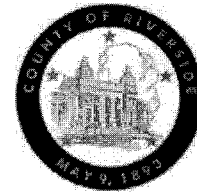


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.10
(ID # 3485)

MEETING DATE:

Tuesday, February 7, 2017

FROM : ASSESSOR-COUNTY-CLERK-RECORDER:

SUBJECT: Approval of Departmental Records Retention Schedule [District All, \$0.00]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached revised Departmental Records Retention Schedule for the Public Defender.

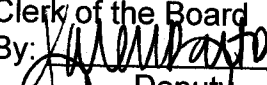
ACTION: 4/5 Vote


Peter Aldana 1/23/2017

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: None
Date: February 7, 2017
xc: ACR

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

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 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. Prior agenda references are noted on the appropriate cover page. Per Government Code 26202, this item requires a 4/5 vote.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:
COST	\$ NA	\$ NA	\$ NA	\$ NA
NET COUNTY COST	\$ NA	\$ NA	\$ NA	\$ NA
SOURCE OF FUNDS: NA			Budget Adjustment:	No
			For Fiscal Year:	
			16/17	

C.E.O. RECOMMENDATION:

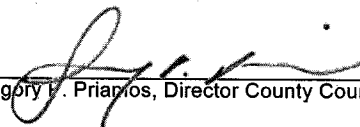
Impact on Residents and Businesses

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

ATTACHMENTS (if any, in this order):

ATTACHMENT A. DEPARTMENTAL RECORDS RETENTION SCHEDULE

Public Defender Revision 02



 Gregory F. Priamos, Director County Counsel 1/23/2017



**County of Riverside, California
Departmental Records Retention Schedule
(DRRS_PD_2017_Rev02)**

Enacted pursuant to Board of Supervisors, County of Riverside Resolution No. 2016-126, "Pertaining to the Management, Retention, Destruction or Disposition 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 751
Riverside, CA 92502
951-486-7151
(County Mail Stop 2625)

Introduction

This Departmental Records Retention Schedule (DRRS) for the Public Defender is adopted as per the recommendations of Board Policy A-43 and supersedes the DRRS adopted November 5, 2013 as agenda item 3-15.

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.9)

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 Records: The agency or department responsible for the county's official record.

Official Record Retention: The length of time that the official 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 official record for the period specified.

Final Disposition: The recommended final status or arrangement for the official record, usually disposed of by 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.

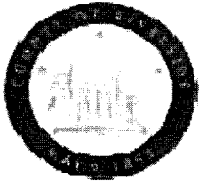
CY = Calendar year end

FY = Fiscal year end

GC = California Government Code

P = Permanent

REV = Revised



COUNTY OF RIVERSIDE RECORDS RETENTION SCHEDULE

Department / Agency: Public Defender

Schedule Type: Departmental Records Retention Schedule

Division: All

Schedule #:

Section: All

DRRS_PD_2017_Rev02

With full consideration given to the preservation of the historic records of the County, the undersigned hereby certifies that this retention schedule conforms to the legal and regulatory requirements and best business practices known at this time.

Department Head:

Steven L. Harmon
Steven L. Harmon, Public Defender

Date:

1-19-17

Record Series			Official Record	Official Record Retention	Citation / Rationale	Final Disposition
Code	Title	Description				
PD100	Case File	Attorney-Court records related to the defense of a client.	Public Defender	P	GC 26205.8; Best Practice	Dept.
PD200	Destruction Notice	Records related to a court order to destroy client records.	Public Defender	P	Best Practice	Dept.
PD300	Preservation Notice	Records related to a court order to preserve responsive records.	Public Defender	CL + 10	GC 26202; Best Practice	Shred/Delete
PD400	Statistical Reports	Compilations of statistical data maintained to establish trends and support funding.	Public Defender	FY + 20	GC 26202; Best Practice	Shred/Delete
PD500	Training	Training materials related to the Public Defender Academy under the Minimum Continuing Legal Education (MCLE) requirements for California. Records series includes records of attendance and evaluation forms. Records series may also include training materials covered, date(s) of attendance and employee sign-in and/or acknowledgement.	Public Defender	CL + 4	MCLE Rules Title 3, Div 5, Chap. 1, Article 1 Rule 3.602 (B); GC 26202; Best Practice	Shred/Delete