Department of Education and Early Development
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STATE OF ALASKA

Records Retention and Disposition Schedule

Agency I.D: 82 Schedule No: 03-82.1

DEPARTMENT OF LAW

82 - CIVIL DIVISION

The agency will follow retention periods for common records as listed in the most current State of Alaska General Administrative Records Retention and Disposition Schedule (GARRDS), unless those records have been listed on this schedule.

Unless otherwise noted, all records series contain confidential information, such as attorney-client communication privilege and physician-patient privilege information. This schedule supersedes #030305 and replaces #030102 and 030402.

All records that have potential permanent legal and historical value may be reviewed by the State Archivist for possible permanent retention in the State Archives in accordance with AS 40.21.030.

Under 4 AAC 59.005, it is the responsibility of agencies to ensure that records created and maintained in electronic systems remain accessible and durable for their prescribed retention period. This requires addressing the issues of periodic media refreshment, digital migration strategies and security plans. Backups produced for system recovery purposes do not serve a recordkeeping function or substitute for archived business essential duplicates.

Pursuant to the provisions of AS 40.21 and 4 AAC 59, the records listed on this schedule are approved for retention and disposition as indicated.

Division Director Nancy R. Gordon	Signature of Division Director		Date 1/9/14.
Attorney General/Designee Alan Bl Alan Birnbaum	Date 1/8/14	Commissioner of Administration/Designee FOR	Date 1/15/14
State Archivist D. Dawson	Date 1/31/14	Records Analyst Valerie Rose	Date 1/31/14

Item No - Record Series Title & Description	Format	Total Retention	Bus. Ess.	Remarks
001.1 - Litigation Files This records series documents administrative or judicial litigation - including appeals and arbitration - such as correspondence, complaints, protests, notes of witness interviews, witness statements, experts' reports, discovery, settlement offers, filings, orders, and decisions, and significant internal recommendations and determinations.	H & E	C+15		C = Until the case is closed.
001.2 - Litigation Files (Permanent) This records series consists of selected records from item #001.1 that the attorney general or the deputy attorney general determines merit permanent retention because of their legal or historical significance. Arranged by matter identification number.	H & E	PA		For the first 15 years after a case is closed, the Department of Law will retain the records at the records center and then transfer the records to the State Archives. The State Archives will sample documents located within each accessioned case, and approximately 10-20 percent of each case will be preserved for archival purposes; provided, however, that any specific records that the attorney general or the deputy attorney general determines merit permanent retention are permanently retained.
001.3 - Litigation Files (50 Years) This records series consists of selected records from item #001.1 that the attorney general, the deputy attorney general or the statewide office chief determines merit retention for 50 years.	H & E	C+50		C = Until the case is closed.
001.4 - Litigation Files (25 Years) This records series consists of selected records from item #001.1 that the attorney general, the deputy attorney general, the statewide office chief or a section supervisor determines merit retention for 25 years.	H & E	C+25		C = Until the case is closed.

You can transfer records to an approved records center at any point - complete a Records Transfer List (RTL) and submit it to your Records Officer for approval.

Retention Key		Format Key	Bus. Ess = Business Essential
A = Until Audit	PO = Permanent (Retain in agency office)	H = Hardcopy	1. Are necessary for emergency response
C = Cut-off event/date	S = Until Scanned	E = Electronic	2. Are necessary to resume or continue operations
CY = Current Year	T = Transfer	D = Database	
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002 - Execution of Judgment Files This records series documents the collection of victim restitution or money due to the state, including receipts and other records containing payment information, correspondence, settlement offers, filings, orders, decisions, and significant internal recommendations and determinations.	H & E	C+5		C = The judgment is paid in full, any liens are released, and, where required, a satisfaction of judgment is filed with the court.
003 - Workers' Compensation Files This records series documents advice to agencies or litigation in workers' compensation matters that concern current or former state employees; this series includes the same types of records included in Litigation Files (item #001).	H & E	C+40		C = Until the case is closed.
004 - Child Support Services Files This records series documents the representation of the Alaska Child Support Services Division (CSSD) of the Department of Revenue, including the final court order, the completed CSSD referral form, and the printed records provided by CSSD that are originals or that are not duplicates of records retained by CSSD.	H & E	C		C = Until the case is closed. When a case is closed, the file is transferred to CSSD.
005 - Children's Proceedings Files This records series documents the protection of the health and safety of children, including records regarding child-in-need-of-aid appeals; this series includes the same types of records included in Litigation Files (item #001).	H & E	C+50		C = Until the case is closed.
006.1 - Aid-to-Agency Files This records series documents the aid that the division provides state government entities.	H & E	C+7		C = Until the matter is closed.

