

PROC-AM MODELS

53625

# Trial Court Management Series



## Records Management

U.S. Department of Justice  
Law Enforcement Assistance Administration  
National Institute of Law Enforcement  
and Criminal Justice



Program Models are a synthesis of research and evaluation findings, operational experience, and expert opinion in a criminal justice topic area. Each report presents a series of programmatic options and analyzes the advantages and disadvantages of each. The intent is to provide criminal justice administrators with the capability to make informed choices in planning, implementing, and improving efforts in a program area. The Models may also serve as the basis for LEAA testing and demonstration efforts.

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**Trial Court Management Series**

**Records Management**

by

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**July 1979**

**U.S. Department of Justice  
Law Enforcement Assistance Administration  
National Institute of Law Enforcement and Criminal Justice**



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## PREFACE

The Court Management Project was initiated by LEAA's National Institute of Law Enforcement and Criminal Justice to provide trial court judges and administrative staff with a management report series addressing three critical aspects of workload and resource management: financial, personnel and records. In addition, extensive attention was also given to trial court caseload management in the course of this study, and general observations regarding caseload management are offered in the project's Executive Summary report. The Project began August 1, 1977 and was completed August 31, 1978.

The principal purpose of this report series has been to provide a framework within which the operations of trial court systems can be assessed, monitored and improved as needed. Although this framework is intended to have general application to all trial courts, there are many variables which must be considered before any specific management approach to an individual court is developed. These variables should be noted by the readers as they use these reports and analyze the management activities in their jurisdictions.

We would have preferred to develop a set of integrated handbooks, each organized around a common set of topics and following a consistent pattern of development and application. However, because of the considerable differences in the locus of authority and scope of responsibility for managing each of these areas of court operations, each report was organized in a manner to reflect the nature of management activities involved. As a result, the reports do not follow a consistent format.

There is, however, a common philosophy which underlies all of the reports and a number of common elements contained within them. The basic premise of the report series is that each of these management areas must be approached systematically. To this end, each report has been developed around the principal management goals and functions which the various operational components of a court must support and against which a court's management activities can be assessed. Suggestions for developing or improving management capability in each area is measured both in discussions of specific management activities and in a series of assessment questions. Since some of the suggested management goals may be in conflict, these assessment guidelines can also enable a court to determine management priorities and weigh the tradeoffs of pursuing one course of action rather than another.

In preparing these reports, much effort has been made to draw upon the experiences of a diversity of trial courts in handling specific aspects of these management responsibilities. Where possible, we have identified and documented those management techniques and approaches which have been effective in one environment and might be adaptable to other jurisdictions. Whether or not they can, in fact, satisfy the management needs of other courts must be determined on the basis of the goals and priorities which those courts have set and by the range of structural and organizational factors which determine the system in which they would function.

Despite the extensive site investigation upon which this project has been based, the focus of each report is upon the overall management process of a trial court and in dealing with each of the specified court operations. No attempt is made to prescribe procedure. Study of numerous trial courts during the thirteen months of the project's operation has made it apparent that there is no "best way" to handle any of these functions. With proper planning, communication, coordination, and monitoring, a variety of management tech-



niques can prove useful; without such groundwork—and particularly, without a sensitivity to and appreciation for the needs, expectations and informal relationships among the individuals and organizations comprising a local trial court system—what works well in one jurisdiction can fail in another despite surface similarities of organization, size and structure.

Each report consists of two interrelated parts: text and examples. The text provides the framework in which identified management activities occur; the examples, generally provided in the appendices, demonstrate their specific application. Together, they are intended to provide a frame of reference for managers in developing their management programs. Implementing and monitoring the management processes described is a task which must be performed by the individual court and must be geared to the local needs, resources, and structure which that court serves.

In all, four reports have been produced by the Project:

- Financial Management
- Personnel Management
- Records Management

Executive Summary: Background Methodology and Supporting Materials

The reports are organized on the basis of subject for ease of use, not, to suggest strict segregation of areas without interdependence. This report addresses Records Management. However, any "records" management activities necessarily have potential financial and personnel implications. In using these reports, we suggest that the interrelationships of all management activities be continually kept in mind. Where possible, cross references to other portions of the report series are provided together with a cross index by subject matter to all reports.

This project owes an enormous debt to many individuals who provided information, suggestions and support during the course of our work. Each person with whom we spoke enriched our perspective and added to our understanding of trial court management needs.

The willingness and candor of trial court judges and staffs across the country to discuss their management activities was the cornerstone for the project's work. Those who helped us on site, over the phone, by responding to the project survey gave us insight into many trial court management issues which might not otherwise have been noted. Although the number of individuals involved precludes listing of them by name, we are grateful to them for their time and help. Their cooperation made this project possible.

Our Advisory Board, composed of researchers and court officials, met with us regularly, carefully reviewed our drafts and provided many helpful suggestions for increasing their utility. The representatives of the three court membership organizations—the Conference of State Trial Judges, the National Association of Court Administration and the National Association of Trial Court Administrators—helped prepare the project's survey and distribute it to their organizational memberships. They maintained an exchange of information about project activities and data needs with their members, and thereby, greatly expanded our information base and the range of courts and court activities incorporated into the reports.

The consultants who worked with us gave far more help and guidance than any compensation they received. In addition to providing their expertise on selected issues, many freely offered their assistance in reviewing our drafts and providing suggestions for their improvement. The extensive knowledge of L. M. Jacobs (collective bargaining); Mark Koenig (records management); Lawrence Siegel (space planning); Frank Zolin (budgetary strategies); Hon. Henry Pennington and Diane Morris (trial court management improvement programs) were essential to developing this report series and were directly incorporated into the project reports. The contributions of Mr. Siegel and Mr. Koenig in particular were essential to developing Chapters Three and Four, respectively, of this Records report. Illustrations were prepared by Roy Carver.

Several trial court staff followed up our site visits by subsequently meeting with us to

critique our analyses and test our draft reports against management activities in their respective jurisdictions. These individuals were: Gordon Allison, Michael Hall, Robert Harrall, Dennis Howard, Charles Starrett, Frank Zolin and Norman Zoller. Several consultants not directly involved with the operations of a specific trial court also provided assistance. To broaden our perspective, David Bourland and William Higham offered their experiences with prosecutorial and defender agency operations in the project's work in the caseload area and in the development of the records report. Dale LeFever provided similar assistance in our development of the personnel and financial reports. Continued guidance in developing these latter reports was given by William Bohn and Gerald Kuban and many helpful suggestions for the financial report were offered by Carl Baar who reviewed the final draft. Candid and very helpful review of all drafts was provided by Ernest Friesen and David Saar.

A special note of thanks is given to Harry Lawson who helped us at each stage of our work. His suggestions for site studies, his insight into the management operations of a diversity of court systems, and his rigorous review of our drafts were a source of invaluable help and support to all of us.

Particular appreciation is extended to the three program monitors at The Law Enforcement Assistance Administration who were always helpful and accessible. Carolyn Burstein gave the project its initial stimulus and direction; Susan Oldham guided it through a difficult transition period; and Anthony Pasciuto provided the advice and support needed to bring it to the publication stage. In addition, Natalie Solomon and George Moody of the Contracts Division made it possible to administer the project easily and smoothly.

In launching the project, William Wilson was of great assistance in providing a preliminary review of available literature. As responses to the organizational surveys were received, John Daniel, a graduate student at American University's School of Justice diligently began their analysis and offered many insights which we later explored. One individual, however, truly made this project possible. From its conception to completion, Joseph Trotter gave freely of his knowledge and ideas and provided the advice and criticism that brought us to a successful end.

Finally, my special thanks go to Dixie Knoebel, my assistant. Her patience, hard work, and knowledge of the area made it possible for the project to run and for these reports to be prepared.

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# 1. THE DEVELOPMENT OF COURT RECORDS MANAGEMENT

## A. The Purpose of Records Management

The interdependence of court operations and court records makes records management a priority concern of the trial court manager. The basic function of courts, case processing (dispute resolution), as well as adjunct operations (financial and statistical reporting, among others) rely upon records for form and content. Successful management of these operations is dependent upon, and evidenced by, an effective records system. Records management in the trial court setting is crucial not only to administrative operations, but also to the legal questions involved in the conduct of judicial business.

The concept and definition of a court record is expanding. Beyond the papers kept in case files or bound in books, court records are now taking the form of microfilm, computer printouts, video displays, and videotapes. Borrowing a suitable definition from a thoughtful article on court records management, a court record may be defined as—"a collection of material which enables a neutral person to reconstruct the essential aspects of the matter under consideration."

"The matter under consideration" is most commonly a particular case and the legal action associated with it, but the definition leaves room for other court activities generating records such as scheduling and fee collection. The preponderant concern for the trial court is the case files, exhibits, judgment records, and other records associated with its cases. Indeed, these are the records creating the storage problem that usually precipitates concern for records management. But other records—correspondence, indexes, schedules, and financial reports, for example—are just as critical to the operations of the court.

Records management can be defined as an active, continuing program for controlling the intake, maintenance, use, and disposition of records used within an organization to document and transact its business. An effective records management program provides for the coordinated and economical control of several key elements: case files, vital records, exhibits, forms, reports, correspondence, microfilming, mail and office copying,

directives and procedures, retention and disposition schedules, and paperwork automation. The efficient management of each element ensures that operational paperwork is kept to a minimum, that records are created, maintained, and used efficiently, and that records of value are preserved while those no longer of value are systematically destroyed.

## B. The Need for Comprehensive Records Management

A management priority for court systems today is the development of comprehensive records management programs. Records management in most courts consists of compliance with legal requirements and periodic attention to space problems. All courts perform a custodial records function, but the management of records is found in all too few court systems. Too often, "crisis management" prevails rather than systematic, comprehensive management of records systems. Few individual jurisdictions and even fewer state court systems have overhauled their records systems from a comprehensive perspective. Stopgap measures in response to immediate problems fail to take advantage of the tremendous administrative benefits and cost savings accrued from the institution of a thorough records management program.

Just as management personnel must consider records in their several types, so must they consider the several stages of the records lifecycle. The "systems approach" is aptly applied to records, dividing the lifecycle of the record into four stages—initiation and intake; maintenance; access, use, and distribution; and disposition. This approach is a vehicle for looking at records as a cyclical process rather than as a storage problem.

Past and current studies show that the courts spend large sums of money creating, processing, maintaining, and storing the papers and documents assembled during the lifecycle of court records.<sup>2</sup> Courts dedicate a significant portion of their personnel to perform the clerical tasks necessary to move court cases from intake counters through the several procedural stages prior to and follow-

<sup>1</sup>Harrell, Robert C., "Court Records Management: The Mitten Reviewed", *The Justice System Journal* 2/1 (Spring 1976), Denver: Institute for Court Management, p. 77.

<sup>2</sup>U.S. Congress, House, *The Federal Paperwork Jungle*, House Report No. 32, 89th Congress, 1st Session, 1965, p. 45. Records system costs were also documented in the first and second Hoover Commissions on Reorganization of the Executive Branch of Government "Task Force Report on Records Management".



ing judicial decision or other disposition. The preparation of case files, indexes, dockets, fee books, action registers, calendars, cash controls, and jury lists are some of the many clerical tasks that incur labor costs.

The Court Clerk or Court Administrator, in his role as records manager, performs both housekeeping and ministerial functions for the court. Many court records must bear the seal of the Clerk of the Court, certifying the authenticity and correctness of the record. The Clerk's office gathers, assembles, and indexes records of cases on appeal, records and documents important courtroom proceedings, processes subpoenas for witnesses, summons jurors, and in many instances, issues marriage licenses. The Clerk of the Court and his staff play a major role in processing cases with efficient speed, completeness, and accuracy to ensure due process in judicial business. In addition to processing civil, criminal, and juvenile cases through the court system, the Clerk maintains documentary evidence of probate, guardianship, commitments, adoptions, marriage dissolutions, Sheriff sales, and traffic violations. These many court functions will fail in their purpose if the thousands of pieces of paper and other records forms they generate are not properly managed.

### **C. Transferability of Records Management Technology**

Records systems are basically physical in nature, dependent on equipment, supplies, and mechanical processes. Certainly, records are a more tangible management entity than caseload, personnel, or fiscal matters, and partially for this reason, the potential for transferring successful practices and technologies from one jurisdiction to another is promising. Indeed, records management procedures and technology in public administration, business, and industry are also transferable to the court setting in many instances. One example is the concept of records centers which offers remote central storage for infrequently accessed records. The principles and techniques of forms design and file organization are also transferable. Local court records managers might do well to observe records systems in local hospitals and insurance companies, both of which manage large numbers of case files as do trial courts.

Although many records management ideas and techniques are transferable, a note of caution is warranted. What works in one environment may not work well in another. Ideas and techniques from business, industry, and other public organizations should be thoroughly analyzed before being implemented. Ideas and techniques from other courts also need to be analyzed because local characteristics such as the size of the court, governing rules of procedure, and the distribution of

authority within the system may have bearing on whether the ideas and techniques are transferable.

### **D. Special Considerations of Court Records Management**

Despite the commonalities of records across organizational lines, trial court records have special features with significant implications for management. Among these special considerations are the legal significance of court records, including the use of trial court records for appeals purposes, the extent to which court records are governed by law, the consequences of court records originating outside the court, and the use of court records by the public. The role of courts in society, as documented in records, and the distinctive environment of the trial court also contribute to the special concerns in managing court records.

1. *Legal significance of court records.* The work of trial courts is manifested in records; trial court services in dispute resolution and other judicial functions generate important legal documents. Final judgment orders in civil cases are often binding and enforceable nationwide for two decades or more, and criminal convictions may stand forever. Adoptions are final and binding *ad infinitum* and probate final orders transfer property title to deceased persons' survivors. Titles, certificates, liens, trusts, name changes, and date of birth determinations also carry direct legal impact, and are documented in court records. Since so many rights and obligations are legally finalized in court records, intense care should be afforded to their management. The records manager must be sensitive to the public trust he carries.

2. *Legal guidelines for court records.* Trial court records, because of their legal import, are extensively governed by written law. Unlike records in business and industry, legal language plays a major, often specific role in determining court records system characteristics. Outdated language and law can be an obstacle for the records manager; conversely, the law can be a vehicle for improving records systems if records management goals and objectives are structured in updated rules and statutes.

Because court records are part of the local and state government records system, local or state agencies, including records commissions or archivists may have some jurisdiction and authority over court records. For example, the law may require these agencies to review records which are proposed for destruction.

3. *Use of court records in the appellate process.* Another distinguishing characteristic of court records lies in their use for the appellate process, which requires that they be preserved for purposes of appellate review. The



term "court of record" implies that further judicial attention to cases disposed of in that court will be on a review of the record rather than by "trial de novo". Case files obviously are an essential medium in appellate review. Furthermore, *stare decisis* (legal precedent) and *res judicata* (the issue of prior adjudication) depend upon a reliable documentation of previous court decisions.

4. *Records originating outside the court.* Unlike most large paperwork operations, the largest portion of the papers to be processed and managed by courts originates outside the court system. The bar, prosecutor, arresting agencies, bondsmen, corrections, probation, and the individual citizen all contribute to the court records system. Civil pleadings, criminal complaints, indictments, informations, petitions, appeals, motions, and other papers which originate outside the court often carry with them the problem of variation in size, content, and the manner in which they are presented to the Clerk. Many of the forms and papers lack vital information, contain unnecessary data, are incorrectly prepared, or are received with an insufficient number of copies. In many states there can be as many different booking or arrest forms as there are separate arresting agencies. State and district attorneys file complaints, informations, and indictments in different ways. Lack of information or data on documents filed with the court is a common problem which often causes the Clerk's office additional hours of clerical time seeking information before the next step in the clerical process can be taken.

5. *Public access and use.* Court records are generally considered to be public information and therefore are accessible to the public; outside interest in court records has implications for records access and security. The public at large, credit companies, real estate agents, businesses of all kinds, attorneys, news media, students, and researchers, as well as court personnel, are court records users. Outside interest is generated by the historical significance and academic value (sociological and statistical) of court records. Procedures for destruction of records may therefore include a review by a group with the expertise to determine whether any records proposed for destruction should be preserved for their historical value. Law enforcement agencies, the state attorney general, the local prosecutor, private investigators, and credit companies are interested in their investigative value, while state and local auditors rely on financial records to conduct audits.

Certain court records such as adoption and juvenile records, are restricted from public access because of their confidentiality. The court must take special precautions to protect the confidentiality of these records by clearly defining which records are confidential and by employing special procedures for their handling.

## **E. The Trend of Records Management: Standardization and Uniformity**

Reform in records management usually entails standardization, centralization, and uniformity at either the state or local level. Standardized forms, equipment, and procedures are operationally and financially beneficial. Centralized management integrates the bits and pieces of records management activity into a cohesive, logical whole.

An important records management role for state court administration is found in promoting uniformity, providing technical assistance, conducting comprehensive studies, and offering economies of scale in purchasing, storage, and other records needs. The Colorado State Court Administrator's Office, for example, has played a leading role in developing and implementing computerized recordkeeping, a manual records system for case files, indexes, and statistical reporting, and a retention and destruction schedule (see p. 52 for further discussion of the manual case processing records system). A major study conducted by Georgia's Administrative Office of the Courts resulted in proposals pertaining to several records management areas: inventorying, retention and destruction guides, filing and maintenance procedures, forms standardization, microfilming, and equipment purchasing. Over a several year period, the State Court Administrator's Office in Rhode Island has systematically overhauled its records system by standardizing forms, revamping filing systems and procedures, and conducting a records disposition program.

At the local level, there is also much opportunity for standardization and uniformity, permitting people, machines, and procedures to be managed with less cost and greater effectiveness. The initiative to analyze the records system and to develop a records management program can originate at the local or state level, but the ongoing management of trial court records is sustained only by the diligent attention of local court records managers.

## **F. Purpose and Function of This Management Report**

The remainder of this report sets forth a definitional and analytical framework for trial court records management. Chapter II presents an overview of records management by discussing basic records types, common goals and objectives of records management, and the components of a records management system. Chapter III discusses the physical composition and format of case-related records and offers a structured approach to space planning for a records system. Chapter IV outlines the steps involved in conducting a records management

study in the trial court, the suggested vehicle for beginning a records management improvement program. The intent of this document is to assist court records mana-

gers in defining and evaluating their records systems and to suggest methods for improving records management in the trial courts.

## II. AN OVERVIEW OF TRIAL COURT RECORDS MANAGEMENT

### A. Basic Types of Court Records

Trial court records can be classified into three broad categories: case papers (a combination of these papers ultimately makes up the case file), files, and exhibits. Within each of these categories, there are several types of records. Figure 1 lists these record types together with examples and associated retention values. The association of retention information with each record type is an appropriate mode of thinking for the records manager in that records should be viewed from the outset as having a beginning and an end.

In most courts, the volume, type, and form of these

records is expanding. New technology and sheer volume are making the management of these records a more complex process, warranting special attention from court managers, technical assistance from outside the court, and personnel positions dedicated to serving the records systems.

An important task for the records manager is to inventory and evaluate the records types that comprise the records system. (See "The Records Inventory", p. 74.) In the process of inventorying, the records manager not only learns what record types comprise the records system, but has an opportunity to evaluate the system and minimize duplicative, unnecessary records. (A related

FIGURE 1  
*Basic Court Record Types and Associated Retention Values*<sup>1</sup>

Record Type	Examples	Retention Value
<b>Case Papers</b>		
Action Papers	Complaints, cross complaints, answers Warrants and other pleadings Entries of counsel appearances Discovery material, pretrial orders Decision-verdict records Judge sentence records Appellate records	Long-term
Supportive Material	Jury management information Correspondence Scheduling material Courtroom notes	Short-term
Action/Supportive	Depositions Clerk's minutes books Court reporters notes	Medium-long-term
<b>Files</b>		
General Files	Indexes Administrative records (e.g. personnel records) Card files Looseleaf binders	Long-term
Process Files	Warrants Subpoenas Bonds	Short-term
Future Value Files	Liens Attachments Cash books Fiscal records	Mostly long-term, some short-term
<b>Exhibits</b>	Documents Photographs Contraband Weapons	Long-term with periodic attempts at disposal

<sup>1</sup> Based on classifications in Harrell, Robert C., "Court Records Management: The Manual" Revised", *The Justice System Journal* 2/1 (Spring 1976), Denver: Institute for Court Management, pp. 78-79.

area is forms management which can help streamline the records system by eliminating and consolidating forms.)

## B. Common Goals and Objectives of Trial Court Records Management

The management of the several types of court records suggests the need to develop a records management program which addresses all areas affecting the records system. Records management should be a goal-oriented process encompassing all aspects of the system.

Before discussing the component areas of a records management system, it is useful to outline the common goals and objectives of trial court records management. For purposes of this discussion, *goals* are defined as being general in nature, describing the overall purpose of the records system; *objectives* are more specific statements dealing with operational concerns that support the achievement of goals. Simply stated, "An organizational goal is a desired state of affairs which the organization attempts to realize."<sup>3</sup> Constructing broad records management goals and specific operational objectives which support the achievement of goals provides a structure for management planning.

