



DEPARTMENT OF EDUCATION
 Division of Libraries, Archives & Museums
 Archives and Records Management Services
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Schedule Number: 030305

STATE OF ALASKA

Agency Id: 82

RECORDS RETENTION SCHEDULE

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Department of Law

Civil Division

A - Audit
AR - Archivist's Review
CY - Current Year
M - After Microfilming
P - Permanent
T - Terminated, obsolete, superseded
Numerals - Years in addition to current year
TO - Term of office

See General Administrative Records Schedule located in the *Records Management Manual* for records not listed below. Unless otherwise noted, all records are retained on a **Fiscal** year basis.

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

This schedule includes records in all Civil Division sections except the Consumer Protection Section; see schedule 030502. Sections included on this schedule are: Governmental Affairs, Human Services, Legislation and Regulation, Natural Resources, Special Litigation, Commercial, Transportation and Public Facilities and Oil/Gas/Mining. The Department maintains the Case Management System, a database, which provides case status and information. All cases are assigned a case type code. See *Civil Division Manual*, *Appendix A* for a description of the work management system, case types and numbering.

Most of the Department of Law files may contain a combination of confidential and public documents. The attorney-client privilege, physician-patient privilege and attorney work product may restrict certain documents; therefore before a file is released to the public the Department of Law will review its contents.

Pursuant to the provisions of AS 40.21, the records listed below are approved for retention and disposition as indicated.

Typed Name Division Director Elizabeth Shaw, Deputy Attorney General	State Archivist <i>Deborah S. Johnson</i>	Date 9-2-94	Attorney General	Date
Signature of Division Director <i>Elizabeth Shaw</i>	Date 8-19-94	Records Analyst <i>Debra Dawson</i>	Date 8/23/94	Commissioner of Administration <i>Donald Wansford</i>
				Date 9/6/94

		Retention		Disposition			AgencyId 82
Item No.	Record Series Title & Description	Office	Records Center	State Archives	Destroy	Vital Record	Remarks
01	<p>General Litigation Case Files:</p> <p>This series documents the agency's work on civil court actions and adversarial proceedings before administrative bodies. Arranged by case number.</p>	4	11		15		<p>CASE TYPE 22: Includes court pleadings, case research materials, briefs, correspondence, and final orders and decisions. Significant cases that have permanent historical value selected by the Attorney General (AG) will be transferred to the Alaska State Archives. See Item 02. Records relating to conservatorship, guardianship and civil commitment are confidential per AS 13.26.013 and AS 47.30.845.</p>
02	<p>General Litigation Case Files of Historical Importance:</p> <p>This series consists of selected case files from Item 01 determined by the AG to have permanent historical value.</p>	4	11	P	-		<p>For a description of case type, see Item 01. Records relating to conservatorship, guardianship and civil commitment are confidential per AS 13.26.013 and AS 47.30.845.</p>
03	<p>Execution of Judgment Case Files:</p> <p>This series documents the agency's work related to collections of monetary obligations due the State. Arranged by case number.</p>	4	7		11		<p>CASE TYPE 26: Includes court pleadings and correspondence. Significant cases that have permanent historical value selected by the AG will be transferred to the Alaska State Archives. See Item 04.</p>

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04	<p>Execution of Judgment Case Files of Historical Importance:</p> <p>This series consists of selected case files from Item 03 determined by the AG to have permanent historical value.</p>	4	7	P			For a description of case type, see Item 03.
05	<p>Tort Case Files:</p> <p>This series documents the agency's work on torts (wrongful action/injury) brought against the State and its officers. Arranged by case number. Significant cases that have permanent historical value selected by the AG will be transferred to the Alaska State Archives. See Item 06.</p>	4	6		10		CASE TYPE 30: Includes court pleadings, briefs, case research materials, correspondence, and final orders and decisions. Certain cases, because of their complexity, are handled by private/contract attorneys for the insurance companies. Each case is assigned a Case Management System number for tracking purposes and a dummy file is created which contains courtesy copies of selected documents.
06	<p>Tort Case Files of Historical Importance:</p> <p>This series consists of selected case files from Item 05 determined by the AG to have permanent historical value.</p>	4	6	P	-		For a description of case type, see Item 05.

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07	<p>Child Support Enforcement Case Files: This series documents the agency's work on enforcement of court ordered child support including actions under the uniform Reciprocal Enforcement of Support Act (URESAs). Arranged by case number.</p>	C	-		-		<p>CASE TYPE 33: Includes court pleadings and correspondence. C=Until case closed. Transfer to Department of Revenue, Division of Child Support Enforcement (see schedule 041303) when closed. AFDC data is confidential per 7 AAC 37.030 and AS 47.05.020.</p>
08	<p>Children's Proceedings Case Files: This series documents the agency's work on civil litigation initiated by the State to protect the health and safety of children. Arranged by case number.</p>	C	7		T+7		<p>C=Until child is released from State custody or reaches the age of 18, whichever is later. CASE TYPE 44: Includes court pleadings, correspondence, social workers' reports and reports of abuse. Confidential per AS 47.10.090 and AS 47.14.040. Significant cases that have permanent historical value selected by the AG will be transferred to the Alaska State Archives. See Item 09.</p>
09	<p>Children's Proceedings Case Files of Historical Importance: This series consists of selected case files from Item 08 determined by the AG to have permanent historical value.</p>	C	7	P	-		<p>For a description of case type, see Item 08. Confidential per AS 47.10.090 and AS 47.14.040.</p>

