

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



ITEM: 3.6
(ID # 23968)

MEETING DATE:
Tuesday, April 02, 2024

FROM : ASSESSOR-COUNTY-CLERK-RECORDER:

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

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached Departmental Records Retention Schedule for the County Clerk (ACR-C).

ACTION:4/5 Vote Required, Policy




Lisa Anderson, ASST ASSESSOR/CLERK/RECORDER 2/28/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Gutierrez 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: April 2, 2024
xc: Clerk-Recorder

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 Schedule 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_ACR-C_2023_Rev06 – Supersedes DRRS_ACR-C_2020_Rev05 adopted December 15, 2020, Agenda item #3.4.

Cesar Bernal
 Cesar Bernal, PRINCIPAL MGMT ANALYST 3/19/2024

Aaron Gettis
 Aaron Gettis, Chief of Deputy County Counsel 3/12/2024



County of Riverside, California Departmental Records Retention Schedule (DRRS_ACR-C_2024_Rev06)

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
(County Mail Stop 2625)

Introduction

This Departmental Records Retention Schedule (DRRS) for the Assessor-County Clerk-Recorder, Clerk Department (ACR-C) is adopted as per the recommendations of Board Policy A-43 and supersedes the DRRS adopted December 15, 2020, 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.

BPC = California Business and Professions Code

CCP = California Code of Civil Procedure

CCR = California Code of Regulations

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.

CORP = California Corporations Code

CY = Calendar year end

EXP = Expiration

FAM = California Family Code

GOV = California Government Code

P = Permanent



ACR

Schedule Type: Departmental Records Retention Schedule (DRRS)

Division: County Clerk

DRRS_ACR-C_2023_REV06

Section: All

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: _____

Risa Anderson

Date: 1/2/2024

Record Series			Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Code	Title	Description				
ACR-C-100	Bonds & Surety Companies, List of	The Department of Insurance issues an annual list of registered Bond & Surety companies that is filed with clerk by date. Financial Statements; Annual financial statements of admitted sureties in California, on file with clerk by date. Power of Attorney, Appointment of/Power of Attorney Revocation; Surety company employee powers. Includes copies of power of attorney / revocation of power of attorney. On file with clerk by date. Bail Bond insurance issuance / Revocation; Bail licenses issued/revoked by the Department of Insurance on file with the clerk by date.	Department of Insurance	CY + 3	CCP 995.630; CCP 995.640; CCP 995.660	Shred / Delete
ACR-C-125	Daily Processing Logs	This includes scanning logs, notary journal receipt letter/logs, etc.	County Clerk	CY + 2	GOV26202	Shred / Delete
ACR-C-150	Deputy Commissioner For the Day	Applications and supporting documentation for Deputy Commissioner for the Day applicants.	County Clerk	CY + 2	GOV26202	Shred / Delete
ACR-C-175	Environmental Findings	California Environmental Quality Act: Negative Declaration and Notice of Determination, Public Notice of Environmental Finding (Posting Page) Duplicate copies of notices of projects with environmental impact implications.	County Clerk	CY + 1	14 CCR 753.5(f)	Shred / Delete

FORM APPROVED COUNTY COUNSEL

BY MCT 05 MAR 24
MICHAEL C THOMAS DATE

Record Series			Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Code	Title	Description				
ACR-C-200	Environmental Findings Index	Index is used to create the posting page.	County Clerk	CY + 1	14 CCR 753.5(f); Best Practice	Shred / Delete
ACR-C-225	Error Suspense logs	Logs documenting errors and backup documentation supporting attempts to contact customer to correct errors.	County Clerk	CY + 2	GOV 26202	Shred / Delete
ACR-C-275	Fictitious Business Names	Original Fictitious Business Name Statements of for profit businesses, on file with clerk by file number. Statement of Abandonment and Withdrawal of Partnership, records of business name statements that have been abandoned or withdrawn, on file with clerk by file number. Affidavit of Publication of Fictitious Business Name Statement, proof that FBN statement was published with an adjudicated newspaper, on file with clerk by tile number.	County Clerk	EXP + 4	BPC 17925(b); BPC 17927(a)	Shred / Delete
ACR-C-300	Humane Officer Oath of Office	Record of appointed Humane Officers, badge number, and judge appointment, date of expiration or revocation if applicable.	County Clerk	CY + 3	GOV 26202; Best Practice	Shred / Delete
ACR-C-325	Humane Officer Registry	Permanent Record of Humane Officers listing name, badge number, appointing judge, appointment date, expiration or revocation date.	County Clerk	P	CORP 14502(d); CORP 14502(fX1); Best Practice	Dept.
ACR-C-350	Index of Deputy County Clerks	List information on appointments and revocations.	County Clerk	P	GOV24102; Best Practice	Dept.
ACR-C-450	Marriages, Application and Court Order to Obtain Information re: Confidential	Application submitted to a judge to obtain information regarding a confidential marriage.	County Clerk	CY + 2	GOV26202	Shred / Delete

