

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

512



FORM APPROVED COUNTY COUNSEL 3/16/15
 BY: GREGORY P. PRIAMOS
 DATE
 Departmental Concurrence

FROM: Assessor-County Clerk-Recorder / Records Management and Archives Program

SUBMITTAL DATE:
March 19, 2015

SUBJECT: Approval of revised Departmental Records Retention Schedule

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached revised Departmental Records Retention Schedule for County Counsel
2. Direct the Clerk of the Board to amend the list of Board-approved retention schedules contained within Board Policy A-43 to include this schedule.

BACKGROUND:

Summary

In accordance with the provisions of Board Policy A-43, the Records Management and Archives Program (RMAP) worked with appropriate departments to review the Departmental Records Retention Schedules attached. Approval will authorize the disposal of certain records following mandatory retention requirements, thereby enabling the County to reduce the cost of storage for obsolete materials while ensuring that administrative, fiscal, legal and other recordkeeping responsibilities are met. Per Government Code 26202, this item requires a 4/5 vote.

Peter Aldana

Peter Aldana
Assessor-County Clerk-Recorder

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ NA	\$ NA	\$ NA	\$ NA	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ NA	\$ NA	\$ NA	\$ NA	

SOURCE OF FUNDS: NA

Budget Adjustment: No

For Fiscal Year: NA

C.E.O. RECOMMENDATION:

APPROVE

BY: *Samuel Wong 3/20/15*
Samuel Wong

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington, Benoit and Ashley
 Nays: None
 Absent: Tavaglione
 Date: April 7, 2015
 xc: ACR, COB

Kecia Harper-Ihem
 Clerk of the Board
 By: *Kecia Harper-Ihem*
 Deputy

- A-30
- Positions Added
- 4/5 Vote
- Change Order
-

Prev. Agn. Ref.: 12/16/2008

District:

Agenda Number:

3-7

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

FORM 11: Approval of revised Departmental Records Retention Schedule

DATE: March 19, 2015

PAGE: Page 2 of 2

Impact on Citizens and Businesses

The citizens of Riverside County benefit from the efficiencies gained through the application of generally accepted recordkeeping principles.



County of Riverside, California Departmental Records Retention Schedule (DRRS_COCO_2015_Rev02)

Enacted pursuant to Board of Supervisors, County of Riverside Resolution No. 2004-044, "Pertaining to the Retention and Destruction of County Records," and Board of Supervisors, County of Riverside Policy A-43: "County Records Management and Archives Policy."

Inquiries or comments regarding this schedule should be directed to:

County of Riverside
Records Management and Archives Program (RMAP)
PO Box 472
Riverside, CA 92502
951-486-7151
(County Mail Stop 2625)

Introduction

This Departmental Records Retention Schedule (DRRS) for County Counsel is adopted as per the recommendations of Board Policy A-43 and supersedes the DRRS adopted December 16, 2008 as Agenda Item #3.12.

This schedule is written with general titles and descriptions rather than identifying specific individual documents or forms. A record with content and function that is substantially the same as an item described in this schedule should be considered covered by that series. This retention schedule indicates the length of time that listed records, regardless of media or format, must be retained by the department before disposition may be implemented. These retention requirements are recommended in order to reduce the costs for the storage and maintenance of records while ensuring that administrative, fiscal, legal and other recordkeeping responsibilities are met.

Records, including copies held for convenience or reference, must be disposed of as directed herein at the close of the official retention period. A full justification for any request to extend the retention period for a particular group of records must be submitted in writing to the Records Management and Archives Program (RMAP) as stated by Board Policy A-43, Section D.5.

If a federal or state statute or regulation specifies a longer retention period for any records series received, created, or maintained by the department, the statute or regulation override this schedule and the department must amend its records retention schedule as soon as practicable. In addition, a record may not be destroyed if notice of litigation, audit, public records request, etc. is received prior to the expiration of the retention period. For records held for audit purposes, the Auditor Controller's Office, or appropriate auditing authority, will notify the department once the audit is complete. In the event a lawful claim or a lawsuit is made against the county of Riverside, the department will suspend destruction of the subject records until all issues of the matter are resolved. Further, if the department is notified by County Counsel or Human Resources to put documents on hold due to a claim or other legal proceeding, the department will suspend any records destruction of the identified documents. (Board Policy A-43 § D.10)

The department will maintain the requested records until the close of litigation or proceedings plus an additional ten (10) years. The department is responsible for ascertaining the correct date of closure in order to establish this ten (10) year retention period. Furthermore, the department is responsible for establishing appropriate procedures to ensure that records are retained for the period of time mandated and that the records remain accessible as required.

Explanation of Fields

Record Series Codes: The Record Series Code is assigned by RMAP. The code is alphanumeric and uniquely identifies the Record Series Title regardless of the schedule it occupies enabling the Record Series to be tracked within the master index system.

Record Series Title: The Record Series Title identifies a group of similar records generally produced or utilized for similar business needs allowing them to be evaluated as a group for retention scheduling purposes.

Record Series Description: A description of the Record Series Title that includes examples, not an exhaustive list, of the record types found within the group.

Official Record Retention: The length of time that the Copy of Record must be kept based upon the legal minimum requirement as well as any operational or business need. All other copies must be disposed of at the end of the retention period. For example, departmental copies held for convenience or reference must be destroyed at the close of the retention period or when no longer needed to support normal business operations, whichever is earlier.

Citation / Rationale: The legal citation or operational/business reason for retaining the Copy of Record for the period specified.

Final Disposition: The recommended final status or arrangement for the Copy of Record, usually disposed of by recycling, confidential shredding or transfer to the County of Riverside Archives as determined through best practice.