On a general level, trial courts have common goals and objectives in managing their records systems. Significant differences, however, are found in how they are achieved. Environmental differences between trial courts dictate a wide range of appropriate technologies and procedures in all aspects of records management. Volume and space, for example, directly influence whether or not microfilm or electronic data processing is appropriate and if so, in what form. The common denominator of the various methods is found in what the various technologies and procedures are trying to achieve.

Developing a thorough, comprehensive set of goals and objectives for records management provides a centerpost for records system policy and practice. The process of formulating goals and objectives forces management to consider the records system as a whole and as an integral part of court operations.

Since trial courts do share some common goals and objectives, it is possible for this report to set forth a list of normative goals and operational objectives. Normative goals are general in nature and reflect a value inherently desirable in a records system. Operational objectives are more specific in nature, describing desired states of affairs that promote and support normative goals.

### 1. Normative goals

#### a. The maintenance of material having sufficient

accuracy and completeness to enable "a neutral person to reconstruct the essential aspects of the matter under consideration,"<sup>4</sup> including the preservation of case records and other legally binding records for appeal and other legal scrutiny.

- b. The availability and provision of timely, accurate, and complete records (information) to judges, judicial officers, court managers, and other court personnel, and to attorneys, law enforcement officers, other public agencies, litigants, the public, and the press.
  - c. The protection of the integrity of court records through adequate security and design of procedures to minimize loss, theft, or tampering.
  - d. The secure and proper handling of confidential records.
  - e. The provision of a records maintenance system which optimizes accessibility and minimizes inconvenience in retrieval.
  - f. The creation of timely, accurate, meaningful management information for caseload, financial, personnel, and other management areas.
  - g. The coordination and cooperation with archival and historical societies in the preservation of records with historical value.
  - h. The minimization of costs of the records system in money, space, and labor in records intake, maintenance, use, and disposition (i.e. the economic expenditure of public funds).
- ### 2. Operational objectives
- a. Court control of records in their intake maintenance, use, and disposition.
  - b. The provision of competent personnel dedicated to records management and operations (e.g. records manager, microfilm supervisor and personnel).
  - c. The training and oversight of court personnel who use the records system (e.g. judges, court clerks).
  - d. The appropriate use of available technology to suit the court's individual needs.
  - e. The minimization of the numbers and complexity of records necessary to the operation of the court.
  - f. The development of standards regarding forms, size, content, and other characteristics of records to facilitate intake, maintenance, use, and disposition.
  - g. The development of standard procedures for the intake, maintenance, use, and disposition of

<sup>3</sup> Etzioni, Arndt, *Modern Organizations*. Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1964, p. 6.

<sup>4</sup> *Supra*, note 1 (p. 1.)



records, commonly by documentation in a procedural manual.

- h. The elimination of duplication in data entry, forms design and use, and other aspects of the records system.
- i. The supervision and monitoring of records location, especially case files, and restriction of access as deemed appropriate.
- j. The development and implementation of a retention/destruction schedule for all records series.
- k. The compatibility of the records system with the court information system or criminal justice information system, including the development of an historical data base.

### C. The Components of Records Management

In the context of the records lifecycle (Figure 2) this section presents the management concerns relevant to successful trial court records management. These management concerns comprise the components of records management and define the areas with which the records manager must deal in the course of successfully achieving records management goals and objectives. In addition to the management concerns generated at each stage of the court records lifecycle (intake and initiation, maintenance, use, and disposition,) there are also those which apply to all these stages: legal guidelines; equipment, supplies, and technology; information system applications; and management and staff skills (all the components are depicted in Figure 3.)

In the initiation or intake stage, some of the primary management concerns are forms management, intake procedures, and the reporting of courtroom events. At the maintenance stage, the records manager is concerned with filing systems and equipment, indexing, the records medium (physical composition and format), and the protection of records from deterioration, fire, and other hazards. In the use, access, and distribution of court records, the major concerns are development of standardized procedures, file circulation control, and security (restriction of access). At the final stage, disposition, the records manager deals with retention and disposal schedules, microfilming, and long-term storage.

1. *Initiation and intake of court records.* Most court records enter the system in one of two ways: they are received from attorneys, litigants, state administrative offices, other courts, or other sources; or they are created by the court. Criminal complaints, pleadings, discovery material, probation reports, and appeals material from lower trial courts or administrative agencies are common records received from outside the court. Records created by the court include forms completed by judges, court

personnel, attorneys, or others (e.g. registers of actions, minute orders, transcripts of court proceedings, indexes, computer printouts, microfilm, and scheduling tools).

Attention by the records manager to all aspects of this initial stage of the records lifecycle reaps rewards throughout the rest of the cycle. Standard procedures pertaining to intake and initiation of records are effective tools for management control. Forms management, intake procedures, and the reporting of courtroom events benefit from standardization and quality control (Figure 4).

Many court records are actually completed legal or procedural forms, suggesting the importance of *forms management*. Forms management seeks to achieve at least four major objectives:

- approval and use only of needed forms obtaining needed information;
- use of forms meeting design standards;
- use of forms facilitating efficient procedures; and
- economic printing, distribution, and replenishment of forms.

Progress toward efficiency, uniformity, and standardization in forms management is a promising area for state court administration assistance because standardizing forms statewide is a means of developing forms management in many trial courts at once. Commonly, the disparity in forms statewide in court systems is formidable. For example, a Florida records management study found that of the more than 30,000 forms collected from 54 counties, about 16,000 represented different versions of like forms.<sup>5</sup> Most court systems suffer from a plethora of duplicative forms. Without centralized control of forms development, the number and variety of court forms usually becomes unwieldy.

Most trial court systems would benefit from a review of existing forms along with careful work in creating new forms, revising old forms, and eliminating unnecessary or replaced forms. Projects to improve forms in the court system can be carried out at the state or local level; for example, a project in the Oregon District Courts addressed several aspects of forms management, including statewide standardization of forms and development of forms design expertise in the Office of Trial Court Services of the State Court Administrator's Office.<sup>6</sup> One of the project recommendations was to establish a Forms Control Committee composed of judges, court clerks,

<sup>5</sup> Koenig, Mark and Associates, *Records Management Study: Florida State Court System*. Tallahassee, Florida: Office of State Court Administrator, April 1975, pp. 101-102.

<sup>6</sup> "Oregon District Court Forms Project—August 1977", a joint effort of the Office of Trial Court Services, State Court Administrator's Office and the Western Regional Office of the National Center for State Courts, Clifford S. Lightfoot (Project Director), Denise K. Mills (Research Associate).

# court records have a multi-stage lifecycle ...

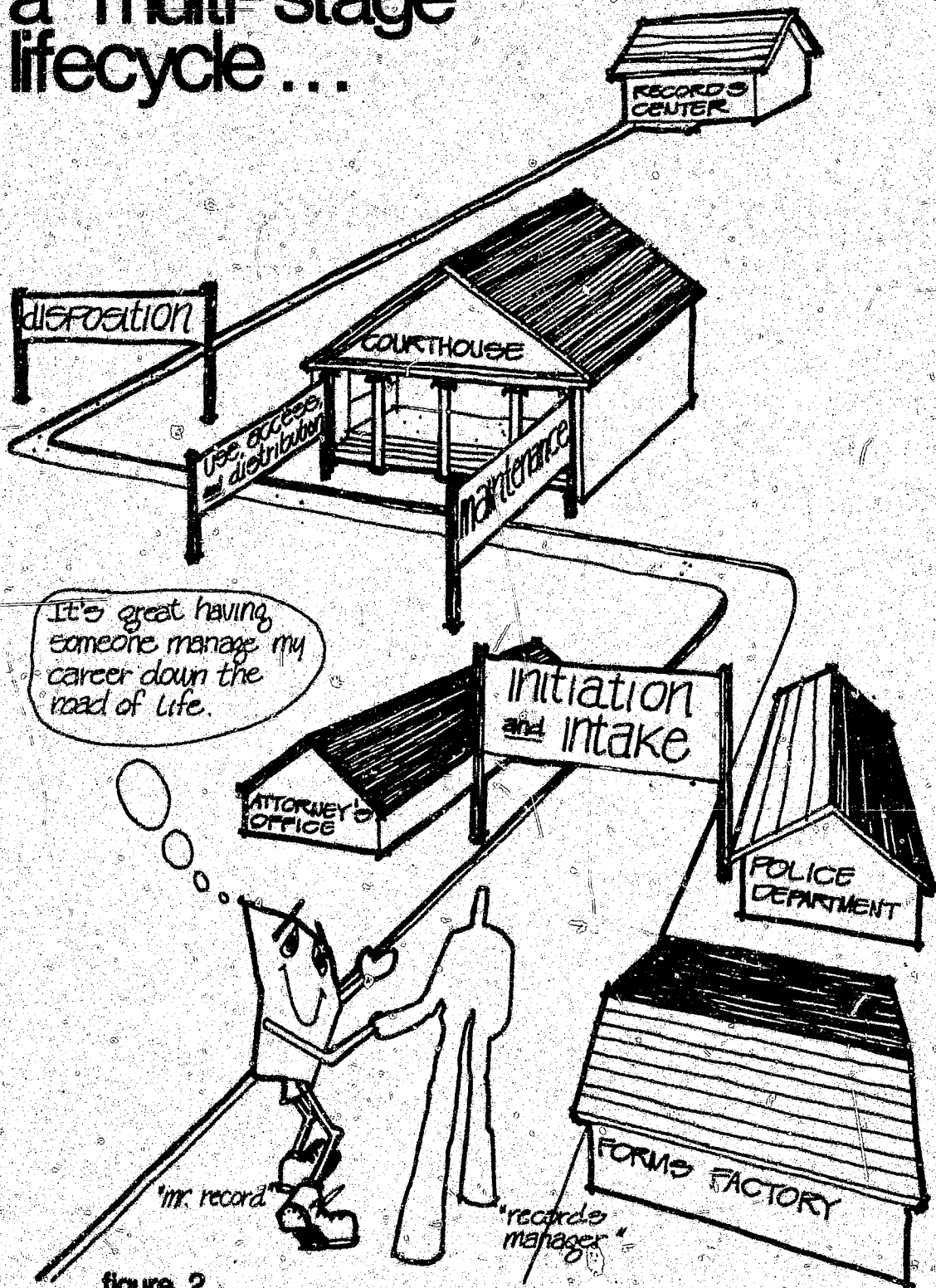
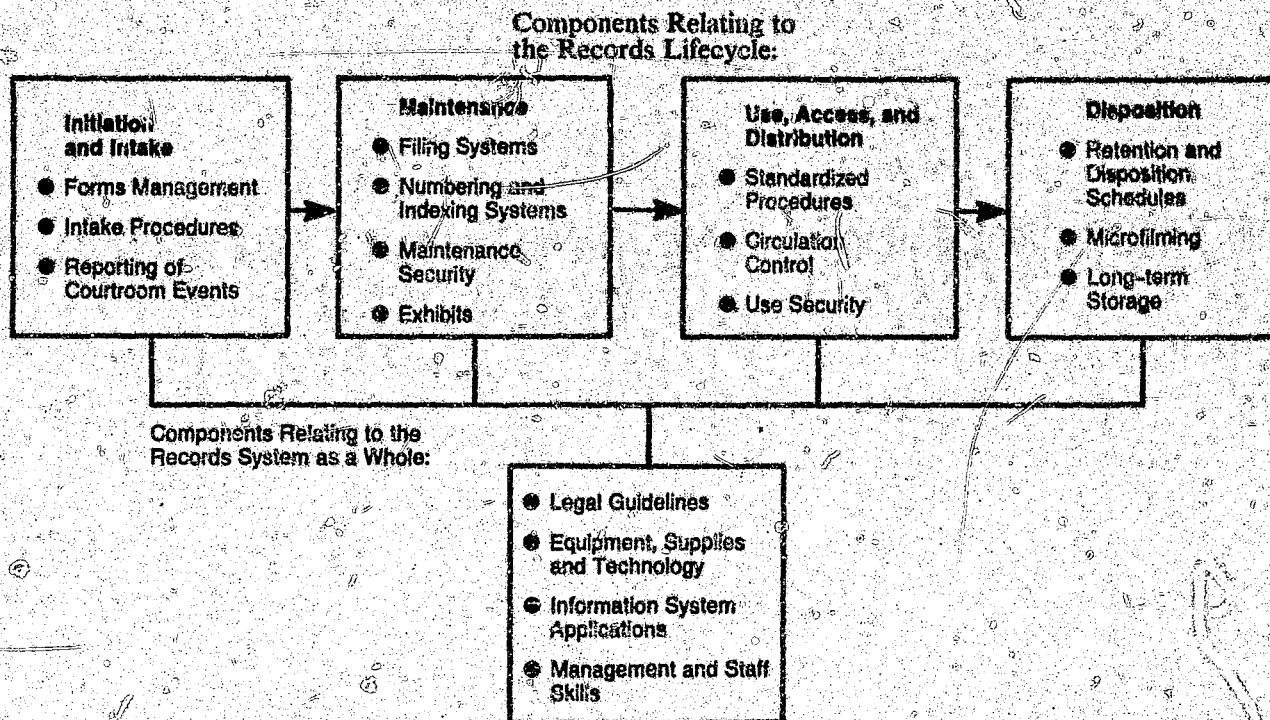


figure 2

FIGURE 3.

# The Components of Trial Court Records Management



court administrators, and representatives of the State Court Administrator's Office.

With knowledge of existing forms and their uses, improvement measures such as standardizing forms, eliminating duplicate forms, and improving forms design can be implemented. Forms management includes central assignment of forms control numbers. The central records manager should maintain a record of all the forms in the court system by creating and updating control files. The evaluation and management of forms is further discussed in the context of a records management study on page 37. For a detailed discussion of the principles of form design, see Appendix A.

Effective intake procedures require clear definition of clerical activity and personnel responsibility by management as well as efficient workmanship by court staff.

Trial courts receive a significant portion of their records by mail or over the counter, records which must be processed and routed correctly and quickly. Many misfilings and other errors in records handling occur at the initial stage and can be avoided by intake procedures which are carefully designed and supervised.

Some courts are using microfilm for indexes, case files, and other active records. Miniaturizing records at this stage has some advantages: less space is required for indexes or other microfilm records which replace hard-

copy (paper); referral to active records on microfilm is more convenient; and, for case files, the court has a backup record during the active life of the case. Because microfilming is an expensive records medium, however, records managers should examine carefully the costs and benefits of any program before commitment of court resources, especially a major program such as microfilming active case files.<sup>7</sup>

Reportings of courtroom proceedings are the source of much information that must be entered into the records of the court. Minutes recording daily events, orders resulting from these events, exhibits introduced as evidence, and many other records are initiated in the courtroom. Since often the recordkeeping processes are performed in

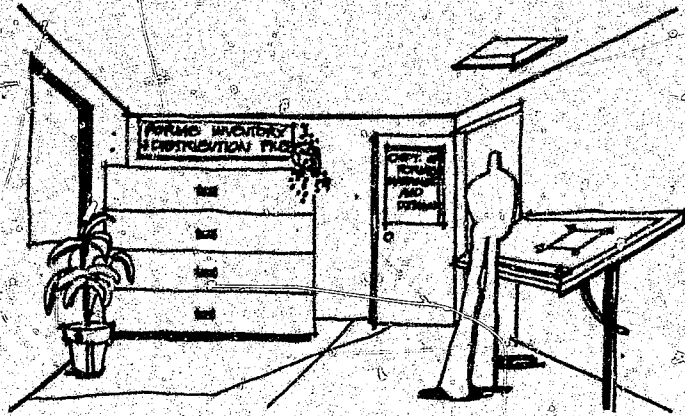
<sup>7</sup> For a discussion of the uses of microfilm, see National Center for State Courts, *Microfilm and the Courts*. Williamsburg: NCSC, Pub. No. R0026, July 1976, p. 16.

"Front-end" microfilming of case files (filming documents as they enter the court and creating microfiche cards) immediately creates a backup record, but the disadvantages of commonly used film-jacket systems have spurred interest in a new micrographics technology, updatable microfiche. The San Joaquin County, California, Superior Court uses the updatable system which eliminates the lag time at the records intake stage which is incurred by the processing, cutting, stuffing, and verifying necessary in a film-jacket system. The San Joaquin Superior Court evaluated alternative "front-end" microfilm systems before deciding upon the updatable system. A portion of their evaluation is found at Appendix B.

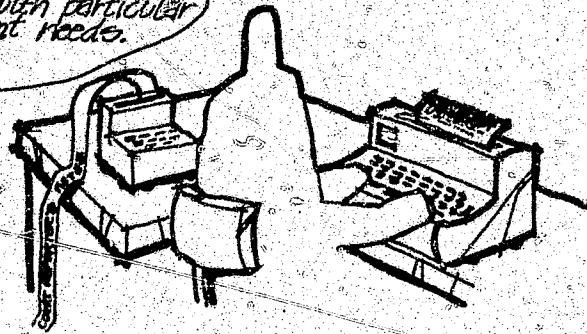
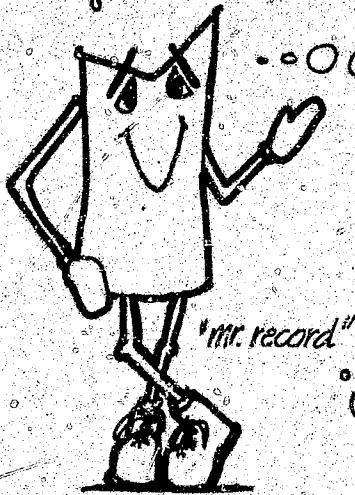


# initiation and intake...

attention to management and design of forms promotes effective communication through records and prevents duplicative or unnecessary forms from cluttering the records system.



court reporters produce records with particular management needs.



routine, efficient intake procedures make sure records get processed and filed properly.

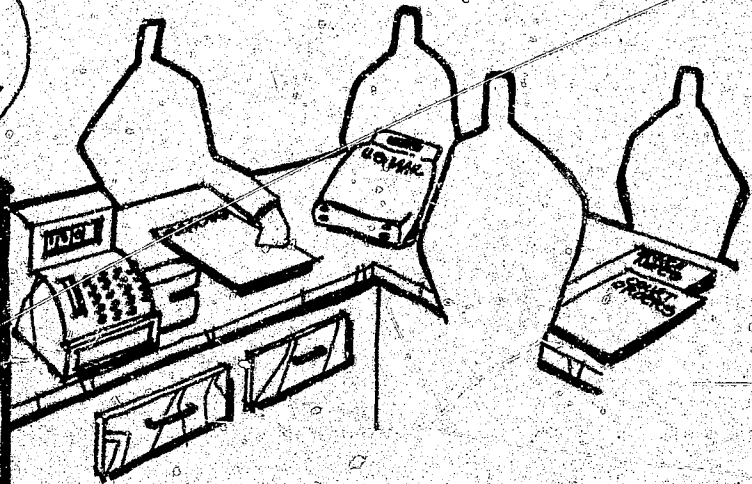
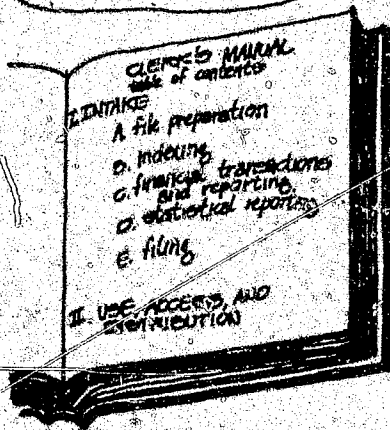


figure 4

the Clerk's office, it is especially important for the records manager to standardize the means by which information and records are transmitted from the courtroom. Prompt entry of this information into the records of the court is desirable so that those making inquiries at the Clerk's office have current information.

Court reporting is a special area of records initiation. Beyond the provision and management of court reporters, particular attention must be paid to the records they produce. Computer-aided transcription of reporters' notes, audio recording systems, audio-visual tape recording systems, and voice writing systems with audio recording "backups" are among the alternatives to the more common methods using stenotype or audio recording systems. Preservation and management of reporters' notes, tapes, or other records are essential to the appellate process, but can present indexing and storage problems if the court is required to maintain them. Production of transcripts in timely fashion for cases on appeal is another important records management concern.

**2. Maintenance of court records.** Maintenance, the second stage of the records lifecycle, brings into play filing systems with corresponding numbering and indexing systems, and the secure storage of records during their active life. Besides the formidable task of maintaining case files, a particularly challenging aspect of records maintenance in some courts is the orderly control of exhibits (Figure 5).

**Filing systems** are an integral part of clerical operations, and have been defined as having three elements: "the material to be filed, the classification or indexing system, and the equipment and supplies to store the materials".<sup>8</sup> Records management often finds its genesis in a reaction to a shortage of file space. Long-term storage, microfilming, or destruction of case files are often the first attempts to deal with records maintenance problems. The maintenance stage entails designation of *file stations* for case files and other types of records. A file station is any separate location at which records of any kind are accumulated in an organized manner. Placement of file stations affects accessibility and security of court records. Although the dominant concern in courts is case file stations, all file stations—indexes, microfilm, tab files, process files, and schedules—should be arranged and coordinated for maximum accessibility.

