

# STATE OF ALASKA

## RECORDS RETENTION SCHEDULE

### Department of Administration Public Defender Agency

**Authority:** Under AS 40.21.060(4) and AS 40.21.110, the agency shall retain and otherwise manage records in accordance with this schedule.

If this schedule does not cover a record, the agency shall retain and otherwise manage records in accordance with the most current *State of Alaska General Administrative Records Retention Schedules*. If this schedule and the *General Administrative Records Retention Schedules* do not cover a record, the agency must obtain approval to dispose of the record from the Records and Information Management Service.

**Disposition:** The agency may not destroy permanent records. Notwithstanding any retention period in this schedule or the *Alaska General Records Retention Schedules*, the agency must retain records relevant to ongoing or foreseeable investigations, audits or lawsuits, or responsive to a pending public records request.

**Archival Value:** Under AS 40.21.030(a)(3), the State Archivist may review for permanent retention all records with potential permanent legal or historical value. All records created prior to 1960 must be retained for review by the Alaska State Archives. This retention schedule does not authorize the transfer of records to any repository other than the Alaska State Archives (AS 40.21.030).

**Format and Media:** Under AS 40.21.150(6), the retention periods listed on this schedule apply to all electronic and non-electronic records. The agency may store a record in any format as long as the record remains readable and accessible for its retention period. See 4 AAC 59.005.

Accordingly, the agency must, as necessary, periodically update storage media, adopt migration strategies, and implement security plans. Backups produced for data recovery purposes do not serve a recordkeeping function or substitute for archived business essential duplicates.

**Essential Designation:** Under AS 40.21.060, the agency shall identify, segregate and protect essential records vital to the continuing operation of the agency in the event of natural or man-made disasters. See 4 AAC 59.005(a)(8) and 4 AAC 59.010(5)(E).

**Copies:** Do not retain copies preserved for convenience or for business essential or data recovery purposes for longer than the retention period of the record copy. See AS 40.21.150(6).

**Supersedence:** This schedule supersedes: 02-67.1, Department of Administration, Public Defender Agency

Pursuant to the provisions of AS 40.21.030 (b)(10) and 4 AAC 59.005, the records listed on this schedule are approved for retention and disposition as indicated.		Agency CEO/ Division Director Original signature held on file.	Date: 12/8/2025
Attorney General/Designee Original signature held on file.		Commissioner of Administration/Designee Original signature held on file.	Date: 3/9/2026
Alan Birnbaum, Chief Assistant Attorney General, Department of Law		Eric Demoulin, Director, Division of Finance, Department of Administration	
State Archivist Original signature held on file.		Records Analyst Original signature held on file.	Date: 3/17/2026
Karen Gray, State Archivist		Clayton Hainebach, State Records Manager	

Department of Administration; Public Defender Agency

Item #	Record Series Title and Description	Retention	Essential	Retention Notes
1	<p><b>Felony Case Files (Adult &amp; Juvenile)</b></p> <p>Case files include any documents filed with the court, attorney work product, communications, and discovery. This includes post-conviction litigation.</p>	25	Yes	<p>Dispose of records twenty-five years after date of closure.</p> <p>Confidential under attorney-client privilege and/or work-product doctrine.</p>
2	<p><b>Misdemeanor Case Files (Adult &amp; Juvenile)</b></p> <p>Case files include any documents filed with the court, attorney work product, communications, and discovery. This includes post-conviction litigation.</p>	25	Yes	<p>Dispose of records twenty-five years after date of closure.</p> <p>Confidential under attorney-client privilege and/or work-product doctrine.</p>
3	<p><b>Commitment/Child Welfare Case Files</b></p> <p>Case files include any documents filed with the court, attorney work product, communications, and discovery. This includes post-conviction litigation.</p>	25	Yes	<p>Dispose of records twenty-five years after date of closure.</p> <p>Confidential under attorney-client privilege and/or work-product doctrine.</p>
4	<p><b>Appellate Case Files (Adult and Juvenile)</b></p> <p>Case files include any documents filed with the court, attorney work product, communications, and discovery. This includes post-conviction litigation.</p>	25	Yes	<p>Dispose of records twenty-five years after date of closure.</p> <p>Confidential under attorney-client privilege and/or work-product doctrine.</p>
5	<p><b>Project Management System Data</b></p> <p>Identifying client and case data from the records the items on this schedule cover are input into the Project Management System; the data include court case numbers, Project Management System tracking and identification numbers, dates of birth, and contact information.</p>	Current	Yes	<p>Dispose of information after administrative use has been met.</p> <p>Confidential under the right to privacy and/or balance of interests.</p>

**Confidentiality citations are non-exhaustive and intended to guide compliant handling of protected records while respecting public access and archival obligations.**