

Public Defender Records Retention Schedule (Draft)

This schedule lists records commonly found in the county Public Defender office. Local governments may also enact a General Schedule that covers this department. The retention periods specified herein are either required by statute or have been determined by best practice. Permanent records existing solely in electronic format may become inaccessible through media decay and/or hardware/software obsolescence. The Ohio History Connection recommends that digital records with greater than a 10 year retention period also be maintained in either paper or microfilm formats. Records may not be disposed of until all audits are released and audit discrepancies have been settled. Where a lawsuit or agency proceeding is pending, a legal hold on relevant records is required. Records shall be retained until the legal hold has been removed. ELECTRONIC MAIL (e-mail) is a format on which records are sent, received and/or drafted using electronic mailing systems. E-mail is NOT a record series. Instead, each individual e-mail should be evaluated according to its content and retained in accordance with the record series adopted within this schedule that the content most closely fits. Where a lawsuit or agency proceeding is pending, a legal hold on relevant records is required. Records shall be retained until the legal hold has been removed.

Record Series	Description	Retention Period
Case Load Records	Documents the amount of work with which the office is concerned at one time.	10 years
Felony Case Files	Case files concerning the most serious classification of crimes. Includes appeals files.	25 years
Felony Case Files - Life Sentence or Capital Cases		Permanent
Index to Felony, Misdemeanor and Juvenile Cases, Post Conviction, Short Case/non-acceptables	Index to all cases handled by the Public Defender's Office.	Permanent
Juvenile Case Files	Case files concerning offenses committed by juvenile offenders.	10 years except retain capital cases permanently
Juvenile DHS/JFS	Abuse, neglect and dependency cases	25 years
Misdemeanor Case Files	Cases involving the least serious classification of crimes	6 years
Reports to State/County	Monthly reports that include the number of cases handled and pending, and certification of indigency. ORC 120.15	Permanent
Short case/non-acceptable	Prospective clients who were not handled by the office or clients who only had slight contact with the office. Includes interview sheets.	2 years