**Numbering systems** for case files are an important facet of court records maintenance. Numeric or alpha-numeric case file numbering systems serve two purposes: 1) they ascribe a unique identifier to the case, and 2) they

indicate the locational relationship of the case file to the rest of the files. Case file folder labels with case file numbers should be uniformly prepared, easy to read, and accurate. Labels should be in large type and should not contain extra wording.

Numeric filing systems in courts generally fall into one of three basic types:

- **Serial numeric filing** is simply numbering in strict sequence with the newest records having the highest number and being placed at the open end of the system. This system is most useful for systems in which less than 10,000 papers per year are filed.
- **Duplex-numeric filing** uses two sets of numbers. Usually the year comprises the first set and a sequential number the second set (e.g. 78-0001). The obvious advantage of this system is that it groups large blocks of files by year. Many courts add to this designation an alpha code to identify case type (e.g. D-78-0001 is a domestic relations case).
- **Terminal digit filing** uses the last two digits of the case number to indicate the location of the appropriate file area. For example, case file 78-1234 will be filed with all other case files ending in "34": 78-0034, 78-0134, 78-2234, etc., allowing for 100 files per year in each section. As a result, all sections of the system expand evenly, and periodic front or back shifting to empty spaces where files have been removed is no longer necessary. Also, activity in the filing system work area is more evenly distributed. Because terminal digit filing evens out distribution of files in the file stations, it is particularly appropriate for courts using power files (ferris-wheel type) because the weight of files is more evenly distributed. Uneven weight distribution can render these machines inoperable.

An **indexing system** which cross-references litigant names to case file numbers is a basic element of the filing system. Indexes come in a variety of forms: cards, microfilm, loose-leaf binders with overlapping sheets, and computer printout or video display. Keeping both plaintiff and defendant indexes to case files is a common court indexing feature.

In maintaining records over time, the records manager must consider the *permanence* and *durability* of their physical media. Deterioration of the physical media of court records occurs through biological, physiochemical, and mechanical processes. Permanence refers to the ability to retain original strength and characteristics while resisting chemical action due to internal impurities or agents in the surrounding air; durability refers to the resistance to deterioration caused by use and physical abuse over time.

Perhaps the greatest threat to records maintenance

<sup>8</sup> National Center for State Courts, *Business Equipment and the Courts: Guide for Court Managers*. Williamsburg: NCSC, Pub. No. R6030g, April 1977, p. 22.

# maintenance ...

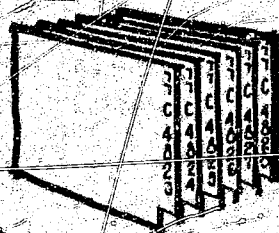
Orderly, efficient filing systems reduce retrieval time and help prevent misplacement or loss. Restrict access to file stations by placement away from public areas and, by assignment of file clerks to retrieval and filing.



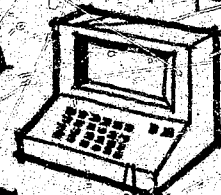
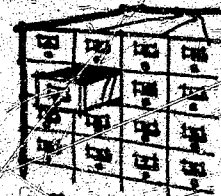
numbering systems assign a unique identifier to each case and are cross-referenced by plaintiff and defendant name indexes.



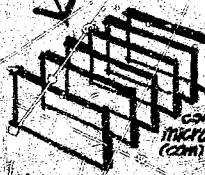
"mr. record"



manual card index



computer terminal



computer output  
microfilm  
(can) cards

exhibits require their own storage area and should be carefully indexed. Some exhibits require high security storage.



figure 5



security is loss due to fire. Sprinkler systems and other fire protection measures are an asset to any records management program. Deterioration by light can be partially diminished by placing files away from windows and the threat of loss due to flood or water is diminished when records are kept away from vulnerable areas (e.g. in basements and near water pipes). The Multnomah County (Oregon) Circuit Court identified the hazards involved for records in storage and outlined some security measures, both of which appear at Appendix C.

A records maintenance problem peculiar to courts is that of exhibits. Unless indexed and stored properly, exhibits can easily become disorganized and unmanageable. Identification numbers relating exhibits to their case should be a feature of exhibit inventory control. Since exhibit rooms commonly store large quantities of narcotics and other items invoking security needs, accountability systems are imperative. Assigning a trusted clerk to manage exhibits is a wise practice. As with other court records, periodic efforts should be made to dispose of exhibits, or return them to their proper owners. Some courts are allowing photographs or certified samples of exhibits to replace exhibits which are perishable or are returned to their owners.

Exhibits in the Denver District Court are carefully managed from a central location. All incoming exhibits are indexed on computer and a master file for each case is constructed. (The master file is a stiff stock envelope capable of storing papers; a reference to the location of more bulky exhibits is recorded on the outside of the envelope.) No exhibits leave the central storage center without an Exhibit Receipt (see Appendix D). Periodically, after case disposition, the attorneys are notified to withdraw the exhibit within 30 days or the exhibit will be destroyed (see Appendix E). Disposition of exhibits is properly the subject of management policy. The Multnomah County Circuit Court has developed such policy in a set of control procedures which appears at Appendix F.

**3. Use, access, and distribution of court records.** Interaction with case files and other court records is a daily records management concern. Efficiency is maximized and cost is minimized if attention is paid to basic records operations management:

- screening and organizing the case file internally;
- controlling access to and circulation of case files and other records; and
- setting standards for routine processing and filing of records.

Records managers should be cognizant of who uses court records and establish procedures which routinizes their use and maintains records security (Figure 6). Proper forms management, filing systems, and disposi-

tion methods are complemented by care in the handling of records during their active life. Establishing proper case file stations, for example, is only the first step in developing the filing system; managing the use of case files is the ensuing and ongoing management task. Competent supervision, trained personnel, and standardized procedures are keys to success in this area because only proficient personnel and proper work methods can insure that complete and accurate records are in the right place at the right time. Records system operations is a daily concern which incurs significant labor cost, the predominant cost of the records system.

*Organizing papers inside the case file makes it easier to locate individual documents and helps prevent loss of case papers.* Many courts secure papers with prongs on both sides of the file folder, specifying that certain types of documents be on the left and others on the right, both sides in chronological order with the most recent papers on top. The Orange County, Florida Circuit Court, for example, has developed guidelines for the internal organization of case papers in criminal case files (see Appendix G).

The records manager should have a clear understanding of what constitutes the essential papers of each case and develop standards for identifying and segregating nonessential, short-lived papers. Many courts are troubled by excessively bulky case files; screening what is placed in the case file can alleviate this problem.

Discovery material in civil cases or follow-up probation reports in criminal cases, for example, may be kept separate from the main file so long as they are properly cross-referenced. Although it is preferable to keep all case-related material in one location, sheer bulk may dictate otherwise. Some courts are required to keep depositions, for example, even before they are introduced as evidence. (Dade County, Florida, is caught in this situation and has dedicated a significant portion of basement storage exclusively to depositions.)

Courtroom use, inquiry response, and daily updating of case files are common reasons for accessing records. If records retrieval time is high due to untrained personnel, improperly located file stations, a deficient numbering system, or misfiling, needless personnel time is wasted and records management costs are increased. *Standard procedures* for daily filing and transporting case files to and from courtrooms can help avoid these problems. Lost files can create delay in case processing and impair the administration of justice.

From the time a document enters the case file system until its ultimate disposition, it should be controlled and managed. Records constituting case files come in the mail, across counters, from courtrooms, and are created in the Clerk's office; procedures for routing and process-

# use, access, and distribution ...

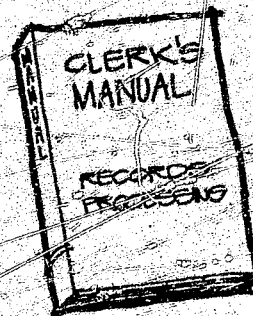
Control the circulation of case files outside the clerk's office by establishing procedures for courtroom use and by setting aside a supervised area where the public can look at records.

Please sign the receipt counsel, you may look at the file in the reading alcove.

Here are the files requested by Judge Adams, just sign the receipts, please.

"out cards" replace case files when removed from the file stations, indicating who has the file and when it was checked out.

a procedural manual can set forth guidelines for the use, access and distribution of records as well as document clerical procedures.



"mr. record"

figure 6

ing these documents should be established and documented. Time-stamping, fee processing, indexing, docket-entry, computer data entry, microfilming, and calendar updating are among the functions that may be required before filing. Court clerks serve a critical function in processing and routing documents so that all case-related records are properly processed and filed.

Crowded files in file station equipment are an unnecessary inconvenience. To improve retrieval time, several inches in which to sort and retrieve should be left for every linear yard of file space. Case files should be handled by the body of the file, not by the tabs. If prongs are not used, bulky case files should be "tamped down" and made more manageable by using the scoring on the file folder.

Efficient, routine procedures help insure that records are properly processed and filed. For example, routing slips or stamps which indicate where the document has been and should go before being placed or replaced in the proper file help prevent documents from floating around offices indefinitely. Documentation of procedures in a manual specifies preferred practice, helping to make efficient procedures routine and regular. Papers should be filed (put away) daily, especially for newer records since the records most commonly asked for are those that are most recent. The time that files are unavailable due to microfilming, indexing, docket-posting, or other processing should be minimized.

Control measures for case files and other records are necessary for records security. The court should set policy as to who has access to case files and who may check them out. Control procedures should be instituted for use of case files by court personnel, attorneys, probation department, and other records users. Loss or theft of records is mitigated when access is controlled. The incidence of misfiling and lost files can be reduced if only specified persons are allowed to access files. If original case files are provided to the attorneys, public, or others, it is often wise to set aside a certain area in the Clerk's office for case file perusal. (Computerized records present special security problems; password codes help prevent unauthorized persons from accessing records.)

An important aspect of case file security is circulation control. Whenever files are removed, they should be replaced by an "out card" or "charge card" that indicates where and when and by whom the file was taken. Charge cards should protrude above the other tabs for easy identification.

Even an out card with the user's signature does not completely solve the problem of circulation control because files checked out by one person can be given to another, thereby causing the system to lose track of the file. The Detroit Recorder's Court has solved this prob-

lem by its receipt system. Persons checking out case files sign a receipt which is placed in an "out card" in the file station. Pads of receipts are distributed throughout the courtroom, and if the person who originally checked out the file gives it to someone else, he gets a receipt from that person and replaces his receipt in the out card. A copy of the receipt appears at Appendix H. Another solution to the problem of circulation control is found in the Multnomah County Circuit Court, which is considering instituting a receipt system with a follow-up component. After 30 days, the user would be notified that the file is overdue.

The active life of court records is the most important stage of the records lifecycle; it is during this stage that records play their most crucial role. The use, access, and distribution of records is a primary concern for the records manager because of the court's dependence on the availability of complete, accurate records in timely fashion.

4. *Disposition of court records.* "In considering the management of records, the first and foremost factor is the preservation and maintenance of vital and permanent record series. The interest of the public and the courts demands assurance that certain records be preserved and made available not only for legal purposes but also for historical and genealogical purposes. To meet these factors, the relationship between the value of a specific record series and the cost of maintaining it must be taken into account."

In most trial courts, an examination of the actual records retention value and associated costs for keeping these records will reveal a need to systematically dispose of many records series earlier than is currently the practice. Unless court records are disposed of after their active life (or expiration of their legal retention requirement time), they will accumulate beyond the court's space capacity (Figure 7). Records systems are often cluttered with closed case files or other records that could be destroyed, microfilmed, or placed in long-term storage.

Developed on a statewide or local basis, retention and disposition schedules list record series and propose or authorize destruction after a specified period of time, often instructing whether or not microfilming is required. Retention and disposition schedules are most effective if promulgated throughout the state, creating uniformity in records management practices. In states where this is not practical or likely, local trial courts can devise their own schedules, using whatever statewide guidelines do exist. Archival organizations or records agencies of the state or locality may participate in devising schedules and specifying disposal procedure.

\* Sept., note 5 (p. 17) *Records Management Study*, p. 64.



# disposition.

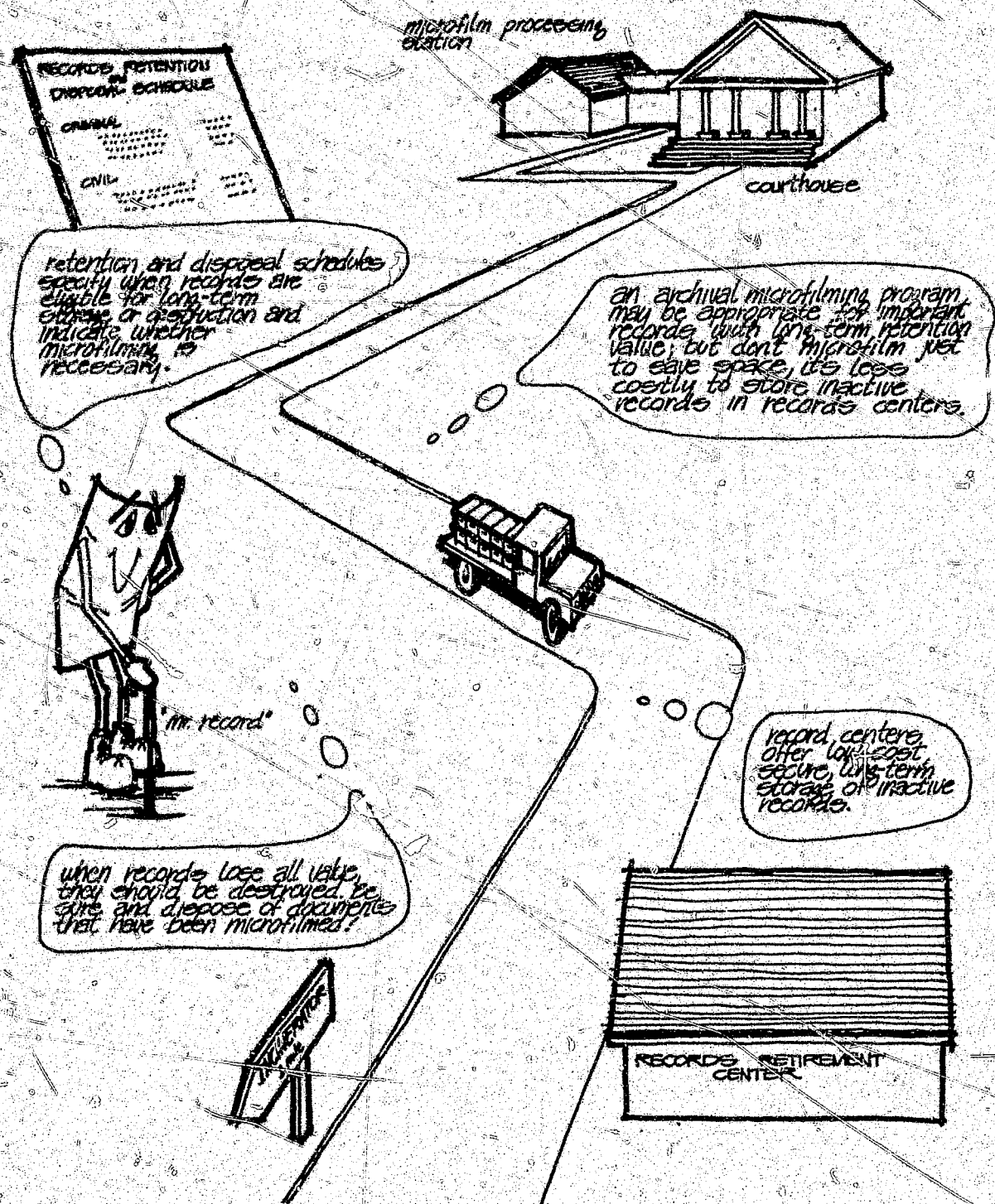


figure 7

Records retention and disposition schedules are an important management tool, specifying when records are no longer considered active and how they are to be retired. The State of Florida, for example, has promulgated "General Records Schedule D-T1" recommending retention periods for 17 major types of records. A page from the schedule covering misdemeanor case files and juvenile case files is shown in Appendix I. Rhode Island is currently developing retention schedules for its Superior and District Courts, specifying retention periods for several records series in each case type (see Appendix J).

The Office of State Court Administrator in Colorado has developed a retention and disposition schedule for its trial courts as the first part of a Colorado Records Management Manual. "The manual is a basic working guide for the retention and disposition of court records. At some future date, procedures for records creation and forms standardization will be published."<sup>10</sup> In addition to retention requirements, the schedule includes microfilming requirements and standards, destruction and transfer procedures, and comments for each records series as to the reasons for the retention policy. The development of the schedule was a collegial effort in that Court Clerks thoroughly reviewed the initially proposed schedule, a process which led to revision and refinement. Portions of the manual appear at Appendix K.

In a proposal for a records management program in Georgia, retention and disposal guidelines are considered one of the first priorities:

The advantages and benefits to be gained by the establishment of records retention and disposal guides are:

- Establish uniform guides which can be used by all courts within the state.
- Establish minimum legal standards to prevent the untimely destruction of records which would adversely affect either the rights of the state or the citizen.
- Provide legal authority for the timely destruction of those ephemeral type records which beyond a stated period of time have no legal, fiscal, administrative or historical values.
- Provide valuable data for the development of filing and maintenance procedures for records, both active and inactive.
- Provide a data base for the development of standard court forms and procedures for their use; equipment and space utilization; standards for microfilming processes and related equipment; development of

criteria for minimal requirements for documents to be contained in the case file.

- Achieve economy through better utilization of space and equipment.<sup>11</sup>

Even though authorization schedules for disposing of records may exist, they may not be used. Too often, records are kept beyond the required retention period because of unwillingness to or inertia in implementing disposal and destruction procedures. State and local records managers should take advantage of space and cost savings opportunities presented by records schedules.

The disposition of court records calls attention to the issue of *inactive records microfilming*. Just as in an active records microfilming program, the cost and benefits of the program should be thoroughly considered before implementation. Other alternatives, such as long-term storage in a records center, may be less expensive and more reliable. The cost of microfilming case-type documents is typically \$40 per cubic foot whereas long-term storage costs approximately \$.54 per cubic foot per year. Hence, documents could be stored in records centers for approximately 75 years before the cost of such storage would equal or exceed the cost of microfilming. Since inevitably some documents do not photograph well, microfilm often produces records not satisfying archival requirements.

This is not to insinuate that microfilming does not have an important role in a court records system. Important records with long retention value having characteristics which permit rapid filming and production of legible images are particularly amenable to microfilming. Evaluation guidelines on this subject are presented on p. 42.

Maintaining large amounts of inactive records in primary office space is costly and wasteful. Records centers storage costs are a fraction of the cost for office space. Besides their low cost, records centers are designed for long-term storage (see Figure 5); temperature and humidity is controlled, and fire protection measures taken. Records centers may house only court records or records of many government agencies and may be maintained on a state or local level. Service to the courts is enhanced by strategic placement of centers.

The criteria for deciding on the use of long-term storage in a records center are fourfold: how often will records be referenced? how accessible are they? how long until the records can be destroyed altogether? (if less than 3 years, consider not transferring the records) and what is the cost of transferring records to the center?

<sup>10</sup> Colorado Judicial Department, *Colorado Records Management Manual: An Operational Guide*. Denver: Office of the State Court Administrator, March 1975.

<sup>11</sup> Proposal submitted by A. K. Johanson, Chairman, Georgia Records Management Steering Committee to Chris Perrin, Assistant Director, Courts Coordination and Research, Administrative Office of the Courts, Atlanta, Georgia. Dated April 11, 1978.

# record center for long-term storage



figure 8



Infrequent references, long-term retention, and low transfer costs are positive indicators for the use of records centers.

Costs and benefits of a statewide records center were computed in a Florida records study and appear in Appendix L.<sup>12</sup> Evaluation guidelines for appraising records to determine their eligibility for long-term storage in records centers are discussed on p. 40 in the context of a records management study.

**5. Legal guidelines and authorities.** Because court records play such a vital role in our society, legal guidelines authorizing and controlling them are found to a greater or lesser degree in every jurisdiction. State constitutions, statutes, statewide court rules, local law, and local court rules may have instructions or implications for records management. Many statutes and rules are antiquated to the point of ambiguity and contradiction; most fail to address records management in its entirety.

State constitutions and statutes commonly vest authority for records in an elected official—County Clerks or a Secretary of State. Access, security, and the right to privacy may also be the subject of state law. Statewide procedural rules promulgated by the highest state court (which may be incorporated into state codes) are more specific, addressing a wide range of records management concerns such as reporting requirements, judgments, production of transcripts, model legal forms, retention and disposal schedules, and electronic recording.

Local rules are more specific still, addressing the particular needs of the trial court and offering a vehicle for establishing a records management program. Among the areas covered by local rules are: procedures for records processing, reporting requirements, legal and procedural forms, access and security, responsibility for management, scope and authorization of records program activities, and retention schedules.