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10	<p>Aid-to-Agency Case Files: This series documents the agency's provision of legal advice to State agencies. Arranged by case number.</p>	3	4	-	7		<p>CASE TYPE 66: Includes request for opinion, correspondence, case research materials, copy of opinion or memoranda of advice, and file closing/indexing instructions. Cases related to Ethics opinions are confidential per AS 39.52. Significant cases that have permanent historical value selected by the AG will be transferred to the Alaska State Archives. See Item 11. Some documents confidential per <i>Alaska Rule of Professional Conduct 1.6</i> and/or deliberative process privilege.</p>
11	<p>Aid-to-Agency Case Files of Historical Significance: This series consists of selected case files from Item 10 determined by the AG to have permanent historical value.</p>	3	4	P	-		<p>For a description of case type, see Item 10. Cases related to Ethics opinions are confidential per AS 39.52. Some documents confidential per <i>Alaska Rule of Professional Conduct 1.6</i> and/or deliberative process privilege.</p>
12	<p>Legislation Drafting Case Files: This series documents the agency's work on Executive Branch proposed legislation. Arranged by bill number while in office, but by case number when sent to the Records Center. All materials for legislation that is passed is transferred to the corresponding Legislation Review Case Files. See Item 13.</p>	3	22	-	25		<p>CASE TYPE 77: Includes correspondence, bill drafts, draft and final letter of transmittal to the Governor, copy of final bill, and case research materials. This series maintained in Juneau only. Cases assigned to the Criminal Division are also included.</p>

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13	<p>Legislation Review Case Files: This series documents the agency's review for the Governor of bills passed by the legislature. Arranged by bill number while in office, but by case number when sent to the Records Center.</p>	3	4	P	-		<p>CASE TYPE 88: Includes copy of bills, correspondence, bill history, summary committee reports or journal entries and copy of recommendation letter to the Governor. This series maintained in Juneau only. Cases assigned to the Criminal Division are also included.</p>
14	<p>Regulation Review Case Files: This series documents the agency's assistance to the Executive Branch in the drafting and review of regulations prior to submission to the Lt. Governor. Arranged by case number.</p>	2	4	P	-		<p>CASE TYPE 99: Includes working drafts, correspondence, public notices, public comments, copy of approval memoranda to Lt. Governor and agency head and copy of final regulation. This series maintained in Juneau only. Cases assigned to the Criminal Division are also included.</p>
15	<p>Welfare Fraud Investigation Case Files: This series documents the agency's investigation into welfare fraud. Both prosecuted and nonprosecuted cases are included. Arranged by case number.</p>	2	4	-	6		<p>CASE TYPE 55: Include complaints, Eligibility Information System Reports, log of actions, correspondence and research materials. Confidential per 7 AAC 37.030 and AS 47.05.020. Maintained in Anchorage only. Significant cases that have permanent historical value selected by the AG will be transferred to the Alaska State Archives. See Item 16.</p>

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16	<p>Welfare Fraud Investigation Case Files of Historical Importance: This series consists of selected case files from Item 15 determined by the AG to have permanent historical value.</p>	2	4	P	-		For a description of case type, see Item 15. Confidential per 7 AAC 37.030 and AS 47.05.020.
17	<p>Welfare Fraud Litigation/Prosecution Case Files: This series documents the agency's prosecution of welfare fraud cases. Arranged by case number.</p>	5	5	-	10		CASE TYPE 70: Includes court pleadings, investigative materials, briefs and correspondence. Confidential per 7 AAC 37.030. Maintained in Anchorage only. Significant cases that have permanent historical value selected by the AG will be transferred to the Alaska State Archives. See Item 18.
18	<p>Welfare Fraud Litigation/Prosecution Case Files of Historical Importance: This series consists of selected case files from Item 17 determined by the AG to have permanent historical value.</p>	5	5	P	-		For a description of case type, see Item 17. Confidential per 7 AAC 37.030.

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19	<p>Litigation Cards: This series consists of an auxiliary index to litigation. Arranged alphabetically by litigant. The types of litigation indexed vary according to local needs.</p>	C	-	-	T		C=Until closed or administrative need is met.
20	<p>Brief Bank: This series consists of appellate briefs authored by staff and arranged by date of court filing. Supreme Court briefs are arranged by court number.</p>	5	-	-	5		
21	<p>Employment Applications: This series consists of solicited and unsolicited applications, resumes and employment inquiries for attorney or staff positions. Arranged alphabetically by applicant.</p>	2	-	-	2		

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22	<p>Alaska Railroad Corporation (ARC) Notice of Intent to Initiate Litigation:</p> <p>This series consists of notice required by AS 42.40.905 that the ARC notify the Department of Law within thirty days before initiating legal action unless there are special circumstances requiring immediate legal action. This notice is served upon the Department for information purposes only. The Department may followup by opening a regular case file. Arranged chronologically.</p>	1	-	-	1		Maintained in Juneau only.
23	<p>Reading Files, Author:</p> <p>This series consists of the pink copy of outgoing letters and memoranda. Arranged alphabetically by author and thereunder chronologically at each office location.</p>	2	-	-	2		Returned to the author or section supervisor after two years. Some documents may be confidential per <i>Alaska Court Rule of Professional Conduct</i> 1.6.
24	<p>Reading Files, Office (Anchorage):</p> <p>This series consists of the white copy of outgoing letters and memoranda. Arranged chronologically.</p>	3	1	P	-		Some documents may be confidential per <i>Alaska Court Rule of Professional Conduct</i> 1.6. Fairbanks and Juneau civil office white copies are itemized on <i>Records Retention Schedule #030102</i> .

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Item No.	Record Series Title & Description	Retention		Disposition			AgencyId 82
		Office	Records Center	State Archives	Destroy	Vital Record	Remarks
25	<p>Administrative and Subject Files: This series consists of correspondence and information related to the administrative operations and program functions of each office. Maintained at each office location. The file code or index is included.</p>	3	1	-	4		