subsection (C)(2)(a)(2) above shall be made by the presiding judge in the court of origin.

c. Processing and transferring. When a case has been designated as landmark, the clerk shall file the notice of this designation in the case. The records manager shall immediately transfer the case, a print-out of the register of actions or docket from the case management system, any exhibits not previously retrieved or destroyed, and any microfilm to LAPR for permanent retention. LAPR will accept diagrams, maps, photographs, and any other paper-based materials. LAPR will not accept three dimensional objects, clothing, or security-sensitive exhibits such as weapons, drugs, money, and bio-hazardous materials. Identification of the case as landmark shall be prominently noted on the print-out of the register of actions or docket from the case management system transferred with the case to LAPR.

D. Authority. Az. Const., Art. 6, §§ 3 and 23 authorize the supreme court to administer the courts of this state. Rule 29, Rules of the Supreme Court, requires the supreme court to adopt retention and disposition schedules for court records. A.R.S. §§ 22-124 and -428 authorize the municipal and justice courts to maintain and destroy records pursuant to rules established by the supreme court.

E. Retention and Disposition Schedule. Justice and municipal courts shall retain records according to the following schedule:

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
CASE FILES				
	A. Civil traffic			
1.	i. Civil traffic, non-default	1 year after final adjudication and satisfaction of sanctions	1 year after final adjudication and satisfaction of sanctions	5 years after final adjudication and satisfaction of sanctions
2.	ii. Civil traffic default	1 year after satisfaction of sanctions	1 year after final adjudication and satisfaction of sanctions	5 years after final adjudication and satisfaction of sanctions
3.	iii. Parking violation, non-default, both statute and local ordinance	6 months after final adjudication and satisfaction of sanctions	6 months after final adjudication and satisfaction of sanctions	1 year after final adjudication and satisfaction of sanctions
4.	iv. Parking violation, default, both statute and local ordinance	6 months after satisfaction of sanctions	6 months after satisfaction of sanctions	1 year after satisfaction of sanctions
	B. Civil, other than traffic			

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
5.	i. Order of protection, injunction against harassment, and injunction against workplace harassment – petitions granted	3 years after expiration of the order	3 years after expiration of the order. Only information regarding orders that have been served on the defendant can appear on court websites. See ARPOP 1(C)(6). No information about the plaintiff may appear. See 18 USC § 2265(d)(3).	3 years after expiration of the order
6.	ii. Order of protection, injunction against harassment, and injunction against workplace harassment – petitions not granted	1 year after denial or dismissal	N/A. Petitions not granted cannot appear on any court websites. See ARPOP 1(C)(6)	3 years after denial

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
7.	iii. Orders dismissed	3 years after dismissal of the order	3 years after dismissal of the order. Only information regarding orders that have been served on the defendant can appear on court websites. See ARPOP 1(C)(6). No information about the plaintiff may appear. See 18 USC § 2265(d)(3).	3 years after dismissal of the order
8.	iv. Local ordinance violation, other than parking (See A. iii. and A. iv., above, for parking violations)	1 year after final adjudication and satisfaction of judgment	Not available on Arizona Judicial Branch Public Access to Case Information website. May be available on local court website for 1 year after final adjudication and satisfaction of judgment	5 years after final adjudication and satisfaction of judgment

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
9.	v. Eviction	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal
10.	vi. Small claims	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal
11.	vii. General civil case, other than small claims	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal or the filing of a satisfaction of judgment	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal or the filing of a satisfaction of judgment	11 years after final judgment or the filing of an affidavit of renewal, whichever is later, or 1 year after voluntary dismissal or the filing of a satisfaction of judgment
12.	viii. Civil marijuana violations (A.R.S. § 36-2853(B)(1))	1 year after final adjudication and satisfaction of sanctions	1 year after final adjudication and satisfaction of sanctions	1 year after final adjudication and satisfaction of sanctions

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
13.	ix. Petition to Expunge Marijuana Offense Records (A.R.S. § 36-2860) assigned a civil case number pursuant to Supreme Court Administrative Order No. 2021-82, because the applicable criminal case file has been purged and no pre-existing criminal case number can be located	1 year after final judgment	1 year after final judgment	1 year after final judgment
C. Criminal				
14.	i. Felony	6 months after discharge or transmittal to superior court	6 months after discharge or transmittal to superior court	3 years after discharge or transmittal to superior court
15.	ii. Misdemeanor and criminal traffic	5 years after final adjudication and completion of sentence	5 years after final adjudication and completion of sentence	10 years after final adjudication and completion of sentence
16.	iii. DUI and OUI	8 years after final adjudication and completion of sentence	8 years after final adjudication and completion of sentence	10 years after final adjudication and completion of sentence
17.	iv. Domestic violence offense	8 years after final adjudication and completion of sentence	8 years after final adjudication and completion of sentence	10 years after final adjudication and completion of sentence