Outside organizations may have authority as well as interest in court records. For example, some jurisdictions are required to submit lists of records scheduled for destruction to records commissions or archival agencies before destruction can take place. Attorneys General decisions, state archives directives, or other executive branch controls may compete for influence on court records management, but often such directives do not apply to court records because of the doctrine of the separation of powers.<sup>13</sup> As an independent branch of government,

courts must have the opportunity to manage their records as they see fit.

Often, records management is hindered by the need to comply with inadequate, outdated laws. A primary recommendation of the records manager who assesses the records management environment may very well be a complete revision of statutes and rules. The language of the law, formulated in years past, usually does not take into account modern records composition and procedures. Words like "well-bound book", "paper", or "docket" can be incompatible with computerized records, microfilm, looseleaf binder systems, or other innovations.

Legal guidelines can be an improvement vehicle rather than a hindrance if revised in support of a records management program. Local rules are perhaps the most available locus for such revision. Legal guidelines become a tool for the records manager by establishing authority and setting forth a comprehensive program.

**6. Equipment, supplies, and technology.** Because records management is largely a mechanical process, equipment, supplies and technology play an important role. Technology, defined as "the technical method of achieving a practical purpose," (Webster) encompasses the use of modern equipment and procedures in accomplishing that practical purpose. Court systems can waste considerable sums of money acquiring filing equipment, expensive file folders, forms, bound books, microfilming equipment, and computer systems because economic factors (costs/benefits) are not thoroughly weighed.

The equipment and technology of records management may or may not involve automation; some of the most useful techniques are quite simple. As the state of the art progresses, so does the level of sophistication. Updatable microfiche, for example, offers much promise to court systems wishing to miniaturize active case files, having distinct advantages over film-jacket systems (see Appendix B). Computerized indexing and notice production are benefiting many jurisdictions. Other technological advances with records management applications include text-editing systems, filing systems, and reproduction equipment.<sup>14</sup> Evaluation guidelines for equipment use and layout are offered on p. 40 in the context of a records management study.

**7. Information system applications.** Records systems provide the raw data for information systems. Basic operational forms provide the data base for statistical analysis. Where automated data processing or computerized information systems are involved, machine

<sup>12</sup> Supra, note 5 (p. 7) *Records Management Study*, p. 91.

<sup>13</sup> Because the judicial system constitutes a separate branch of government, executive directives do not carry the same authority with courts as with other executive agencies. Courts have some inherent powers to control their own administrative operation to preserve the independence of judicial branch of government.

<sup>14</sup> For a technical reference, see National Center for State Courts, *Business Equipment and the Courts*. Williamsburg: NCSC, Feb. No. R0030g, April 1977.

compatibility in form design and content may be of paramount importance. Information systems should be built upon data from daily-used records. As court management becomes more sophisticated, information contained in records is increasingly subjected to compilation and evaluation.

Data processing is a highly beneficial labor saving management tool when used for appropriate functions such as indexing, cost accounting, and notice production. Simple, highly-repetitive clerical functions lend themselves to automation. Other applications, however, such as computerized docketing (case progress registers of actions) are more difficult to cost justify because of the expense of acquiring and maintaining equipment and the ongoing operational costs. If data entry takes place in addition to manual clerical tasks rather than as a replacement of them, operational costs are increased. Computerized case file information, for example, can be a valuable management resource, but because these files are kept in addition to the hard-copy case files, thorough consideration of anticipated benefits is warranted before implementing such a system. The same principle applies to use of computers to produce statistical reports required by the state and desired by management. The burden of data entry lies with the local trial court; therefore, return benefits from use of the information by local and state management should justify the locality's cost in providing the information. Manual tally sheets that gather statistics on individual transactions (e.g. filings and dispositions) are an inexpensive, simple alternative, especially in low volume courts.

**8. Management and staff skills.** Almost all court personnel deal with records in some capacity. Records management is of concern to judges, administrators, court reporters, and clerical personnel. Studies have shown that fully 80-85% of costs incurred by a records program are attributable to personnel and 15-20% are attributable to equipment, supplies, and floor space.<sup>15</sup> This underscores the importance of skills development in both those who manage records and those who use them.

The investment in personnel specializing in the records area is usually cost-beneficial. Although the records manager in most trial courts is the clerk, deputy clerk, or court administrator, some larger courts have supervisory personnel dedicated to records management operations. Full-time records personnel under the supervision of the records manager may be assigned to microfilming, file supervision, or other aspects of a records management program. A particularly good idea is the dedication of clerks to do nothing but file, pull files, and keep filing systems in order.

Training is an essential element to records manage-

ment success and should be formal and frequent. The records duties of all clerical positions should be integrated in support of records management objectives. A highly useful tool for training personnel in the records area is a records manual which covers basic clerical skills and procedures, retention schedules, microfilming, special instructions, or other specific records management areas. Legal terms can be defined and copy distribution guidelines presented. The records manual is a good place to document the objectives of a records management program, explain its components to court personnel, and develop uniformity in recordkeeping practices.

An effective personnel system for the management and operation of a records system requires organization in the managerial and clerical personnel structure. The Circuit and County Courts of Orange County, Florida, for example, have developed an effective records system by clearly defining managerial and clerical positions and responsibilities. Each division (e.g. circuit court civil, county court criminal) has a supervisor who manages the records of the division and is responsible to a Vice-Chief Deputy Clerk (one for civil divisions, one for criminal divisions) who is in turn responsible to the Clerk and his Chief Deputy. In addition, three special staff positions in the management structure are dedicated to areas affecting the record system: records management (disposition, long-term storage), data processing, and accounting. Within each court division, personnel are organized so as to be compatible with records processing functions. For example, the Circuit Court Criminal Division assigns positions to the following functions: intake, charging (financial procedures), case files and docketing, docketing routine matters, docketing court matters, subpoena production, disposition, appeals, and file clerks.

Successful management of court records depends upon the people operating and managing the system. Sound policy, innovative procedures, and new equipment will not automatically succeed—court personnel must make them work. One purpose of this document is to assist trial courts in the development of records management personnel capabilities, enabling records managers to make sound policy, devise innovative procedures, acquire equipment wisely, and manage the people operating the system.

## D. Summary

This chapter has presented an overview of trial court records management by discussing basic record types, common goals and objectives of records management, and the component areas that comprise a records management system. The next chapter addresses the physical environment of records, discussing physical media (composition and format) and space management con-

<sup>15</sup> For references to records system costs, see note 2 (p. 1).

siderations. Clearly, records managers should consider the needs of the records system as they change over time, because records are a dynamic entity existing in a dynamic environment. Hence, records should be viewed as having a lifecycle, and the components of records

management encompass concerns pertaining to each and every stage in that lifecycle. Just as records are dynamic in terms of time, so are they dynamic in terms of form and space; Chapter II/ approaches the management of records from this perspective.



### III. THE PHYSICAL ENVIRONMENT OF COURT RECORDS

#### A. Introduction

Ideally, court managers approach the management of court records systematically, cognizant of all the components of a records management system (see Chapter II, C., p. 7). The systematic records manager realizes that records must be viewed as a physical medium both individually and collectively; records are a physical entity existing in a physical environment. This fact directs the attention of the records manager to the physical composition and format of each records type, to the spatial relationships of records, people, and equipment, and to the total amount of office space utilized by records.

Many courts still use forms and techniques traceable to the Middle Ages (such as recording case data in large, cumbersome docket books); these courts should evaluate the physical composition and format of their records. With respect to the spatial environment of records, many courts have insufficient space and would benefit by better use of the space that is available. All courts can benefit from space planning which emphasizes accessibility and security of records as well as regular removal of inactive records from primary office space.

This chapter addresses the management of records in their physical environment. Because case-related records are such an important part of the trial court records system, case files are highlighted in this discussion, which looks first at their composition and format and then at the space planning considerations for case files as a whole. Using appropriate materials and organizing the format of individual case-related records promotes their effective use and maintenance; attention to space planning and management coordinates the various parts of the records system and prevents the volume of records from consuming too much space.

#### B. Physical Composition of Case-Related Records

The physical media (composition and format) used for case files and indexes should result in clarity of communication, fast retrieval, ease of handling, and economy of cost. Some major considerations involved in the format of case filing systems are *paper size* (letter-size vs. legal-size), *file folder characteristics*, *color-coding*, and the use of *non-paper forms* for indexes and case files (e.g. microfilm and computerized records).

The physical characteristics of individual case files affect their daily use and handling, as explained in Figure 9. Letter-size paper and flat-filing are preferred over legal-size paper, fold-filing, and recordkeeping in large, bound books.

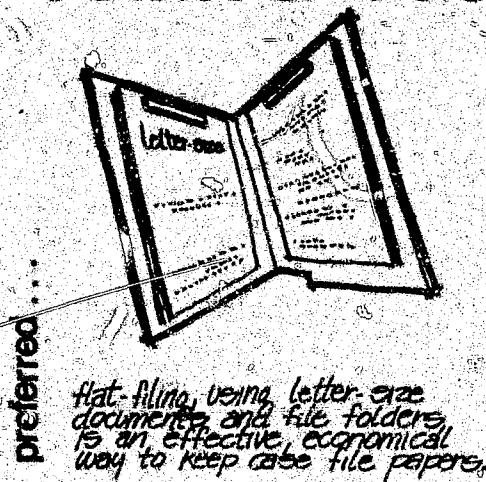
1. *Paper size.* For almost two centuries, legal-size paper (8½" x 14") has been used in most courts. Petitions, motions, orders, warrants, subpoenas, capias, summonses and other papers are legal-size in most courts, but could be equally effective and less costly if prepared on letter-size (8½" x 11") paper.

Letter-size records accrue less cost than legal-size records. Although it is sometimes argued that a smaller size sheet might cause more paper to be used because of the need for more than one page, this argument is mitigated by the fact that letter-size paper encourages economy in forms design and completion. Furthermore, the argument favoring the 8½" x 11" size does not rest on reduced paper costs alone. Additional economies are found in the use of standard machines, equipment, and supplies which are compatible with letter-size paper. When a non-standard size form forces the use of other non-standard items, records system costs rapidly mount. Non-standard size (legal-size) filing cabinets, for example, cost about 16 percent more than standard size (letter-size) filing cabinets and occupy 10 percent more floor space.

The traditional use of legal-size paper is being questioned in several states. For example, the court rules of three states—New York, New Jersey, and Oregon—have been amended to specify the use of letter-size paper (see Appendix M). Their decision to change was justified on the basis of reduced paper and equipment costs and ease of filing, storage, and filming. Table 1 presents data on cost and space savings accrued by letter-size documents.

2. *Flat-filing with file folders.* Flat-filing, using flat file folders, is recommended for most types of cases (traffic violations are a common exception). Flat-filing is preferred over fold-filing—a system in which papers are folded in thirds and secured by rubber bands or ribbon around a folded, stiff stock cover. Fold-filing has several disadvantages: retrieval time is increased because papers must be unfolded for each use, papers deteriorate more quickly due to constant folding, and space use is less

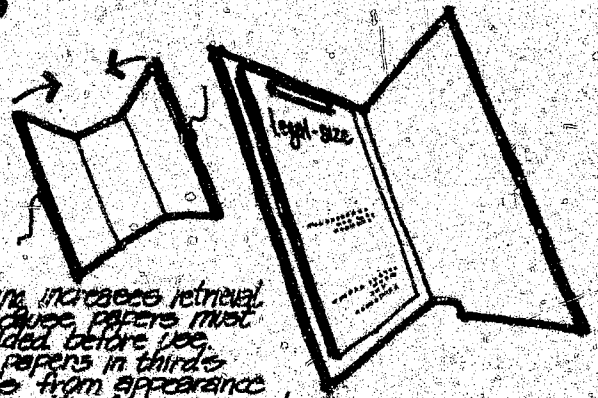
# physical composition of case-related records



preferred...

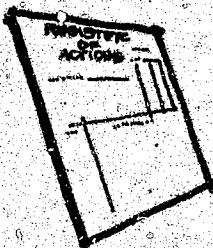
flat-filing using letter-size documents and file folders is an effective, economical way to keep case file papers.

not preferred...



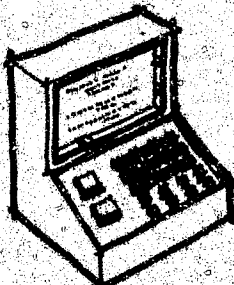
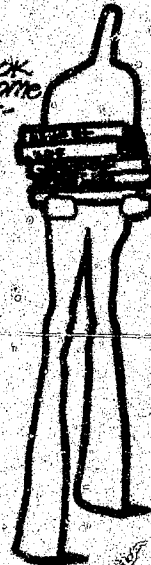
fold-filing increases retrieval time because papers must be unfolded before use. folding papers in thirds detracts from appearance and longevity of paper records and makes each case file three times as thick as in flat-filing systems.

legal-size documents and file folders are still common in today's trial court, but are more costly and less space efficient than letter-size.



Registers of actions help organize the case file and can be kept with the file or separately in their own file station.

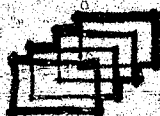
traditional record book systems are cumbersome to handle and considerably more expensive than a flat-file system using single sheet registers of actions.



computer terminal



index cards



computer-output microfiche cards

manual card indexes and automated indexes are truly alphabetic.

besides being hard to handle, indexes in large, bound books are only semi-alphabetic, because plaintiff and defendant names are entered under the appropriate letter in chronological order as cases are filed.

figure 9

**TABLE 1. Cost and Space Savings of Letter-size Paper**

	Paper Cost Savings		
	Letter-size <sup>1</sup> (8 1/2" x 11")	Legal-size <sup>1</sup> (9 1/4" x 14")	Cost Savings
20# Bond, chemical wood (ream)	\$7.72	\$9.62	\$1.90
Quick copy paper (ream)	3.29	4.24	.95
Carbon paper (100 sheets)	5.96	6.56	.60
File folders (100—11 point manila straight cut)	5.48	7.16	1.68
	Equipment Cost Savings		
	Letter-size <sup>2</sup>	Legal-size <sup>2</sup>	Cost Savings
File cabinets (5-drawer unit)	\$177.50	\$205.00	\$27.50
Shelf files (36' open steel, 5 tiers)	44.50	54.05	9.45
	Floor Space Savings		
	Letter-size	Legal-size	Space Savings
Eight 5-drawer file cabinets (capacity is 80 linear ft. of records)	23.3 sq. ft.	25.6 sq. ft.	2.3 sq. ft.
Four shelf file units (capacity is 80 linear ft. of records)	14.3	15.7	1.4

<sup>1</sup> Figures are based on July, 1978 prices quoted by Baron/Saveway Office Supplies of Oakland, California.

<sup>2</sup> Figures are based on July, 1978 prices quoted by David's Office Equipment of Sacramento, California.

efficient because folding results in thick files. Keeping papers flat in a file folder is a far more efficient system.

Many courts continue to use large books (e.g. docket, judgment, and fee book), a practice which is inefficient and uneconomical because the books are expensive and difficult to handle. A single-sheet register of actions (sometimes called a docket sheet) in conjunction with a flat-filing case file system does the same job as the large record book system with considerably less cost and greater ease in handling.

File folders used in a flat-filing system vary in their many characteristics:

- size (letter or legal);
- weight (see Figure 11);
- color (manila, kraft, or color-coded);
- printing (kind, size, and color);
- tabs (full cut, 1/2, 1/3, or 1/4 cut); and
- fasteners (location, size, and kind).

Excessively heavy folders, especially for case types not generating bulky case files, are an unnecessary ex-

pense. The middle ground between light-weight paper stock (9 point) and heavy paper stock (18 point) is usually appropriate.

**TABLE 2. File Folder Weight**

(One point = 1/1000 inch)

Light = 9 point  
Medium = 11-14 point  
Heavy = 18 point

**General Purpose Folders.** The general purpose kraft or manila folder is sufficient for general office records and for some case files. For records with a retention period of less than 5 years, or for infrequently used records, the less expensive lightweight manila folder is adequate. For records types needing folders that can be heavily loaded and receive abnormally rough or extensive use for a longer period, a heavyweight folder is needed. The pressboard type is more rugged and holds more records than the kraft or manila type, but is approximately twice as expensive.

**Folder Capacity.** Folders usually have a capacity of between 3/4" and 1" as indicated by the scoring on the bottom of the folder; they should not be overloaded beyond this capacity. Additional folders should be used as needed, with the contents divided on a chronological or volume-number basis. Folder labels and references inside the first folder should clearly indicate that other folders exist for the same case.

**Reusing Folders.** Normally, labor cost incurred in salvaging lightweight folders for reuse is greater than the savings which might be gained, but the costlier, heavyweight folders do offer a net savings through reuse.

**Tab Location.** Tabs on file folders and file guides should be located at the top of the folder if they are to be used in file drawers. For use on shelf or laterally-accessed equipment, the tabs should be on the side. Charge-out cards or folders should be similarly designed.

**Labels** are used for ease in identification of folders, file guides, and file drawers or shelves. Folder labels provide ease of identification of the file folder and accelerate access and filing. A good label contains a maximum of three typewritten lines, preferably in large type. Pressure sensitive or self-adhering labels are easier to apply than those that must be moistened. Drawer or shelf labels identify the file drawer or file shelf content, (the type of case file or the composition of a general file). These labels should show the file title, the years covered, and the alphabetical, numerical, or subject segment included in that drawer or shelf section.

**File guides** are sign posts that lead the operator to the proper place in the file drawer or shelf where material is filed. Many weights, sizes, and styles of guides are



available. File guides also keep folders erect and therefore should be constructed of stiff, durable material. The number of guides to be used is governed by the kind and volume of record maintained; normally, about five to ten file guides per drawer or shelf is adequate. One guide in a file drawer for every five to fifteen name folders increases a clerk's file operations efficiency by approximately ten percent. Guide tabs contain information to help locate the position of the folder. They may be an extension of the body of the guide or a separate attachment of celluloid or metal. Insertable tabs are preferable for use with active records because they can be moved as the composition of the file station changes.

*Organization of case file papers* inside the folder contributes to fast retrieval of information. Records managers should prescribe which papers are to be filed on the left and which are to be filed on the right (see Appendix G), organizing papers for fast referral. Another idea is to separate crucial papers having long-term retention value from papers having short-term retention value. (The benefit of this is mitigated, however, by the fact that misplacement is bound to occur and all papers will have to be checked before destruction anyway.)

*A register of actions* provides at a glance the essential data and history of the case, helping to indicate what is contained in the folder. A separate form which either accompanies the case file or is kept separate with other registers of actions is highly preferable to recording this information in large, unwieldy, expensive docket books. If stiff card stock is used for registers of actions, they can be kept separately from the case file, forming an inventory file of cases. Many inquiries can be answered by referring to the register of actions without having to pull the case file. If case files are lost and no film backup exists, it may be possible to reconstruct the case file using the register of actions as a guide (attorneys' copies of documents can be copied and certified as the court record).

*Indexes.* Too many courts keep name indexes to their case files in large, expensive, bound books. Besides contributing to back problems among clerical staff, indexes in large, bound books can never be truly alphabetic because entries are made in order of receipt under the first letter of the last name. Index cards, color-coded by plaintiff and defendant, can be placed in true alphabetic order. Indexing is a particularly appropriate function for automation. Computer-produced indexes can be generated daily, weekly, or monthly, reflecting up-to-date index information in true alphabetic order. Computer-Output-Microfilm (COM) containing indexes is a convenient, space saving means of indexing, allowing several copies to be available at once.

Incorporating many of the beneficial elements of fil-

ing systems, the National Center for State Courts (NCSC) has available a *model manual case processing packet* using the system developed for Colorado trial courts by the State Court Administrator's Office.<sup>16</sup> A model register of actions is presented in this packet for both general jurisdiction (felonies and major civil cases) and limited jurisdictions courts. A "crack and peel" system for making entries into the general jurisdiction register of actions is recommended. Minute orders are typed on a self-adhesive sheet with carbon and backing, and after the sheet is completed and signed by the judge, it is "cut into segments for distribution to individual register of actions sheet; the backing sheet is retained as a unified, chronological list of court activity (minute order sheet)." <sup>17</sup> The register of actions replaces the traditional docket, fee, minute order, and judgment books previously used. The cost savings between the two records systems is substantial, the single sheet system costing almost one-fourth that of the book system per case (average 23¢ per case versus 83¢ per case).

*Multi-part forms.* The NCSC Manual Case Processing System offers a time-saving method for doing the paperwork needed to set up a case file. A four-part index card with either no carbon required or with carbon interleaved sheets, is typed once. One copy goes on the register of actions as a heading, one goes in the file folder as the label, and the other two go into the plaintiff and defendant indexes. Case heading data is therefore entered once and used in four places, eliminating repetitive data entry.

*Plastic Overlays.* Another time-saving device suggested in the model manual case processing packet is the use of plastic overlays, "designed to be used in conjunction with other forms to produce post-judgment civil documents, (transcripts, executions, and satisfactions of judgment). Each overlay, (one for each type of document) is a clear polyurethane sheet in which a smaller form is embedded." <sup>18</sup> The overlay and underlying form (register of actions or judgment form) are photocopied together to produce the new document.