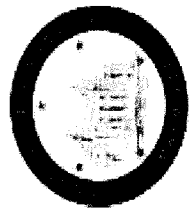
Explanation of Codes

Best Practice = Best Practice determined through business and government agency benchmarks.

CL = Closed, which will also mean after final resolution (as in an inquiry or litigation) after expiration (as in a contract) after final payment, upon completion of participation in a program, etc. A record is considered "closed" when no further action is pending or required.

GC = California Government Code

P = Permanent



COUNTY OF RIVERSIDE RECORDS RETENTION SCHEDULE

Schedule Type: Departmental Records Retention Schedule

Department / Agency: COUNTY COUNSEL

Division: ALL DIVISIONS

Schedule #:

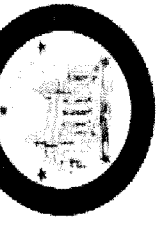
DRRS_COCO_2015_Rev02

Section: ALL SECTIONS

Code		Title	Record Series	Description	Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
COCO- COCO150	Bail Bond Transaction Files			Records of bail summary judgments. May include order for summary judgment, receipt of payment and proof of transfer of funds to the court.	County Counsel	CL + 5	GC 26202 Best Practice	Shred / Delete
COCO - COCO275	Case Files, Hospital Collection			Case files representing County hospital for the collection of monies owed to the hospital. May include County hospital bill, referral from the hospital, promissory notes, summons, complaint, abstract of judgment and judgment renewal.	County Counsel	CL	Best Practice	Return to Hospital
COCO - COCO325	Case Files, Juvenile Dependency (Attorney Notes Only)			Attorney notes relating to case files representing the Department of Public Social Services, specifically cases involving minors.	County Counsel	CL + 2	GC 26202	Shred / Delete
COCO - COCO350	Case Files, Juvenile Dependency Appeal			Case files representing the Department of Public Social Services, specifically those involving the appellate cases of the natural parents of minors scheduled to be removed from the home. May include documents filed in the appellate court and attorney notes.	County Counsel	CL + 10	GC 26202	Shred / Delete
COCO - COCO375	Case Files, Litigation			Records related to County action in civil and criminal cases (either for or against the County) or actions involving property such as eminent domain. May include briefs, court proceedings, pleadings, investigative materials, petitions, notices, orders, transcripts, and attorney notes.	County Counsel	CL + 10	GC 26202	Shred / Delete

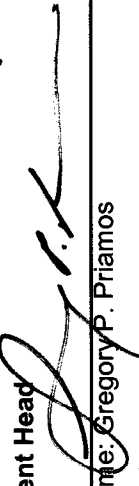
Record Series		Title	Description	Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Code							
COCO - COCO400	Case Files, Probate and Conservatorship	Case files representing Department of Mental Health or the Division of Public Guardian in probate or conservatorship matters. May include petitions filed pursuant to the Welfare & Institutions Code §§ 5327, 5350 or 5361. May also include the accounting of use of conservatee's funds, correspondence, court orders, doctor's declaration, ex partes, letters of conservatorship, dismissals, and reappointments.	County Counsel	CL + 2	GC 26202	Shred / Delete	
COCO - COCO450	Conservatorship Writ and Riase Hearing Documents	Documents filed by a conservatee to terminate conservatorship and by the Department of Mental Health or the Division of Public Guardian relating to capacity hearing for the administration of antipsychotic medications. County Counsel does not maintain case files, only the documents.	County Counsel	CL + 2	GC 26202	Shred / Delete	
COCO - COCO550	Law Enforcement Writs and Motions	Records related to writs or motions filed by a defendant or by the Sheriff's Department. Files may include Pitchess motions, writs related to jail conditions or weapons to be destroyed.	County Counsel	CL + 2	GC 26202	Shred / Delete	
COCO - COCO600	Legal Opinions	Formal opinions written by County Counsel advising the Board of Supervisors or County staff concerning the legality or legal consequences of various courses of action and to present the basis and rationale for legal recommendations.	County Counsel	P	Best Practice	Dept.	
COCO - COCO700	Ordinance Log	The log recording each County ordinance by number and any amendments issued.	County Counsel	P	Best Practice	Dept.	


COUNTY OF RIVERSIDE RECORDS RETENTION SCHEDULE

	Department / Agency: County Counsel Division: ALL Section: ALL
Schedule Type: Departmental Records Retention Schedule (DRRS) Schedule #: DRRS_COCO_2015_Rev02	

SIGNATURE PAGE

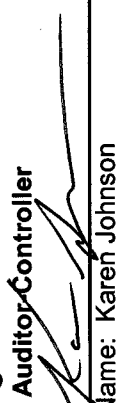
Pursuant to Section D.6 of Board Policy A-43, records retention schedules submitted by RMAP to the County Executive Office for Board approval require prior sign off by the County Archives Manager, Risk Management, County Auditor-Controller, County Counsel, and the Director of the Records Management and Archives Program (RMAP). With full consideration given to the preservation of the historic records of the County of Riverside, the undersigned hereby certify that the attached retention schedule conforms to the requirements of Board Policy A-43, and to the legal and regulatory requirements and best business practices known at this time.


Department Head

 Name: Gregory P. Priamos
 County Counsel
 Title
 Date: 3/16/15

Records Management and Archives Program

 Name: Bobbi Schutte
 Assistant Assessor-Clerk-Recorder
 Title
 Date: 3/12/15

County Archives

 Name: Jim Hofer
 Archives Manager
 Title
 Date: 12 March 2015

County Auditor-Controller

 Name: Karen Johnson
 Fiscal Manager
 Title
 Date: 3/12/2015

County Counsel (Approval as to form)

 Name: Tawny Lied
 Deputy County Counsel
 Title
 Date: 3/16/15

County Risk Management

 Name: Jim Sessions
 Risk Manager
 Title
 Date: 3/16/15