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006.2 - Aid-to-Agency Files (Permanent) This records series consists of selected records from item #006.1 that the attorney general or the deputy attorney general determines merit permanent retention because of their legal or historical significance. Arranged by matter identification number.	H & E	PA		For the first 7 years after a matter is closed, the Department of Law will retain the records at the records center and then transfer the records to the State Archives. The State Archives will sample documents located within each accessioned matter, and approximately 10-20 percent of each matter will be preserved for archival purposes; provided, however, that any specific records that the attorney general or the deputy attorney general determines merit permanent retention are permanently retained.
006.3 - Aid-to-Agency Files (50 Years) This records series consists of selected records from item #006.1 that the attorney general, the deputy attorney general or the statewide office chief determines merit retention for 50 years.	H & E	C+50		C = Until the matter is closed.
006.4 - Aid-to-Agency Files (25 Years) This records series consists of selected records from item #006.1 that the attorney general, the deputy attorney general, the statewide office chief or a section supervisor determines merit retention for 25 years.	H & E	C+25		C = Until the matter is closed.
007.1 - Mandatory Filing Files This records series documents records that must be filed with the Department of Law under a state or federal statute or regulation.	H & E	C+7		C = Date the record is received or, if the record falls under a matter, until the matter is closed. See, e.g., AS 42.40.905; AS 43.05.140; AS 45.63.010; AS 45.66; AS 45.68.

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007.2 - Mandatory Filing Files (Ongoing Legal Importance) This records series consists of selected records from item #007.1 that the Department of Law may need to retain for longer than the total retention period associated with item #007.1 due to the legal importance of the selected records.	H & E	C		C = Until the record no longer has any legal importance for the State of Alaska.
008 - Bill Drafting Files This records series documents the drafting of proposed legislation: each proposed version of the bill, correspondence, a copy of the final bill, and a copy of the letter of transmittal to the governor. Arranged by bill number while in the office; arranged by matter identification number when sent to the records center.	H & E	C+25		C = Until the matter is closed. An Aid-to-Agency File should be opened for protected records. Also, non-protected records that need not be in the Bill Drafting File belong in the Aid-to-Agency File. If multiple proposed versions of the bill exist, only the pages in subsequent versions with substantive changes must be retained. The official record copy of the file is printed and stored only in Juneau.

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009 - Bill Review Files This records series documents the review of enacted legislation: the contents of the Bill Drafting File and any additional correspondence, the legislative history, and the recommendation letter to the governor. Arranged by bill number while in the office; arranged by matter identification number when sent to the records center.	H & E	PA		Bill Review Files should be reviewed for transfer to the State Archives every seven years. Protected records belong in the Aid-to-Agency File. Also, non-protected records that need not be in the Bill Review File belong in the Aid-to-Agency File. Legislative history includes the following records: correspondence, including letters of intent and letters of transmittal to the governor; materials presented to or provided by the legislature (e.g., committee minutes and recordings of hearings); sectional analyses; failed and passed amendments; and press releases. The official record copy of the file is printed and stored only in Juneau.

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010 - Regulation Review Files This records series documents the review of an adopted regulation: correspondence, each version of the regulation noticed for public comment, the memorandum from the assigned agency attorney to the regulations attorney, a copy of the memorandum sent to the lieutenant governor and the agency head, and a copy of the final regulation. For an adopted emergency regulation: a copy of the regulation. Arranged by matter identification number.	H & E	PA		Regulation Review Files should be reviewed for transfer to the State Archives every seven years. An Aid-to-Agency File should be opened for protected records. Also, non-protected records that need not be in the Regulation Review File belong in the Aid-to-Agency File. If multiple proposed versions of the regulations exist, only the pages in subsequent versions with substantive changes must be retained. The official record copy of the file is printed and stored only in Juneau.

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