3. *Color-coding.* Color-coding in a filing system has proven effective in reducing records retrieval and filing time and in helping to avoid and identify misfiles. Color-coding may be used in conjunction with file folders or labels, indicating case type or year of filing. Color-coding may also be used in conjunction with the case numbering system to assist filing and retrieval by creating a visual indication of the case numbering sys-

<sup>16</sup> Verencko, Paul G. and Zimay, Edwin T. Jr., *Manual Case Processing*. Williamsburg: National Center for State Courts, Research Essay Series Number B007, 1978.

<sup>17</sup> *Ibid.*, p. 3.

<sup>18</sup> *Ibid.*, p. 3.

tern. Color-coding results in blocks or patterns of color in the filing system which quickly become familiar to clerks and assist them in filing operations by leading them to the area of search more quickly. Deviations in color patterns indicate misfilings, often saving considerable labor cost to conduct searches for misfiles. These advantages should be weighed against the increase in cost for color-coding. Colored folders or labels incur a minimal cost increase while colored bands corresponding to numbers or letters may double the cost per folder.

### C. Records System Space Management

The daily operational effectiveness of a court records system can be enhanced if the records manager applies sound space management principles to the layout of records in the Clerk's office. The selection of appropriate filing equipment, proper organization and location of file stations (see definition, p. 11), and the removal of inactive records from primary office space are space planning factors which make the records system easier to use and prevent the system from consuming too much space. By integrating records into the work organization of the office, they become a more effective tool for records system users.

Space planning in courts generally proceeds in one of two common situations: reorganizing an existing facility and planning a new facility. Planning the installation of a records system in a new facility offers the most freedom to choose methods, equipment, and space use, while reorganizing an existing installation is more constrained by the dimensions of available space. In a new facility, the arrangement of file stations can be specifically adapted to the work flow and file usage of the record system, incorporating the probabilities of growth and change. In an existing filing space, especially one where records growth over the year appears to have exceeded the capacity of the space to hold the files, it often is necessary to find expedient uses of space.

Records systems exist in three dimensions of building space, and this spatial environment is in fact dynamic, subject to change and development. The life of the spatial environment starts when a courthouse is first planned and constructed and continues through years of use, growth, and change. Records managers should participate in shaping the spatial environment of the records system during initial planning and subsequent development.

**1. Filing equipment.** To reflect sound space planning in the selection of filing equipment, the records manager should attempt to maximize: 1) the ratio of the volume of records (in cubic feet) held in the filing equipment to the amount of floor space (in square feet) occupied by that

equipment, and 2) the ease of access in using the equipment. For example, lateral file cabinets for small file stations and open-shelving for larger file stations are generally space efficient and easy for access.

Some courts have spent large sums of money on specialized filing equipment only to find that the equipment is not as efficient as was first thought. For example, motorized equipment and movable floor units can have balance and maintenance problems as well as high replacement costs. Also, this type of equipment often restricts file access to one person at a time, a factor which may minimize efficiencies derived from savings in floor space occupied.

The standard five drawer filing cabinet continues to be the most efficient and secure storage device for small accumulations of records. Courts with case loads under 2,000 cases per year (all types) should continue to use the standard filing cabinet. Lateral file cabinets (see Figure 10) protrude less into central working space and are replacing the more common vertical file cabinet.

Open-shelf filing (see Figure 10) is becoming common in today's trial courts, especially for large, central file stations. Shelf filing saves space by storing about 20% more records than file cabinets in the same amount of floor space. Retrieval time is reduced because drawers do not have to be opened and closed, and visible guide tabs or labels lead the clerk to the area of search quickly, especially when color-coding is used.

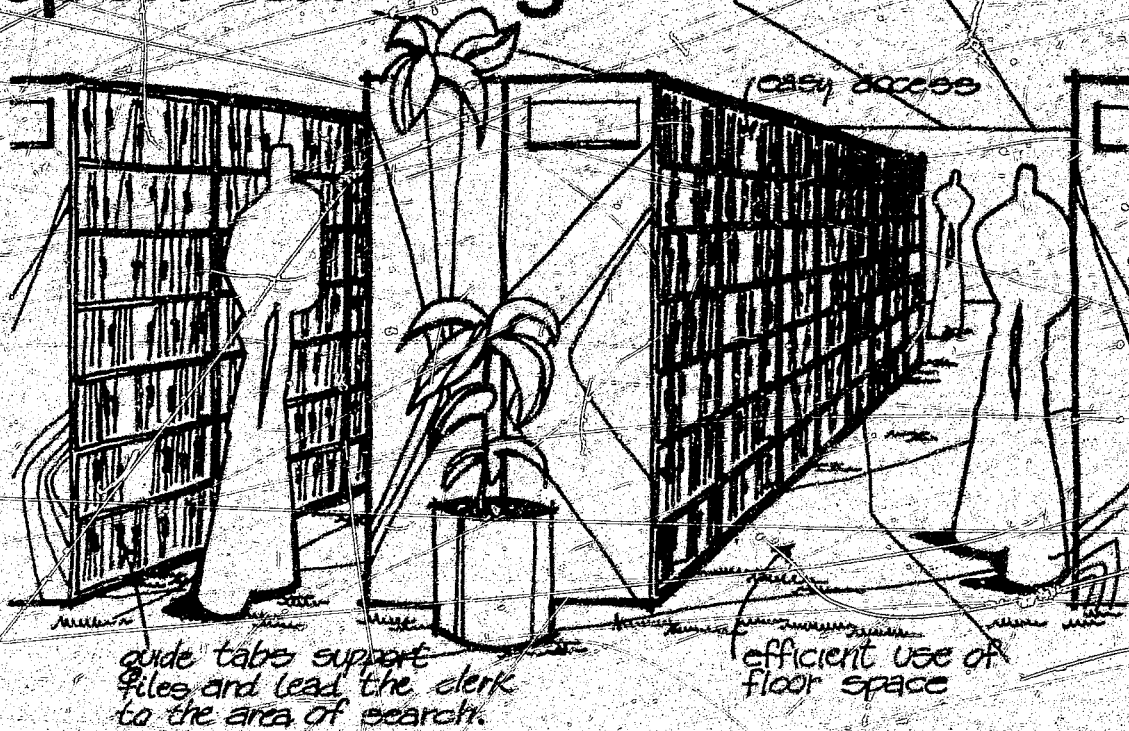
Open-shelf filing has cost advantages over cabinets or motorized equipment as well as advantages in space efficiency. A standard five-drawer legal-size file cabinet costs about \$200.00.<sup>19</sup> The capacity of a five-drawer unit is about 25 inches per drawer or 125 filing inches per cabinet making cost per filing inch about \$1.60. Open-shelf filing costs about \$.80 per filing inch, about one-half that of a filing cabinet. (The cost is higher for units with doors on the shelves or for space-saver type units which move on tracks.) Motorized files are the most expensive equipment, costing up to 10 times as much as file cabinets.

**2. Locating file stations.** The selection of filing equipment is dependent on its intended location in the Clerk's office as well as on cost and floor space efficiency. In designing the location of filing equipment (file stations) the records manager should consider access and use patterns, rates of referral to records kept at each file station, and the locational relationship of files to work stations and other equipment (e.g. copy machines). Overall, the layout of records should logically follow the organization of procedures and personnel.

The characteristics of records storage products such as cubic capacities and floor space requirements are impor-

<sup>19</sup> Figures are based on July, 1978 prices.

# open - shelving



# lateral file cabinets

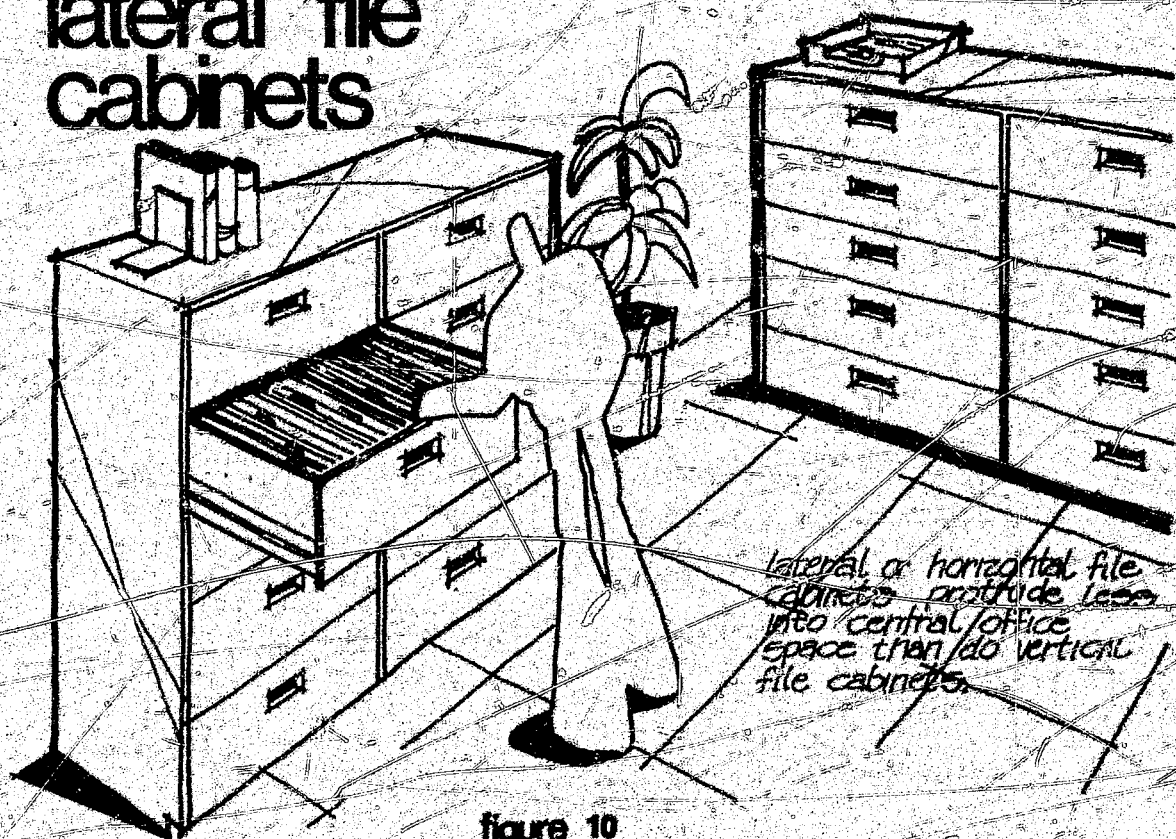


figure 10



tant determinates of equipment choices, but in certain instances the dimensions of available space are even more critical. For example, the distance between a public counter and an outer wall often defines the depth of a Clerk's office, with work flow dictating that active files be located as close as possible to the counter and that several work stations be located just behind the counter, between it and the files. If the distance from public counter to outer wall is small, it may be necessary to use records storage equipment which minimizes the space needed for access to the files. Open shelving might then be the only feasible solution, regardless of other factors, simply because it is the only way to allow for file access and personnel circulation in the narrow space (see Figure 11).

The planning approach for laying out the records in a Clerk's office may be viewed as a three-step process:

- define personnel organization and paperflow for records use in the most effective fashion;
- block out the general locational relationships of major office functions; and
- design detailed plans for locating records showing dimensions and type of equipment.

A planned approach leads to the reduction of common records system problems: lost or misplaced files, excessive time to access file stations, and inefficient use of scarce space. Rational planning also reduces the cost to install, operate, and maintain the records system.

a. *Define personnel organization and paperflow.* In organizing personnel and procedures in a Clerk's office, several alternative structures are available; each of these structures suggests differing methods for organizing and locating file stations. Two basic organizational structures are the *linear* and the *segmented* or *team* approach (see Figure 12). In both the linear and team approach, the space planning guideline is to minimize records access time by placing files close to work stations.

The linear approach assigns personnel to procedural functions, similar to the "assembly-line" concept and suggests that case files be kept in one centrally-located file station, with each position returning files to the central station or routing files to another work station after use. The segmented approach assigns personnel to teams responsible for all records of a certain case type or group of judges. Each team maintains the case files for their case type or judges, resulting in decentralized file stations.

As a rule, the larger the file system, the more likely it is to be segmented, but even file systems that can fit into one or a few file cabinets may be segmented. In fact, almost any system combines several ways of segmenting files as a means of improving convenience

or efficiency. Most commonly, files are separated according to content, at least into criminal and civil sections, but in the more volatile filing systems, such as busy traffic courts, files often are segmented by processing stage and are kept in transferable bins or open boxes which can be moved to appropriate work stations for each stage of processing. Virtually every file system is segmented to some degree by frequency of access; for example, less active files can be moved into a location within the Clerk's office where access may not be as convenient, simply to get them out of the way and improve access to the more active files.

b. *General locational relationships of office functions.* After clear delineation of work organization, records managers may plan the layout of records in conjunction with the design of a new facility or reorganization of an existing facility. The functional floor plan should represent a logical relationship of functional areas and file station locations. This process results not in working plans with detailed specifications, but in general planning drawings (see Figure 13a), on which to base the detailed specifications.

Blocking out major functional areas in a generalized floor plan is preliminary to the detailed design in Figure 1b. The sample design in Figures 13a and 13b shows a segmented layout of file stations by case type and inactive case files segregated from active files.

c. *Design detailed plans.* Decisions as to actual placement of filing equipment, desks, public counters and other components of the Clerk's office are documented in detailed plans containing actual dimensions. The limitations of the particular facility are taken into consideration in this step: small rooms, inconveniently located columns and interior walls, and limited allowable floor loadings. Type of equipment and even physical media selection for case files, indexes, and other records may depend upon the limitations of space. For example, bulky land records may best be kept on microfilm, reducing the size requirement for the file station.

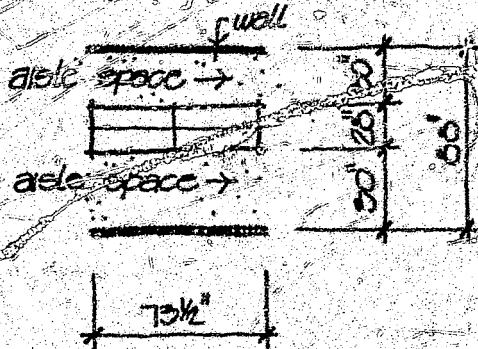
File station placement should consider security as well as accessibility. Blocking access to files by counters, partitions, or a staff person's desk restricts unsupervised access by attorneys and other records users outside the Clerk's office.

The floor plan for court records in the Clerk's office in Figure 13b emphasizes several desirable records management features:

- active case files for each case type are near the clerks most frequently accessing them, thereby facilitating paperflow;
- inactive files are segregated and placed in more remote office space;

# open-shelving is space efficient floor space savings...

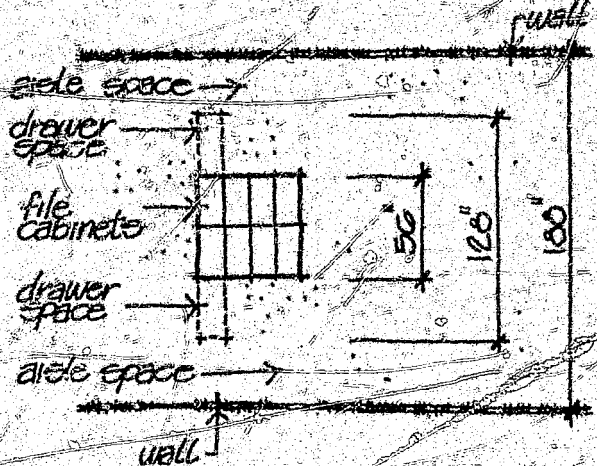
open-shelves



summary

equipment	14.3
aisle space	<u>30.6</u>
total	44.9

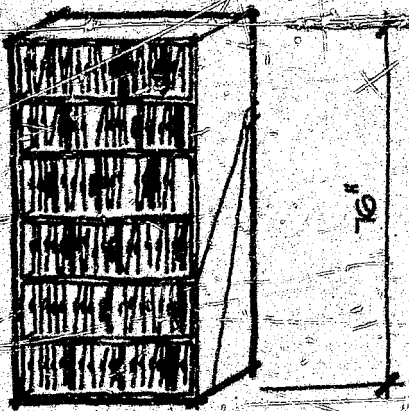
file cabinets



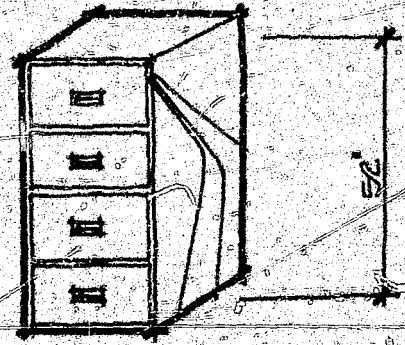
summary

equipment	23.3
drawer space	23.3
aisle space	<u>12.5</u>
total	59.1

use of vertical space



6-tier open-shelving unit



4-drawer filing cabinet

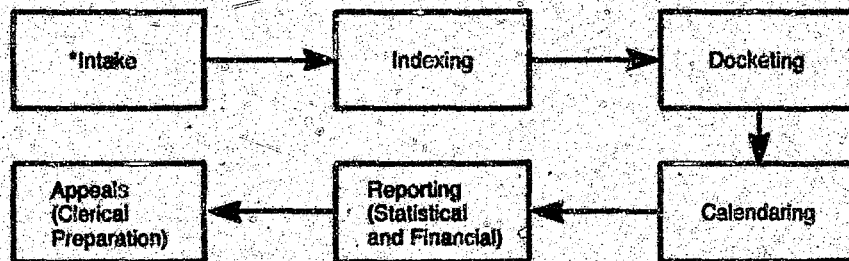
figure 11

**FIGURE 12.**

**File Station Placement and Work Organization**

**Linear Work Organization**

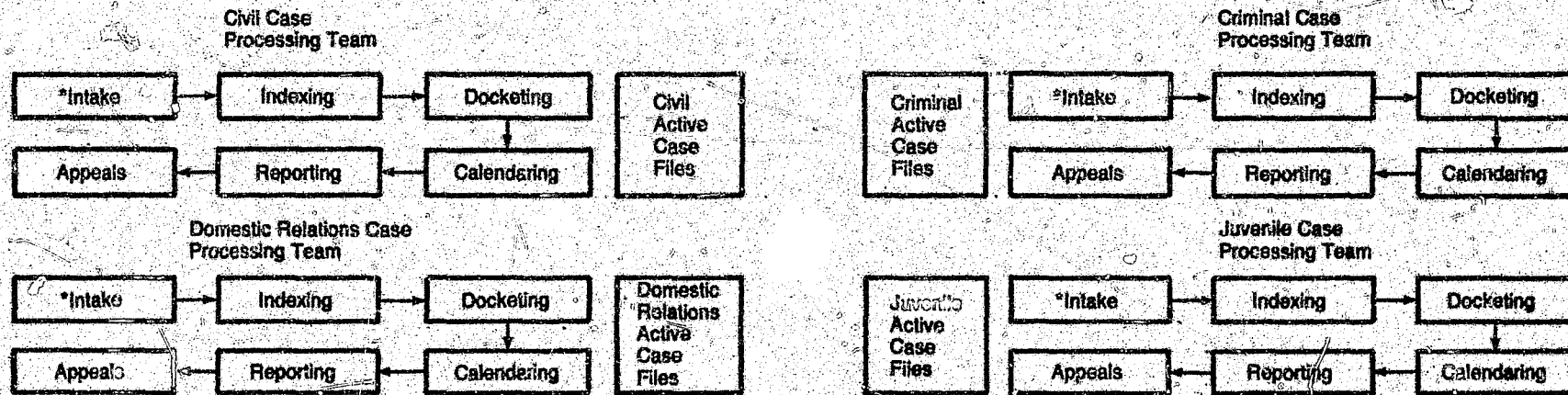
Linear Processing of All Case Types



Active Case Files (All Case Types)

Centralized File Station Placement

**Segmented Work Organization**



Decentralized File Station Placement

\*Includes time and date stamping, filing fee intake, case number assignment, case file preparation, and paperflow routing.



