

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



ITEM: 3.11
(ID # 23031)

MEETING DATE:
Tuesday, October 17, 2023

FROM : ASSESSOR-COUNTY-CLERK-RECORDER:

SUBJECT: ASSESSOR-COUNTY CLERK-RECORDER/RMAP: Approval of Revised
Departmental Records Retention Schedule, All Districts. [\$0] (4/5th Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached Departmental Records Retention Schedule for the Office of
County Counsel.

ACTION: 4/5 Vote Required, Policy

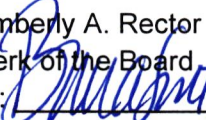


Kan Wang, Assistant Assessor-County-Clerk Recorder 9/8/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: October 17, 2023
xc: Assessor

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 2023/2024	

C.E.O. RECOMMENDATION: Approve.

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 Section 26202, this item requires a 4/5 vote.

Impact on Residents and Businesses

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

ATTACHMENTS:

- DRRS County Counsel – DRRS_CoCo_2023_Rev04 – Supersedes**
DRRS_CoCo_2021_Rev03 adopted September 28, 2021, as Agenda #3.4.

Cesar Bernal
Cesar Bernal, PRINCIPAL MGMT ANALYST 10/4/2023

Aaron Gettis
Aaron Gettis, Deputy County Counsel 10/3/2023



County of Riverside, California Departmental Records Retention Schedule (DRRS_COCO_2023_Rev04)

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)
2724 Gateway Drive
Riverside, CA 92507
951-486-7067
(County Mail Stop 2625)

Introduction

This Departmental Records Retention Schedule (DRRS) for the County Counsel Department (COCO) is adopted as per the recommendations of Board Policy A-43 and supersedes the DRRS adopted September 28, 2021 as Agenda Item #3.4.

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.

GC - California Government Code

P - Permanent



COUNTY OF RIVERSIDE RECORDS RETENTION SCHEDULE

Department / Agency: County Counsel

Schedule Type: Departmental Records Retention Schedule (DRRS)

Division: All

Schedule #:

Section: All

DRRS_COCO_2023_Rev04

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:

Date:


Minh C. Tran, County Counsel

8/31/23

Code	Title	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	GC26202; Best Practice	Shred / Delete
COCO- COCO300	Case Files, Child Welfare	Case files representing the Department of Public Social Services, specifically those involving cases of the natural parents of minors scheduled to be removed from the home. May include documents filed in the superior court and attorney notes.	County Counsel	P	Best Practice US S.3103(20022); CA AB-218; Pending CA AB- 452 (2023- 2024)	Dept.
COCO- COCO350	Case Files, Child Welfare Appeals	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	P	Best Practice US S.3103(20022); CA AB-218; Pending CA AB- 452 (2023- 2024)	Dept.
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

FORM APPROVED COUNTY COUNSEL

BY MCT 29SEP23
MICHAEL C. THOMAS DATE

Record Series			Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Code	Title	Description				
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	GC26202	Shred / Delete
COCO- COCO450	Conservatorship Writ and Riese 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	GC26202	Shred / Delete
COCO- COCO550	Law Enforcement Writs and Motions	Records related to writs or motions filed by a defendant or by the Sheriffs Department. Files may include Pitchess motions, writs related to jail conditions or weapons to be destroyed.	County Counsel	CL + 2	GC26202	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.
COCO - COCO700	Ordinance Log	The log recording each County ordinance by number and any amendments issued.	County Counsel	P	Best Practice	Dept.