Record Series			Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Code	Title	Description				
ACR-C-475	Marriages - Application	Records related to the application for marriage licenses. Records series may include application worksheet and any supporting documentation for license.	County Clerk	CY + 2	GOV 26202; California Marriage Certificate Registration Handbook from OHS Pg.36, Par4 date 5/4/2009.	Shred / Delete
ACR-C-525	Marriages - Certificate of Confidential Marriage	Certificates and index of confidential marriage that establish a record of marriage.	County Clerk	P	FAM 511(b) may be microfilmed per GOV 26205; Best Practice	Dept.
ACR-C-535	Marriages -Expired / Unrecordable Licenses	License and related correspondence for public and confidential marriage that have expired or were un-recordable.	County Clerk	CY + 3	GOV26202; FAM 360(b); Best Practice	Shred / Delete
ACR-C-550	Marriage, Index of Confidential	Permanent Index of Registered Confidential Marriages.	County Clerk	P	FAM 511(b) may be microfilmed per GOV 26205; Best Practice	County Archives
ACR-C-575	Marriages - Notary Authorization	Records related to the application and approval of a notary public authorizing them to issue confidential marriage licenses.	County Clerk	CY + 3	GOV26202; Best Practice	Shred / Delete

Record Series			Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Code	Title	Description				
ACR-C-585	Marriages - Notary Authorization List	A list of the notaries public who are approved to issue confidential marriage licenses.	County Clerk	P	FAM 400(a); FAM 401(a)(d); FAM 534(a); Best Practice	Dept.
ACR-C-600	Notary Journals	Notary journals and index deposited with county clerk following resignation, disqualification, removal from office or expiration of appointment.	County Clerk	Upon Court Order 10 years after receipt or reset date due to line item inquiry.	GOV 8209(c)	Shred / Delete
ACR-C-625	Notary Journals, Index	Permanent index of deposited journals listing notary name, commission number, date journals were surrendered, destruction date of journals.	County Clerk	P	GOV 8209(c); Best Practice	County Archives
ACR-C-650	Oaths - Notary Public	Notary public oaths taken, commission number, date of commission and copy of oath. On file with clerk by file number.	County Clerk	EXP + 1	GOV 8213(a)	Shred / Delete
ACR-C-675	Oaths- Public Office	Oaths taken for public office filed with the County Clerk and expire upon revocation.	County Clerk	Revocation + 5	GOV 24102(d)	Shred / Delete
ACR-C-855	Registrations	Records of registrations listing the name. file number. date filed and copy of cash deposit slip.	County Clerk	EXP + 3 (paper) or EXP+ 10 (electronic)	BPC 6403(e); BPC 6405(9); BPC 22351(c); BPC 22452(c)	Shred / Delete
ACR-C-860	Registrations Log	Record of registrations listing name, file number, date filed.	County Clerk	P	BPC 6407(a); BPC 22355(a); BPC 22457(a)	Dept.

Record Series			Copy of Record	Official Record Retention	Citation / Rationale	Final Disposition
Code	Title	Description				
ACR-C-875	Roster of Public Agencies	Roster of names and addresses of public agencies and their officials as submitted by the public agency.	County Clerk; Secretary of State	P	GOV 53051(c)	Dept.
PROB- INS600	Client File - Treatment	May include police reports, admittance/release packets, youth's identifying documents, case management documents, courts documents, and documents collected from collateral agencies.	Dept.	Release from facility + 5	GC 26202; Best Practice	Shred / Delete