# records systems floor plan - functional relationships

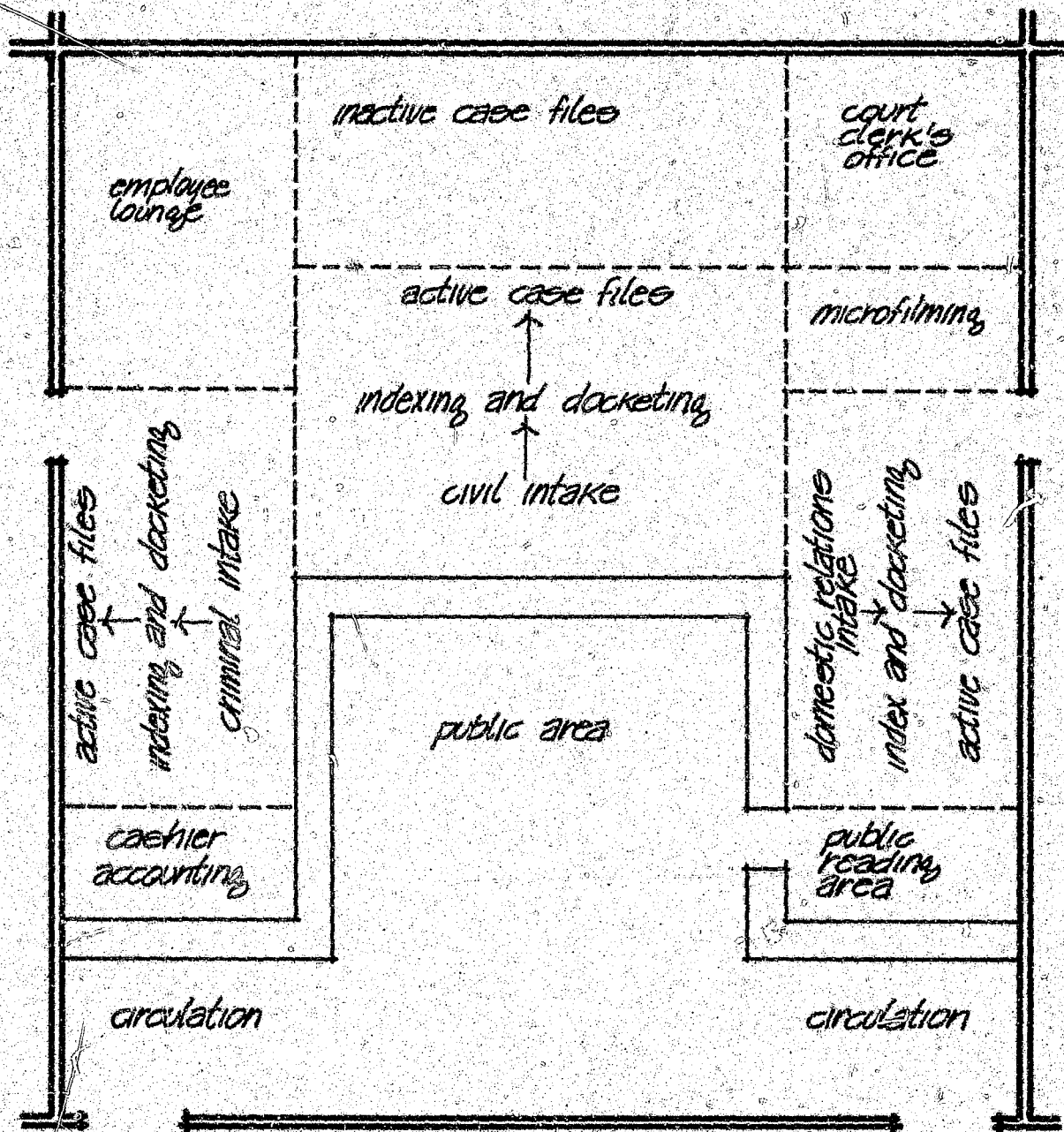


figure 13a

# records systems floor plan-detailed design

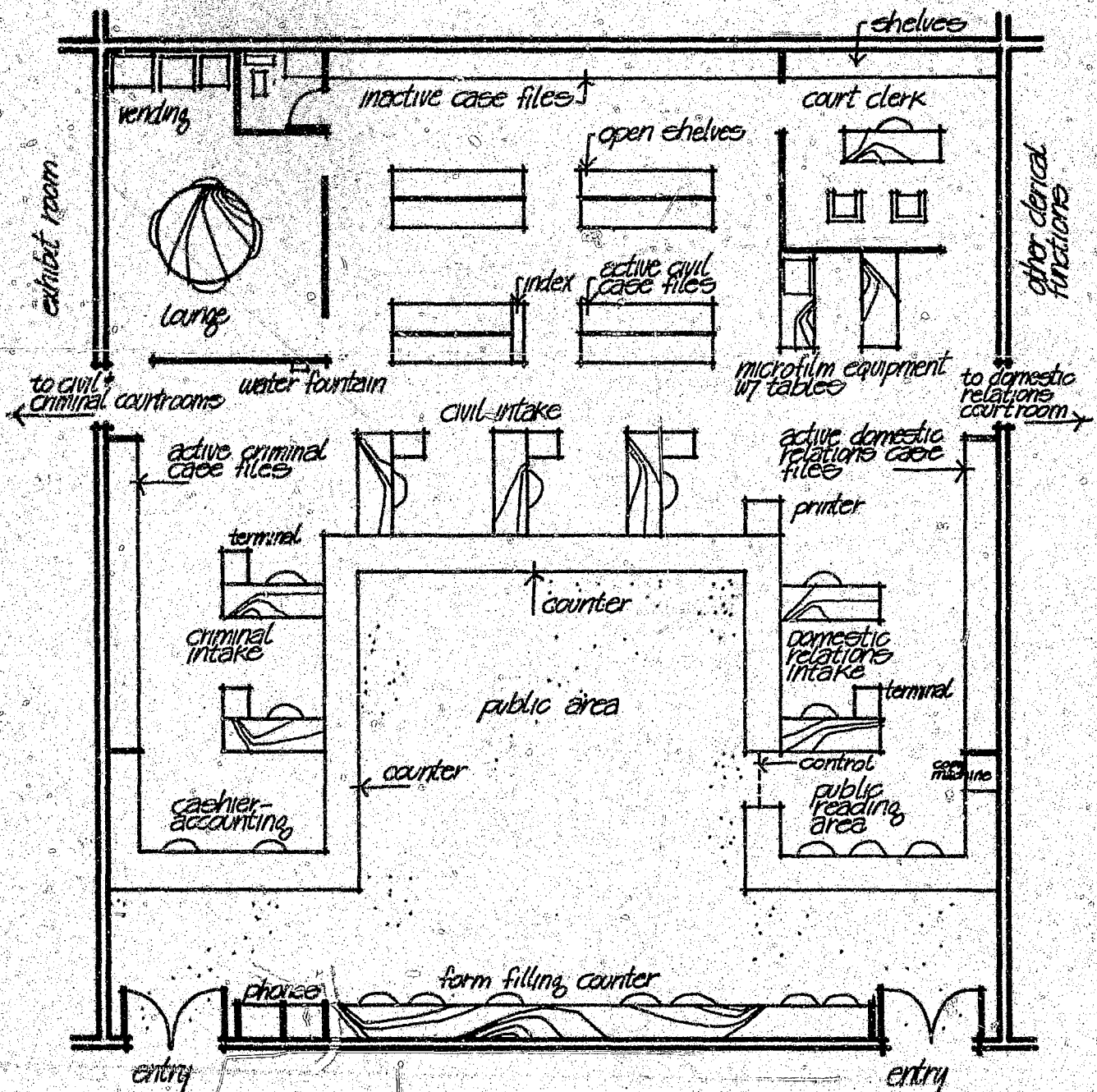


figure 13b

- open-shelf filing equipment uses floor space efficiently;
- the public area is blocked off from operational areas with an area set aside for public use of records—a clerk is nearby to supervise the area (increasing records security);
- exhibits are kept in a separate room to promote organization and security.

3. *Removal of inactive records.* To increase the amount of primary office space available for active case files and other records, inactive case files should be periodically removed to a location outside the Clerk's office. As the rate of referral to records decreases over time, the convenience of access to these records may decrease proportionately; hence, the removal of inactive records to remote locations will not significantly increase personnel time required for records retrieval because remotely located records are accessed infrequently.<sup>20</sup>

A major definitional problem in trial courts is that of identifying which cases are active and which are inactive. Legal import and appellate review lead some courts into maintaining all case files together, regardless of the time since the case was disposed at the trial court level. As the concept of periodic disposition and disposal of case files gains greater acceptance (as often it must, due to lack of space), trial courts will increasingly look toward clearer definition and segregation of inactive case files.

One question to be dealt with by the records manager is whether to separate the files of recently closed cases into their own file station. Recently closed cases fall into a "middle ground" between open cases and cases that have been closed for some time and are unquestionably eligible for long-term storage in a records center (see p. 17). Inactive file stations may be located in a storage area outside the Clerk's office but still in or near the courthouse, housing records not yet inactive enough for long-term storage but too infrequently referenced to be kept in primary Clerk's office space.

Although separating recently closed cases can improve space efficiency, it does require an additional procedural step in performing the segregation and creates the addi-

tional concern as to whether all cases in a given time period are eventually re-integrated before removal to more remote storage. If there exists no shortage of primary office space, it may be preferable not to segregate recently closed case files, allowing closed cases to accumulate in the active file station until the oldest of these records are entirely inactive and can be removed to long-term storage in a records center.

## D. Summary

Although this section has treated the space planning of file systems as a self-contained topic, it is important to note that records system space planning is actually conducted in the context of space planning for all aspects of Clerk's office operations. File systems work in conjunction with the total operation of the Clerk's office and their space plans should reflect the comprehensive needs of that office.

Some additional questions must be considered in planning the specific locations of file stations within an office. Where should the copying equipment be located in relation to the file stations, work stations, and public? Where should the indexes be located so that they are accessible to staff and public users? What portions of the office space are environmentally best suited to personnel and records locations with respect to windows, lighting, heating, and cooling? Although each of these questions will have different answers in specific circumstances, space planning must integrate all relevant factors into an optimal layout of records in the Clerk's office.

In this chapter, records management is seen as requiring an appreciation for the physical environment of the records system, both in the composition and format of individual records and the space planning considerations for records in the aggregate. In the next chapter, the principles and techniques of records management are put to work in the context of a methodology for studying a records system. Innovative court records management techniques are of little value unless courts are willing to undertake the management effort required to evaluate and improve the records system.

<sup>20</sup> The removal of inactive records is discussed in Chapter II in the context of disposition of court records (p. 15) and in Chapter IV in the context of a records management study (p. 41). Criteria for assessing the retention value of records is found on p. 40.



## IV. GUIDELINES FOR A RECORDS MANAGEMENT STUDY

### A. The Context of the Records System Study: The Management Process

The process of improving a court records system is a multistep endeavor, requiring a systematic approach to the change process which involves a number of management activities: research, coordination, planning, evaluation, decision-making, negotiation, implementation, and monitoring. A thorough study of the trial court records system initiates the improvement process, providing a structured approach to improved records management.

The records system improvement process may be conceptualized as a series of activities undertaken by management. The nine phases of the process displayed in Figure 14 are grouped into three levels: 1) establishing goals and objectives; 2) planning an improvement program; and 3) implementing and managing change. The records management study directly engages the first two levels of the process, goal-setting and program planning, and lays the groundwork for the third level, implementation.

1. *Establishing goals and objectives.* The establishment of goals and objectives for records management is depicted in Figure 14 as a four step process. In conducting the records management study, the records manager addresses all four phases of this goal-setting process: the existing records system is documented and understood; the study process provides a forum for seeking input from court personnel and other records users; the needs of the system are recognized by setting comprehensive goals and objectives; and evaluation during the study identifies and prioritizes problems and unmet objectives.

The research and evaluation at this stage should result in the beginning of a management plan in the form of goals and objectives. The Multnomah County Circuit Court (Portland, Oregon), for example, constructed a set of goals as the result of a records management study in their court. The nine goals cover a number of records management components and comprise the elements of the desired records management system in Multnomah County, (see Appendix N).

2. *Planning an improvement program.* This level of the improvement process consists of identifying alternative solutions to prioritized problems, deciding upon a course of action, and preparing the court environment for

change. The records management study projects the manager into each stage of this planning process. The preceding evaluation of the records system will have identified areas that need to be addressed; specific changes in these areas are planned at this stage. Planning an improvement program is an opportunity to solicit suggestions of records system users regarding these problems.

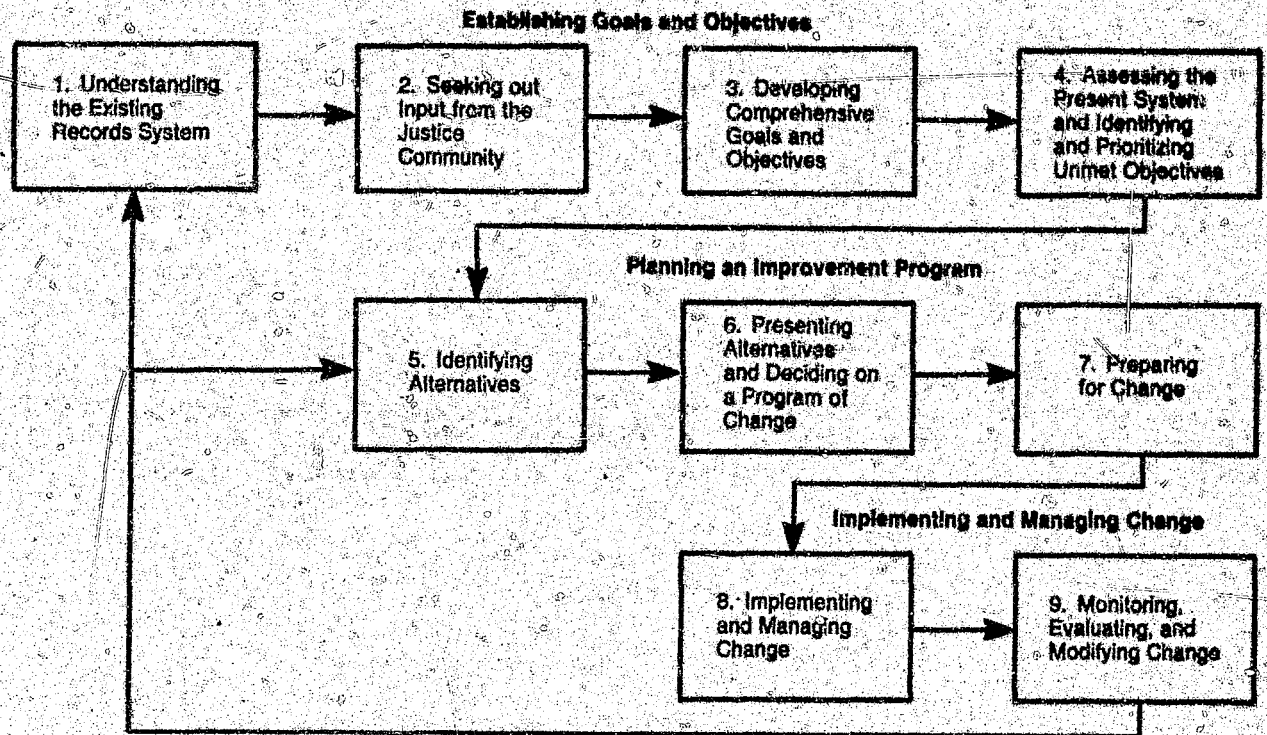
Alternative solutions to problems become apparent during the study; however, exposure to a full range of alternatives may require research outside the local court environment (e.g. technical assistance, visiting other courts). During the study, discussion as to the best alternative to a given problem may ensue, followed by final decision-making in the planning of needed improvements. The study team should be careful, however, not to commit the court to a particular course of action until all alternatives are considered. The act of studying the records system will help prepare the court environment for coming changes so that implementation (executing, evaluating, and modifying) may proceed with minimal resistance and maximum effectiveness.

A major function of the records management study is to identify alternative recommendations, each having a different implementation plan. For example, in an exhaustive study of judicial records management in Cuyahoga County, Ohio (Cleveland), seven implementation alternatives were presented to deal with the range of recommendations set forth in the study. The uncertainty of resource availability and other factors affecting the feasibility of alternative solutions led the study team to present a number of approaches analyzing the impact of each, including a selection of the preferred approach. The portion of the study introducing implementation alternatives appears as Appendix O.

3. *Implementing and managing change.* The records management study is invaluable in setting the stage for this third level of the improvement process, implementation, but will not in itself bring it about. Execution of the management plan requires the initiative of court managers responsible for the records system. After the changes are implemented, management responsibility continues in the monitoring, evaluating, and modification of policies and procedures. Success in implementing and supervising new systems is dependent on adequate

FIGURE 14.

Improving the Records System:  
A Model Management Process



planning and preparation—activities performed in the course of the records management study.

## B. Preparing for the Records Management Study

The remainder of this chapter presents guidelines for conducting the records management study. The study process begins with the records inventory, a vehicle for gathering and evaluating information on the entire records system. Following the inventory, guidelines are offered for the evaluation of five major records management areas: forms management, paperflow and procedures, equipment and supplies, retention and disposition, and microfilming.

**1. Scope of the study.** In preparing for the study, the records manager must consider its scope. If limited to small segments of a records maintenance activity or to isolated tasks in the system, the study will have limited results. Simply looking for the reasons for one or two major problems probably will not provide the total answer to records system deficiencies. Piecemeal, hastily conceived and installed changes may result in confusion and less efficiency rather than a better system.

A study of the records system is an excellent means of reviewing all operations of the court, since records serve

virtually all aspects of court management. The study team should confine itself to records management *per se*, but should also take the opportunity to note other problem areas in the court.

**2. Who should do the study?** In small courts, the Clerk or Court Administrator should plan the study as a team effort. The deputy clerks in charge of each activity—criminal, civil, probate, juvenile, etc.—should be assigned specific tasks in each of their respective areas. In larger courts, the principal assistant to the Court Clerk or someone with systems and procedures background can be given the responsibility for the study and use the same team approach. Regardless of who conducts the study, it will not produce the desired result without the full cooperation, leadership and assistance of the Clerk and the Clerk's staff. Unless the Clerk is willing to devote time and attention to the study, it stands little prospect of success.

**3. When should the study be done?** There is no best time to undertake a records management study. Trial courts are almost always busy, and if the study is put off until court business slows down, it may never be done. The study should not be set aside as an "if time permits" effort; a specific work plan should be developed and a definite completion date assigned.

4. *A preliminary diagnosis.* A highly successful technique used in management analysis is the preliminary or diagnostic study. This approach is sometimes called "The Reconnaissance Survey" and is nothing more than a "walk-through" during which time is devoted to observation, a few questions, and a general determination of the present status of paperwork backlogs, job organization, supervision problems, and other deficiencies. This approach is helpful in planning the scope of the full records management study in a precise and realistic work plan. Information gathered in the preliminary diagnosis will be invaluable in laying out the steps for the study project.

5. *Notifying court employees.* Publicizing the fact that the records system is to be evaluated is most important to the study's success. Employees must be notified in advance that a study is to be made, when it will start, and why it is being done. The best information will come from willing and cooperative employees; it is important that their views are solicited and that they understand that the objectives of the study are to reduce or eliminate what is found to be unnecessary or duplicative, which may result in better working conditions. All studies create an atmosphere of concern, and facts may be withheld for fear that the information will reflect unfavorably on the individual or his office. Communication prior to beginning the study can alleviate these fears.

6. *Helpful hints.* The objectives of the records management study are to gather information and to identify problems regarding policy, procedures, and people in the records system. A few helpful hints are worth keeping in mind:

- Know in advance what you are looking for. The general information obtained during the initial walkthrough is useful in determining the scope of information to be gathered during the inventory.
- Information given during interviews may be guesses or approximations rather than precisely accurate, requiring follow-up verification.
- Valuable information may be withheld because the employee is not sure of the facts or is fearful of reflecting poorly on his or her work.
- The true picture may be distorted; often the unusual, rare, or dramatic incidents are presented instead of day-to-day experiences.
- Do not make commitments or recommendations for courses of action. This is not the time to sell ideas, but a time to gather employee ideas.

## **C. Beginning the Study: The Records Inventory**

1. *Scope of the inventory: Volume and content.* The records inventory constitutes the initial event in the rec-

ords management study and is perhaps its most crucial phase. The evaluation team can prepare for the inventory by being familiar with legal guidelines and other requirements explaining recordkeeping practices, requirements that can be discussed and analyzed in the course of the inventory. The objective of a records inventory is to gather and evaluate facts about the records system, not merely to count filing cabinets or to measure the content of file drawers. Conducting an inventory to measure the cubic or linear feet of records in the court's custody does provide useful information, but the volume of records is only a small part of the data needed to evaluate the records system. In the course of the inventory, the evaluator should question the "how" and "why" of the existence of court records.

A volume count of court records is useful to the records manager and may be made by a mathematical computation using cubic feet, linear feet, and other common units of measurement. For example, a legal-size file drawer holds two cubic feet of records, and a 36 inch, legal-size shelf file holds 2.75 cubic feet of records. Data to guide the study team in making volume counts is shown in Table 3. The number of cubic feet of records on hand is useful when determining active record space requirements, annual growth rates, and storage requirements.

The ultimate goal of the inventory is to provide the study team not only with volume figures but, more importantly, with a description of the records system itself, its reason for being, its physical make-up, its storage capacity, and the interaction of records and the people who use them. The variety of information gleaned from this kind of an inventory is invaluable to the Clerk, often providing for the first time a documented description of the nature of the system and a basis for questioning the utility and effectiveness of certain aspects of the records system.

2. *How to proceed.* Collecting information on each type of record, or "records series", is best done with an inventory form. Appendix P is an example of such a form—it should be modified, however, to meet individual information requirements. The recommended records inventory procedure is not a count and examination of the content of every file folder, but a review of the content of as few as ten records selected at random in each series.