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
18.	v. Petty offense	1 year after final adjudication and completion of sentence	1 year after final adjudication and completion of sentence	1 year after final adjudication and completion of sentence
RECORD OF COURT PROCEEDING				
19.	A. The verbal record, including court reporter notes and electronic recordings of a court proceeding, hearing, or trial	No more than 3 years from completion of the case	N/A	N/A
MISCELLANEOUS RECORDS				
20.	A. Records created or received by the court, but not filed	6 months after created or received, whichever is later	N/A	N/A

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
21.	B. Exhibits submitted at trial or hearing in any case type	Upon dismissal, disposition, or final appellate ruling, whichever comes later, and then 60 days after mailing notice to responsible persons to claim all evidence, all unless otherwise ordered by the court	N/A	N/A

ADMINISTRATIVE RECORDS

22.	A. Chief presiding judge business papers	Until term is completed. The presiding judge may then contact LAPR to determine whether they wish to receive these papers.	N/A	N/A
23.	B. Records held by a court human resources department	As required by law or local policy, whichever is later	N/A	N/A
24.	C. COJET records	After reference value served	N/A	N/A

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
25.	D. Jury records, non-financial	90 days from the date received by the court	N/A	N/A
26.	E. Statistical reports required by the AOC	1 year after the fiscal year prepared	N/A	N/A
	F. Court administration financial records			
27.	i. Bank account reconciliations, record of outstanding checks, record of deposits in transit, bank statements, canceled checks, canceled deposit slips, bank issued debit and credit memos, and any documentation that requests the adjustment or void of a court financial record	3 years after the fiscal year created or received	N/A	N/A
28.	ii. Expenditure records, including vouchers	3 years after the fiscal year prepared	N/A	N/A
29.	iii. Periodic summary budget reports	3 years after the fiscal year prepared	N/A	N/A
30.	iv. Periodic financial reports to state and local agencies	3 years after the fiscal year prepared	N/A	N/A
31.	v. Triennial external review report required by the minimum accounting standards	Until subsequent audit received	N/A	N/A

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
32.	vi. Applications, records, and reports for grants received	3 years after submission of final grant report, unless otherwise required by the granting authority	N/A	N/A
33.	G. Administrative records not otherwise specified above.	1 year from date prepared or received, or until reference value served, whichever is earlier	N/A	N/A
34.	H. Warrants that are not part of a case file	1 year from date of return; If not returned, destroy upon expiration	N/A	N/A
35.	I. Administrative orders and directives	Permanent	N/A	N/A
36.	i. Incident reports for incidents which caused or threatened to cause personal injury, property damage, or disruption of courthouse proceedings or general events as deemed necessary by local court policy	5 years from the year prepared. Exception: retain throughout the life of an open investigation, if applicable	N/A	N/A

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
37.	ii. Use of force reports that document force or show of force utilized by court security officers in the performance of their duties (i.e. physical defense tactics, utilization of weapons, etc.) which may include slight force such as handcuffing and physical escorts, at the discretion of local court policy	10 years from the year prepared. Exception: retain permanently if report involves death or serious bodily injury	N/A	N/A
38.	iii. Property records/chain of custody documentation that captures receipt, custody, and transfer of physical property handled by court security officers in the performance of their duties, such as property held for safe-keeping or evidence	2 years from year prepared	N/A	N/A
39.	iv. Administrative checklists/logs used to record security-related tasks such as building security checks, screening equipment calibration checks, etc.	1 year	N/A	N/A
40.	v. Security video captured as part of the court security mission, including fixed and portable camera video footage and body-worn camera footage	14 days from recording date. Exception: if footage is part of any open investigation or incident then retain according to the incident report retention schedule	N/A	N/A

Record Series No.	Record Series Title	Retention Period with Court	Retention Period on Arizona Supreme Court and Local Court Public Websites	Retention Period in Case and Document Management Systems
41.	vi. Officer misconduct complaints regarding court security officers perceived misconduct whether received from a member of the public or a court employee	3 years from receipt.	N/A	N/A
42.	vii. Training records	5 years from termination of employment, or contract expired, canceled, or revoked	N/A	N/A

Adopted by Administrative Order 2006-94, effective November 1, 2006. Amended by Administrative Order 2007-83, effective November 21, 2007. Amended by Administrative Order 2008-88, effective November 5, 2008. Amended by Administrative Order 2014-115, effective January 1, 2015. Amended by Administrative Order 2017-73, effective July 5, 2017. Technical amendment by Administrative Order 2018-53, effective June 5, 2018. Amended by Administrative Order 2021-09, effective January 21, 2021. Technical Amendment by Administrative Order 2021-112, effective July 14, 2021.