The next step is to determine what kinds of records will be inventoried and how these records relate to each other. Records are customarily identified as "records series". The criminal case file, for example, is a records series, as are docket files, index files, fee registers, etc. The content of each series should be thoroughly described on the inventory form. Each separate record



TABLE 3. Volume Count Data Guide

GROUP A: By cabinet drawer, filing shelf, and card drawer (computed for different degrees of fullness).

	Cubic Feet			
	Full	$\frac{3}{4}$ Full	$\frac{1}{2}$ Full	$\frac{1}{4}$ Full
<sup>2</sup> Filing cabinet drawer (28" deep):				
Letter-size	1.50	1.13	.75	.38
Legal-size	2.00	1.50	1.00	.50
<sup>3</sup> Filing shelf (36" wide):				
Letter-size	2.25	1.69	1.13	.56
Legal-size	2.75	2.06	1.38	.69
Card file drawer (16" deep):				
For 3" x 5" cards	.133	.100	.066	.033
For 4" x 6" cards	.213	.166	.106	.054
For 5" x 8" cards	.333	.250	.166	.083
For 8" x 12" cards	.667	.500	.333	.166
Tabulating card drawer (27" deep)	.375	.281	.187	.094
GROUP B: By unit count—estimate to nearest unit.				
Cards:	3" x 5"	4" x 6"	5" x 8"	8" x 10"
As used in visible files (unit is 100 cards)	.0033	.013	.021	.083
Plastic microfilm jacket (unit is 100 cards)	.025	.04	.063	.245
Microfilm roll—35mm (unit is 100 ft. roll):	.085			
Three ring binders, standard, as used for directives, notices, etc. (unit is one full binder):				
1" thickness . . .	.05 c.f.	2" thickness . . .	.1 c.f.	

<sup>1</sup> The capacity of cabinet drawers, filing shelves, and card drawers varies according to how tightly the records are filed and the type and number of file guides used; therefore, the above figures are approximations.

<sup>2</sup> A standard filing cabinet drawer is 28" deep with up to 24" actually used by the records, leaving 4" for working space and file guides.

<sup>3</sup> Filing shelves are commonly 36" wide with about 32" actually used by records, leaving 4" for working space and file guides.

series should be inventoried; the progress docket or register of actions, for example, is closely related to the case file, but if filed by itself, it is a separate record and must be inventoried as such. The study team should conduct as complete an inventory as possible.

During the inventory, unnecessary, sometimes informal records are discovered. Much clerical effort is wasted keeping unnecessary records; often too much information is being collected as a "defense mechanism" to protect the individual against the unusual. These kinds of subsidiary records should be found, evaluated, and eliminated if possible. When examining the nature of the records in a given series, the inventory team should question the purpose of each of the several documents, determine if supplemental data is added to the file, and look for extraneous or unnecessary documents.

The records inventory will produce an insight into records system content and procedure which will lead to closer examination of specific records areas. By examining the papers comprising a records series, and by interviewing records system users, the flaws and weak links in the records system will surface. The study team then may decide what emphasis should be put on the study of the remaining subject areas: forms, paper flow, equipment and supplies, retention and disposition, and microfilm.

## D. Forms Management

The work of the Clerk's office depends on effective communication among the office staff as well as with the police, private attorneys, district and state attorneys, other state agencies, county and city agencies, and the public. The primary method for receiving and recording information is through the use of forms and form-like documents. Consequently, the efficiency of the Clerk's office depends largely on the quality of the design and use of forms in the records system. Forms management entails the central coordination and distribution of all forms in the court system, the control of the operational distribution of forms and their copies, and the proper design of each individual form. Both state and local level administration may participate in these endeavors. (See earlier discussion of forms management, p. 17).

In considering the interrelationship of forms used by the court, a primary concern for the records manager is the elimination of unnecessary forms and the consolidation of duplicative forms. By inventorying all forms in use, forms serving similar purposes can be evaluated; elimination, consolidation, and control of distribution may ensue. The forms inventory in the individual trial court may be part of the larger records inventory or may be done separately. The objective of the inventory is to specify the purpose of each form, its copy requirements, distribution, and general role in the records system.

During the records inventory, the study team may begin to evaluate the design of individual forms. The principles and techniques of form design, which are discussed in Appendix A, provide the criteria for evaluating, designing, and re-designing court forms. The study team may conclude that certain forms should be re-designed or eliminated; conversely, the need to design new forms may be apparent.

## E. Paperflow

Paperflow, the movement of forms and other records through the court, constitutes an important aspect of records management. Problems in the records system may be traceable to the system for moving records from one location to another, and the records inventory team should look for signs of these problems. Three important aspects of paperflow analysis in courts are position descriptions, workflow procedures, and the handling of mail.

1. *Position descriptions.* Since paperflow procedures are performed by people, personnel management and the definition of job functions is of primary importance to paperflow evaluation.<sup>21</sup> The evaluation questions in Table 4 address the key issues in position descriptions for records management purposes. The objective of such a position description analysis is to trace the flow of records among court personnel and indicate the methods used to process these records.

Some courts have no position descriptions which describe the work assignments of each employee, and even in courts where position descriptions do exist, they are often outdated. If position descriptions do exist, the study team should discuss their accuracy with each employee and ask the employee to update the description by indicating the percentage of time spent on each task or type of work. If position descriptions do not exist, then employees should be requested to name their work assignments with the percentage of time devoted to each, also naming the individual who assigns new work. The information obtained from reviewing position descriptions is invaluable when interviewing for new employees, performing desk audits, and examining work flow.

2. *Work procedures.* Work procedures should refer to all activities performed by employees with regard to records, including paperflow and clerical tasks required at each stage in the flow. Intake, docketing, statistical reporting, filing, and financial recordkeeping are all comprised of a set of procedures which interact with the records system. Clearly specified procedures which are

TABLE 4. *Personnel Positions Descriptions: Evaluation Questions*

1. Is the personnel organizational structure as logical, practical and simple as possible?
2. Are there any improper or unnecessary overlaps or duplications in responsibilities and tasks (among organizational elements as well as among individual employees)?
3. Are there any gaps in the assignment of responsibilities and tasks?
4. Is there any confusion, inconsistency, or misunderstanding about organizational and job responsibilities and duties?
5. Are there any illogical or impractical combinations of responsibilities or tasks?
6. Are there any responsibilities or tasks that should be combined?
7. Is there a reasonable relationship among the individual employee's responsibilities and duties?
8. Do any administrative employees have responsibilities or perform tasks exceeding their professional level or level of competence?
9. Do any other employees have responsibilities or perform tasks that should be reassigned to a person at a lower level?
10. Do any employees have more responsibilities and tasks than they can reasonably be expected to perform or to perform properly?
11. Do any employees have too few responsibilities and perform less work than should be expected of them?
12. Should any responsibilities be eliminated because they are no longer essential, or are more properly the responsibility of another office or agency?
13. Is the assignment of new work being handled at the proper level by the proper person, and on the proper basis?
14. Are there adequate reviews and control for:
  - work quality and completeness?
  - work production?
  - work timeliness?
15. Is there adequate back up (understudy or other trained person) for all key positions?
16. Have standard performance evaluation criteria been established for each position; and, are employees periodically evaluated on the basis of these criteria and informed of the results?

organized efficiently and executed carefully contribute to a healthy records system.

In discussing job functions with employees, the details of administrative and clerical activities in the Clerk's office should be open to question. The records management study should analyze each step in each procedure by conducting individual interviews and asking each employee to explain what is done, how they do it, and why they do it. (Evaluation questions for analyzing work procedures appear in Table 5.) The study work product of these interviews may be a set of simple but complete flowcharts that illustrate and explain each key action in detail. In deciding whether a flowchart is needed, the person doing the interviewing should determine if the procedure being studied is complex enough to require a flowchart to obtain a full understanding of the procedures. Flowcharting is tedious and time-consuming and need not be used to help understand uncomplicated procedures.

3. *Mail processing.* Often overlooked in studies of the

<sup>21</sup> For a detailed discussion of position descriptions, see Robert Tobin, *Trial Court Management Series: Personnel Management*, Washington, D.C.: Law Enforcement Assistance Administration, Department of Justice, 1978.

**TABLE 5. Work Procedures Evaluation Questions**

1. What is the frequency of the action or procedure and what are the labor costs?
2. What is the purpose of the action? How often is it used for that purpose? How well does it serve the intended purpose?
3. Is the procedure absolutely essential? What would be the results if it were discontinued?
4. Is the action duplicated elsewhere? If so, does it need to be continued at both places; if not, which is the right place for the action?
5. If the procedure is absolutely essential and not duplicated elsewhere, is this the right place, the right time, and the right person to do it?
6. If a particular procedure were developed to cope with special situations or exceptions rather than normal cases, could the problem be handled in a simpler manner?
7. Do any procedures improperly, unnecessarily, or unreasonably intrude on the employee's time and work?
8. Are any unwarranted reviews, clearances or approvals required by superiors or others?
9. Are any delays or problems caused by others with whom the employee works or communicates?
10. Are any delays or problems caused by lack of accurate, adequate, and current information?
11. Are any problems being created because employees are not being given timely, complete, and clear instructions?
12. Is there a simpler, better, or faster way to do it?
13. Are any additional actions needed?
14. Could some of the work be done by semi-automated or automated methods?
15. Are the processing steps being performed in the right sequence? Is the work flow smooth and straightforward, or is there a great deal of backtracking?

work of the Clerk's office is the efficiency with which mail, both incoming and outgoing, is processed. Mail is a major source of incoming documents and must be considered in managing records intake; similarly, important communications from the court are sent out by mail. The objectives in managing mail are speed and efficiency in mail handling, minimization of labor costs for routing and processing mail, and minimization of postage costs. Too often little or no attention is given to postage costs because they are accepted as being an essential part of the court's daily business, but careful management can decrease postage costs as well as labor costs for mail processing.

The consideration of mail procedures by the records study team will result in a more complete perspective of the records system and the procedures for handling records. Evaluation questions for mail processing are found in Table 6.

## **F. Equipment and Supplies**

As discussed in Chapter III, equipment and supplies are an important component of records management because records are a physical medium requiring space for their use and storage. One vehicle the records inventory

study team may use to analyze the equipment and supplies of the court records system is the continuum of physical entities which comprise it: paper (specifically, letter-size vs. legal-size) and other records media, file folders housing and organizing papers, filing equipment housing case files and other records, and the layout of filing equipment, other equipment, and people in the Clerk's office.

The records system study team should be alert to the use which file cabinets and open-shelf files can offer for inactive and closed cases and other noncurrent records. If filing cabinets are found in basements, attic space, or warehouse buildings, or if old and inactive records remain in prime office space in equipment designed for active records, the study team has discovered areas in which improvements in equipment use can be made.

The study team should determine whether the placement of equipment in the office is the most efficient arrangement possible given the limitations of available courthouse space. Frequency in the use of equipment, as well as the procedures giving rise to its use, should be noted by the evaluators as important criteria in equipment placement.

For filing units, copiers, microfilm equipment, com-

**TABLE 6. Mail Processing Evaluation Questions**

1. Are incoming letters and other communications promptly delivered to the action office? Does incoming mail pile up on a supervisor's desk?
2. Are filings and pleadings promptly processed at the intake counter? Are intake procedures well defined?
3. Are drop boxes at the counter labeled properly thus avoiding interruption and questions?
4. Is inter-office mail moved promptly from desk to desk?
5. Are unreasonable amounts of letters being returned as undeliverable or for other reasons? What are the causes?
6. If incoming replies are to be delivered to specific action desks, are code numbers or letters used to speed delivery?
7. Are those responsible for opening mail knowledgeable and trained to assume prompt delivery of mail to action desks?
8. If messengers are used to deliver mail, do they have set pick-up and delivery schedules?
9. Is mail picked up at the post office? Do the pick-up times coincide with post office sorting schedules?
10. Do too many people review outgoing letters?
11. Are efforts being made to write short, concise letters using simple words, phrases and sentences in place of legalistic language?
12. Are mail drops and pick-up and delivery points clearly identified? Are they in the right locations?
13. Is there a central point for dispatching out-going mail?
14. Are postage meters used? Postage paid?
15. Is the best possible use made of window envelopes and self-mailers?
16. Have rules been established on when to use special delivery, first class, certified, registered, and insured mail?
17. Have deadlines been established governing time limits for responding to incoming mail? Are responses made in reasonable periods of time?



puser terminals, and all other types of equipment, the study team should determine whether the present equipment is best suited for the job with respect to speed, capability, reliability, quality, ease of use, servicing, and cost. Next, the team can examine the layout of equipment. Evaluation questions pertaining to equipment layout are listed in Table 7.

Each aspect of managing equipment and supplies involves potential cost savings to the court: flat-filing systems are less expensive than large books, letter-size equipment is less expensive than legal-size, personnel costs are decreased when records retrieval and processing time is decreased, and cost savings are realized through efficient use of floor space. The study team should look for ways to reduce costs in these ways, incorporating projected savings into the study's recommendations as persuasive arguments for their implementation.

## G. Retention and Disposition

The disposition of court records is perhaps the most commonly neglected and misunderstood area in records

management, a condition which leads to a number of problems in the long-term maintenance of records. Records considered to be invaluable are commonly stored in basements, attics, and off-site storage locations where they lack security measures, collect dust, deteriorate, and lose their filing sequence because of careless use. Commonly, little or no protection exists against fires and flooding which destroy the records or render them useless as reference documents.

A less common problem of records disposition is the placement of records in storage areas before they are completely inactive. Because of requirements for more space, records of fairly recent years are sent to storage, requiring trips to the off-site storage location to access files which may or may not be arranged for ease of reference. Better space planning in primary office space will help alleviate this problem. As a result of the haste in which inactive records are often sent to storage, reusable filing cabinets are sometimes sent to storage with the records, where they, too, are forgotten. New cabinets are then purchased, increasing the costs of records and disposition. Inactive records should be removed from cabinets and stored in cartons manufactured for this purpose (see Appendix Q).

Finally, many courts, for reasons of self-protection and records security, keep the original paper records even though they have been microfilmed. It is common to find both microfilm copies and the original hard-copy as archival records.

The solution to the above problems lies in the development of a continuing plan for records disposition. The records inventory form, when completed for all records series (see Appendix P), is the starting point for a continuing records disposition program. From the inventory information, the court can appraise records series as to their retention value.

**1. Records appraisal.** The first step in disposition program development is records appraisal. During the compilation of the inventory, or upon its completion, the decision should be made as to how long each series should be kept in courthouse office space before being retired. Therefore, it is necessary to determine the immediate and future usefulness of the records not only to the court, but also to the state government and to the public. In general, records should be retained in office areas as long as they are needed for the administrative, legal, and fiscal purposes for which they were created. When they are no longer needed during their active stage, they should either be transferred to a records storage center or area, microfilmed, destroyed, or if of archival value, deposited in the state or historical archives.

During their semi-active or inactive stages, the records

**TABLE 7. Use and Layout of Equipment: Evaluation Questions**

1. Is the layout of desks and equipment logical in relationship to work flow?
2. Are individual employees or groups of employees whose work requires frequent contact and communication located as close together as possible?
3. Are office files and equipment located as close as possible to the primary users?
4. Is specialized equipment such as office copiers, dictating machines, automatic typewriters, microfilm cameras, etc., centrally located so as to achieve better use by all users?
5. Are there any bottlenecks created by demand which exceeds the capacity of the equipment, or is time lost due to equipment breakdown?
6. If problems in the use of equipment are the result of peak loads, has consideration been given to scheduling its use?
7. Could any of the problems or expenses in connection with equipment use be reduced by simplification of procedures or improvements in form design?
8. Are equipment operators properly trained? Are any problems arising due to use by inexperienced personnel?
9. Is the equipment being properly maintained and serviced?
10. Is there any surplus equipment that should be disposed of?
11. If data processing equipment is in use, has adequate attention been given to simplifying and reducing the costs of input by the use of self-coding forms, producing the input documents as a by-product of existing paperwork, or adopting other source data automation techniques?
12. If data processing or other automated equipment is in use, has a comprehensive analysis been made of users' needs to assure that the full potential of the equipment and the data base is being utilized for both management and operational purposes, and that the output products are optimal in terms of content, format, design, frequency, and distribution?

should be given the same care and attention as during their active stage. As a general rule, records are considered to be inactive when reference to them is less than one time per file drawer per month.

Four key elements are taken into account in appraising each records series.

**Administrative Value.** Records have administrative value as long as they assist the court in performing current or future work. Administrative use of most records is exhausted after the transactions to which they relate are completed. Some administrative records, however, contain basic facts concerning the court's origin, policies, functions, organization, and significant administrative decisions; these should be retained permanently to provide documentation of the court operations.

**Legal Value.** Records have legal value if they contain evidence of legally enforceable rights or obligations of the state or individuals. Examples are 1) legal decisions and opinions, 2) fiscal documents representing agreements such as leases, titles, and contracts, and 3) records of action such as claims and dockets, and 4) the Official Records maintained by the clerk as recorder.

**Fiscal Value.** Records which relate to financial transactions, after having served their administrative needs, may be retained for several more years to document the receipt and expenditure of moneys for audit purposes.

**Archival Value.** A small portion of the records have enduring value because they contain information about significant events or because they document the history and development of the court and the state. Such records may also contain precedents for policies and procedures and are valuable to the state, students of public administration, researchers in many fields, genealogists, and historians.

**2. Schedule submission and approval.** After records have been inventoried and appraised, and after proposed retention periods have been specified, a request for records retention schedule approval is prepared for submission to the appropriate authority (e.g. state court administrator, records commission, state archivist, or state records management office). Commonly, the Court Clerk or Presiding Judge first submits recommendations to the Auditor General, the Attorney General, and possibly to an historical society before submission to the approving authority. Upon approval, the schedule is applicable and enforceable. This process may be conducted for individual trial courts or for all trial courts in the state.

**3. Selecting and moving records to storage.** As mentioned above, records are considered active or inactive

depending on the frequency of reference. If the contents of a file drawer are referred to not more than once a month, the records are considered inactive and their low usage rate does not justify continued maintenance in office space. After becoming inactive, records should be destroyed or sent to long-term storage as soon as possible. If the records can be destroyed within two years, it is not cost effective to transfer them to long-term storage since the major cost is incurred in the transfer process.

One technique of sorting files into groups for convenience in handling is referred to normally as "breaking" files. Records disposition, whether by transfer or destruction, is aided by regular, periodic breaking of files and by the physical separation of active from inactive files. For example, using the year in the case file number (i.e. 78-0001), permits transfer to storage or destruction of case files in chronological block groups.

Instructions for packing records for long-term storage are detailed in Appendix Q.

## H. Microfilming

Microfilm applications are becoming more common in courts as an answer to space problems because of extensive accumulation of inactive records. Unfortunately, many of these well-intentioned microfilming projects are undertaken without sufficient analysis of the costs and benefits that result from such projects. Microfilming of records for space saving purposes alone is normally not cost-justified. Long-term storage offers a much less expensive alternative.

The cost of microfilming case files is in the range of \$40.00 to \$60.00 per cubic foot of records. Most of this cost stems from the time required to prepare papers for filming. Removing the papers from the file folders, extracting staples and paper clips, operating the camera, inspecting the film, doing retakes, and preparing labels result in significant expenses beyond the costs of equipment, film, and additional film processing.

The benefits of many microfilming programs are commonly diminished because of the difficulty in producing legible film and because court personnel are sometimes reluctant to use the microfilm. Legible microfilm copies of court records are often difficult to obtain because of poor contrast between the color of the paper and the recorded information and because of faint carbon impressions on carbon copy records. Only records yielding a legible film image should be microfilmed. Many persons have difficulty accepting the microfilm system because they find it inconvenient to go to the microfilm station and scan large amounts of material to find the specific document they desire. User acceptance requires a system that is convenient to use and easy to learn.

Despite these limitations, microfilm may prove ben-

eficial for operational and reference purposes. The possible uses of microfilm in addition to evaluation of present uses, should be included in the records management study.

Microfilm is available not only in the familiar roll form but in cartridges or cassettes with techniques and devices for quickly locating documents.<sup>22</sup> Also in widespread use are microfilm jackets (strips of film between two layers of transparent material) that make it possible to add new frames. Updatable microfiche is a new form of micrographics which makes updating case file microfilm records far more practical than the jacket systems. (See Appendix B for a comparison of "front-end" case file microfilming.) Microfiche (microfilm images arranged in rows on card-like sheets) and computer-output-microfilm (COM), which makes it possible to produce microfilm copy directly from computer magnetic tape, are also among the types of microform available. (Many courts using COM find it ideal for producing and updating index files.)

An in-depth study of microfilm in Florida courts concluded that microfilm's "most profitable use is for operational purposes such as document or data reproduction, distribution, and retrieval. And, while serving as a valuable operational tool, microfilm has the added advantages of making it possible to store large quantities of documents or data at the point of use, and maintaining more than one set for a nominal additional cost. However, in the case of the courts, except for selected index and docket files, and a few other situations, the microfilm being produced today is being used neither for operational nor space saving purposes . . ."

" . . . The cost (of microfilming) makes it evident that microfilming is a costly substitute for effective controls over the creation, maintenance, and disposition of records. Microfilming, to be affordable, must be restricted to important documents, and in addition, these documents must have the proper physical characteristics and be maintained in such a way to permit rapid filming and reproduction of legible images."<sup>23</sup> Factors to be considered in a microfilming program are listed in the Florida study and appear as Table 8.

No microfilm project should be undertaken until a cost-benefit study has been made, other alternatives have been considered, and the product under consideration has been tested for feasibility and user acceptance. Evaluation criteria to these ends appears in Table 9.

TABLE 8. *Factors to Consider in a Microfilm Program*<sup>1</sup>

1. Photographic quality of the documents to be microfilmed.
2. Speed at which documents can be filmed, taking into consideration physical characteristics such as size, uniformity, method in which filed, and condition.
3. Proper type and quality of film.
4. Proper type and quality of camera.
5. Properly skilled and trained camera operator.
6. Proper facilities, supplies, equipment and quality controls for processing (developing and washing) of film.
7. Proper authentication, inspection, storage and care of processed film.
8. Proper type of microfilm reference copy (conventional roll microfilm, roll film cartridges or cassettes, microfiche or microfilm jackets).
9. Proper type, quality, and number of microfilm viewers or viewer-printers.
10. Adequate system for updating, if necessary.
11. Adequate retrieval system to meet users' needs.
12. Total costs for microfilm system vs. costs for paper copy system.

<sup>1</sup> Koenig, Mark and Associates, *Records Management Study: Florida State Court System*, Tallahassee, Florida: Office of State Court Administrator, April 1975, pp. 101-102.

TABLE 9. *Microfilming Evaluation Questions*

1. What are the total costs for preparing the documents for filming, producing the copies, providing the equipment and supplies for the user? (Compare these costs against the costs for retaining and servicing the paper records.)
2. Is the microfilm reference copy medium (conventional roll film, cartridges or cassettes, microfilm jackets, microfiche, or other) the best suited to the needs of the situation?
3. Is the system in question compatible with other microfilm systems in type and size of medium and reduction ratio?
4. Are the microfilm viewers or viewer printers of the proper number, type, and quality consistent with the need?
5. Is the system being properly monitored and the equipment and film properly maintained?
6. Has the system received proper user acceptance and are the costs fully justified?
7. Are the documents susceptible to fast, low cost filming (absence of two-sided copies, bound volumes, folded papers, irregular sizes, various colors, mutilated documents, and faded or poor copies)?
8. Is the system adequate for locating and retrieving documents or data to be filmed, and are the costs consistent with the need?
9. Are the documents generally of sufficient quality to produce a legible microfilm copy?
10. Is the camera of the proper type and quality and is the camera operator properly skilled and trained?
11. Is the film of proper type and quality? Regardless of the intended use, either the original camera film or the first duplicate copy should be of archival quality (suitable for permanent retention).
12. Are there proper controls over the processing (developing and washing) of the film? (Processed film should satisfy standards for archival quality.)
13. Is the film being properly authenticated and inspected? Is a separate (original or first duplicate) copy of the microfilm being stored in a safe, properly maintained location for protection against loss, destruction, or damage to the working copy? (A "security" copy should be stored under conditions specified for storage and care of archival microfilm.)

<sup>22</sup> For a technical guide, see National Center for State Courts, *Microfilm and the Courts*. Williamsburg: NCSC, Pub. No. R0026, July 1976.

<sup>23</sup> *Supra*, note 5 (p. 7) *Records Management Study*, pp. 103-104.



**TABLE 9. Microfilming Evaluation  
Questions--Continued**

14. Are all necessary and appropriate measures being taken at the time of microfilming to assure fast and easy retrieval of documents, now and in the future?
15. If updating is necessary, are all necessary and appropriate measures being taken at time of microfilming to assure that updating can be done in an efficient and fully satisfactory manner?
16. If a document series is to be microfilmed in the future, is everything practical being done today to revise the present paper copy system in order to reduce filming costs and improve the quality of the microfilm images for filming tomorrow?

## **I. Summary**

This chapter has presented guidelines for conducting a records management study in the trial court. The records

inventory is recommended as a vehicle for initiating the study to be followed by analysis of forms, paperflow, work procedures, equipment and supplies, retention and disposition, and microfilming. The records management study is an important part of a systematic process for improving a court records system, yielding the research and background needed to recommend and implement sound improvements.

With concerted effort on the part of trial court managers, records systems can be improved. Court records are one management area in which significant savings can be realized by implementing simple procedures and systems and by common sense management of the several components of the records system. A more effective records system will benefit the operations of the court, producing better efficiency in the conduct of judicial business and better support for the administration of justice.

# APPENDICES

## APPENDIX A. FORMS DESIGN

"Well-designed forms on which to transmit and record communications are absolutely essential to efficiency and prudence in any court system."<sup>24</sup> Forms design refers to that phase of management skill which requires the use of design expertise and other special resources and services necessary to provide the court with printed forms meeting court standards.<sup>25</sup> The records inventory study team discussed in Chapter IV uses the technical knowledge of forms design to evaluate the forms used by the court. They may later participate in the design or redesign of forms.

Proper design is the outgrowth of forms analysis. The designer first determines the needs of the persons using the form before deciding on what information to incorporate and how best to arrange it. Consideration should be given to the time it takes to complete the form and the usefulness of the information gathered.

The construction of forms should adhere to common sense design standards:

1. simplicity and efficiency of completion;
2. visibility in reading, filing, and retrieval;
3. acceptability of appearance; and
4. economy in production.

The sequence of items to be completed should be logical and the amount of writing minimized. The layout should facilitate continuous execution of entry with data requests grouped logically and properly aligned. Overall, the layout should achieve a good visual effect.

Any form can be divided into two components: facilitative information and working area. Facilitative information refers to titles, captions, instructions, identification numbers, and other such designer-originated information. The working area is that part of the form where information from the forms user is captured.

Facilitative information lays out the overall design of the form. Since much of it is placed on the periphery of the form, be sure it is not where staples, prong fasteners, or binding edges may cover it. Wasted space in form layout leads to a cluttered effect. Poorly designed captions waste space and create inconvenience in forms completion and handling. Check boxes are one device increasing user convenience. Note the use of check boxes and "box design" captions in the sample form at Figure 15. Note also that "Court Copy" is printed at the bottom to designate the destination of the top copy of this multi-part form, and that holes are prepunched for easy placement in a file folder or binder.

Instructions should be clear and concise, addressing who submits the form and to whom, the number of copies to be made with distribution information, the intended use of information, and other relevant subjects. Instructions may be placed on the front or back of the form, or be separate from the form. If integrated into working space, they are usually placed in parentheses. The language of the form in instructions and other facilitative information should be devoid of legal jargon. In designing the working area, consideration need be given the type of instrument to be used to complete the form. If the form is to be typewritten, allow six vertical lines per inch. Horizontally, allow 12 characters of elite type and 10 characters of pica type to the inch, keeping in mind also the

<sup>24</sup> Supra, note 3, (c) 7) *Records Management Study*, p. 36.

<sup>25</sup> For a more detailed discussion of forms design, see General Services Administration, *Forms Design*. GSA, National Archives and Records Service, Office of Records Management, 1972.



STATE OF  
RHODE ISLAND  
AND  
PROVIDENCE  
PLANTATIONS

*1/2" margin to line*

DISTRICT COURT  
FELONY COMPLAINT

COMPLAINT NO.				D001 F (11/77)	
COMPLAINING AGENCY COMPLETE AREA IN HEAVY OUTLINE					
STATE EX REL	CITY/TOWN	COUNTY	DIVISION DISTRICT COURT	OFFENSE DATE	
VS. DEFENDANT		DEFENDANT'S ADDRESS		PHONE #	
DATE OF BIRTH		SOCIAL SECURITY NO.	ARMED FORCES I.D. NO.	OTHER I.D. (M.V.LIC. NO.)	
COMPLAINANT		COMPLAINANT'S ADDRESS			
TO ANY JUDGE OR AUTHORIZED JUSTICE OF THE PEACE FOR SAID DIVISION: The here named complainant on oath, in the name and behalf of the State, says that the here named defendant (alias John/Jane Doe) on the date stated with force and arms acted in violation of law and wherefore the complainant prays that a summons or arrest warrant may issue to apprehend the defendant and that he be held to answer this complaint and be further dealt with according to law.					
COMPLAINT					
CONNECTED MISDEMEANOR CHARGE(S), IF ANY:					
CO-DEFENDANT(S), IF ANY:					
STATUTE(S) VIOLATED				LOCATION OF OFFENSE	
AUTHORIZED OFFICER		DATE SIGNED	TITLE	AGENCY	
X					
SWORN TO BY AFFIANT WHO RECOGNIZED		DATE SWORN	JUDGE/JUSTICE OF THE PEACE AUTHORIZED TO ISSUE WARRANTS		
<input type="checkbox"/> WITH <input type="checkbox"/> WITHOUT SURETY			X		
INITIAL APPEARANCE					
INITIAL APPEARANCE DATE	ARRAIGNMENT DATE	BAIL	JUDGE/JUSTICE OF THE PEACE		
		\$	X		
ARRAIGNMENT					
ARRAIGNMENT DATE	ADVISED OF RIGHTS	BAIL	CONTROL DATE		
	<input type="checkbox"/> YES <input type="checkbox"/> NO	\$			
ATTORNEY	NAME	JUDGE			
<input type="checkbox"/> PRIVATE <input type="checkbox"/> ASSIGNED		X			
BOUND OVER					
BOUND OVER	DATE	BAIL	WITNESS FEES	COSTS	JUDGE
<input type="checkbox"/> YES <input type="checkbox"/> NO		\$	\$	\$	X
DISPOSITION					
DISPOSITION DATE	INDICTMENT/INFORMATION NO.		FILED/REJECTED ON		
<input type="checkbox"/> CRIMINAL HISTORY	CASE DISPOSED — NO COSTS		JUDGE		
<input type="checkbox"/> BACKGROUND INFO.			X		

FIGURE 15. Rhode Island District Court Felony Complaint Form



width of the typewriter carriage. If the form is to be handwritten, allow  $\frac{1}{4}$ " -  $\frac{1}{2}$ " per line vertically and  $\frac{1}{10}$ " -  $\frac{1}{8}$ " per character horizontally.

Identification numbers are important to forms inventory control. They should be in small type, placed in the lower left or lower right-hand corner, and appear on every sheet, front and back if necessary.

Multi-page forms should be numbered. A good technique for conveying that a form has more than one page is by use of the simple format, "page 1 of 4 pages, page 2 of 4 pages. . . ."

Many trial courts use preprinted names and signatures, typically the clerk of court. Since the clerk is usually an elected official, costly form blanks are wasted when the clerk retires, is defeated in election, or otherwise leaves the position. Using rubber stamps instead avoids this problem. Rubber stamps for common entries is a highly convenient, efficient clerical technique. Stamps are relatively inexpensive to have made and are faster than typewriting or handwriting common, repetitive information.

The physical construction of the form is just as important to the final product as the initial design. Proper use of rules (line weights), proper selection of type face, paper weight, paper color, and ink color help achieve these qualities. Perforation and scoring are commonly used aids for folding and tearing, while punching holes for forms to be filed in binders or prongs in file folders should also be included in the form design when appropriate. If more than one copy is needed, it may be useful to construct a multi-part form with carbon or carbonless (NCR) copies and color-coding for each copy. Multi-part forms can reduce typing and photocopying costs.

The overall design of the form should incorporate the following qualities: readability, speed of comprehension, simplicity, good appearance, and uniformity. Appearance and readability depend upon typography, substance, the color of paper and the color of ink. Working with the printer or other outside technical assistance can be helpful to supplement the technical skill of in-house staff.

Standardizing forms saves time, money, and space. In courts, traditional legal-size forms ( $8\frac{1}{2}$ " x 14") are slowly being replaced by standard letter-size ( $8\frac{1}{2}$ " x 11") as cost savings become too attractive to resist. Standard-size forms are compatible with standard-size filing equipment and are easier to handle. Non-standard equipment costs significantly more than standard equipment. Extra expense for legal-size forms is compounded by greater cost for file folders, shelving, personnel time expenditure, and storage space.

Many forms are created with the best of intentions, but unfortunately, without sufficient attention to their design, reproduction, and distribution requirements. Too often, a form is designed in haste to satisfy a special need, resulting in unnecessary, duplicative, or poorly designed forms. Evaluating forms in a comprehensive fashion by noting their interrelation, and evaluating the design of individual forms leads to improvement in forms management.

## **APPENDIX B**

### **COMPARISON OF ACTIVE RECORDS MICROFILMING TECHNIQUES: EXCERPT FROM A STUDY BY THE SUPERIOR COURT OF SAN JOAQUIN COUNTY, CALIFORNIA <sup>1</sup>**

#### **2.4. EQUIPMENT EVALUATION AND RECOMMENDATION.**

There are three basic methods of micrographics technology which may be applied to the active files of the courts: Microfilm Jackets; Computer Assisted Retrieval; and Updated Microfiche. Each of these methods allow the documents to be filmed as they are received creating a microform record which may be used in lieu of the paper case file folder while the case is in progress.

There are distinct advantages to adopting one of these methods: More than one copy of each case will exist, insuring against loss or damage to the only copy; microforms are easy to use and will represent a savings in the manpower required to satisfy inquiries; microforms allow faster retrieval of information, which will provide for better service to the public and the courts.

Each of these three techniques will be discussed separately and then compared with the others by the following criteria: <sup>2</sup>

Cost	Record Replacement
Personnel Impact	Record Integrity
Space Reduction	File Integrity
Record Creation	Sealing of Records
Record Retrieval	Archivability
Record Updating	Processing and Operations

#### **SYSTEM DESCRIPTIONS**

##### **Microfilm Jackets**

The microfilm jacket system is based on standard microfilm jackets. Source documents are photographed by either a planetary camera or a rotary camera, creating a roll of film. Normal procedure is to create two rolls of film at the same time (one for use in the system, the other for safe storage). The film is then processed, or developed. After development, the film is cut into individual segments which are inserted into a transparent plastic jacket containing chambers which hold the film segments or chips in place. The jackets are then placed in a file.

The jacket system can be updated merely by inserting a film chip containing the image appropriate to the individual record. The insertion process is accomplished with the aid of a jacket insertion device, commonly called a jacket loader.

The system requires several pieces of equipment: A camera, a processor and a jacket loader. Physically, some processors must be located with access to plumbing for hot and cold water and drainage of wastes. In addition, a darkened room is recommended for certain stages of processing.

<sup>1</sup> From "Court Records Management System Functional Design Specifications Document", Court Systems Improvement Project, Albert Flor, Assistant County Clerk and Project Director.

<sup>2</sup> The comparison table does not appear in this appendix.

From a cost standpoint, it is desirable to batch records to assure that a roll of film is exposed to near capacity before processing. Thus, depending upon the capacity of the roll, film segments may not be available for jacket insertion for several days. A 100 foot roll can contain 3,000 images. Present volume estimates of 400 documents filed per day at an average of 3 pages per document indicate that 2½ days can elapse between filing of the document and processing the film. Editing, cutting and insertion of the film into the jacket cannot be done until the film is processed, so three days minimum elapsed time from the filing of a document to that document's image being available for viewing is a reasonable estimate.

Editing, cutting and inserting of microfilm into jackets is a labor intensive task, time consuming and error-prone. The end product, however, is an easily used storage medium which has historically enjoyed easy user acceptance.

Sealing of records can be readily accomplished by placing the jackets in question in a sealed envelope.

Overall, jackets represent a means of storing microfilmed images in a manner which will allow individualized records. These records are also updatable as film and can be added or removed. Finally, dissemination is relatively easy by making either a diazo or vesicular micro-copy, or by creating paper copies.

#### **Computer Assisted Retrieval**

The computer assisted retrieval system is based on the concept of filming documents as they are filed and leaving the images in that order. Thus the images pertaining to a case are randomly dispersed throughout one or more film cartridges which are chronologically ordered. As with microfilm jackets, documents are photographed until a roll of film is at or near capacity. The film is then removed and processed. Creation of two rolls of film at one time is also desirable with this system, to provide for a secure backup.

Once the documents are filmed the location of their images must be made available from an index. Such an index should be organized in such a manner so that a person may go to the entry for a given case and obtain the microfilm address of the document or documents in question. The Court Records Management System, under development, will provide the capability of maintaining an appropriate index. Every document filed in a case generates an entry in the Register of Actions for that case. Space is reserved in the computer data record for the microfilm address of each entry.

In order to enter the address into the system one of two methods must be followed. Either the microfilm camera must imprint a sequential number on each document as it is filmed or the film must be processed and the data source will be the microfilm image displayed on a viewer. Of the two methods, the imprinting of the documents is definitely superior, as data entry can be done immediately following the filming of the documents. To do the data entry from the processed film will cause the updating of the master file to lag several days behind the filming of the documents.

Computer assisted retrieval offers considerably greater accuracy potential than do microfilm jackets. Although there is always the possibility of error, to enter data into a system when the source is a full-sized document seems preferable to seeking an individual microfilm image, cutting that image from the roll, and inserting it into a jacket. The additional work associated with entry of the microfilm address into the data base is small, as every document is to generate an entry into the Register of Actions file anyhow. The addition of up to ten extra key strokes per entry will not significantly affect the workflow.

Three areas of concern must be considered when evaluating Computer Assisted Retrieval. First, each cartridge will hold up to two and one-half days work of documents, meaning that at least 100 cartridges per year will be created at the present workload, and the workload is steadily increasing. To attempt to use more film per cartridge will increase the time delay between filing and the availability of the microfilm images in the system. Since most documents in a case are filed singly throughout the life of a case, each

document in every case will be on a different cartridge except those few documents which are coincidentally filed the same day. Thus, the person who wishes to view more than one document in a case must load a new cartridge for virtually every document to be viewed.

Secondly, the legal clerks know from experience that some questions can be answered from the Register of Actions while others can only be answered by reviewing the documents. Since the index to the location of a document's image is to be contained in the Register of Actions file every inquiry must go through the on-line system, including those which are known in advance to require actual review of the documents. The alternative is to provide a microfilm or printed index.

Thirdly, the sealing of records in a randomly dispersed microfilm file is at best extremely difficult. As this is a common occurrence, the problem is significant. Each image must be individually searched out and removed or destroyed in such a manner as not to have any effect on film quality or index integrity.

In summary, Computer Assisted Retrieval provides a storage medium using current state-of-the-art equipment. The potential for error in locating the images is less than with microfilm jackets, and the task of preparing the images for use is simpler and will require one less person, as the jacket loading step is eliminated. Retrieval of images requires an inquiry into the on-line file, selection of the proper cartridge, and use of an expensive viewer which will automatically advance to the proper frame. Dissemination of information can be done by making paper copies of the images; film copies cannot be made available.

### **Updated Microfiche**

This is an entirely new concept in micrographics. Traditional micrographics utilizes photographic emulsion film. In order to view images exposed onto such film the film must be chemically processed. When the film is developed, any unused film is rendered incapable of receiving images, thus there is no update capability. Updating a microform file has been accomplished by cutting and splicing, re-imaging the entire case with each new document or by using microfilm jackets, all of which are time consuming, labor intensive and error prone. More recently, semi-automated viewers have been developed which allow the development of computer assisted retrieval. Although the cameras and processor are basically the same as have been used for years and are relatively inexpensive, the retrieval devices (viewers) are quite expensive.

The new technology of updatable microfiche has been developed to overcome the finality of chemical development of photographic emulsion film. To expose an image, the source document is placed on the exposure mat of the machine, and the microfiche is inserted into the loading station. With the push of a few buttons the image of the document is exposed and developed. Within seconds the microfiche image is available for viewing, copying, or filing. As further documents are filed in the case, they may be added to the same microfiche with the same ease that the original document was exposed.

Updatable microfiche combine the better features of both microfilm jackets and of computer assisted retrieval. There is no cutting and stuffing as with jackets and yet the images of a case are contained in a unit record for ease of dissemination. Storage, retrieval, dissemination, viewing and sealing are accomplished in the same manner as in the jacket system.

A further analysis of cost comparisons is required. Three cost elements are to be considered: cost of equipment; cost of added personnel; and cost of added data processing transactions.

As pointed out in the preceding comparative analysis, microfilm jackets will certainly require one more person than the other two methods. We have made the assumption that a Clerk II is the appropriate job level for this task. The following cost figure has been arrived at by taking the currently effective pay rate for Step A, adding county benefits at the current rate of 33.24%, adding an anticipated 5% cost of living raise



each year for a three year period and adding 5% merit raises in the second and third years.

The data processing cost for verifying each microfilm address was arrived at by taking the current estimated work load of 400 transactions per day and multiplying that by 250 working days per year to provide the anticipated number of transactions per year. No attempt has been made to estimate the number of inquiries into the data base for the purpose of referencing the film file, nor has any inflation factor been built in to accommodate increasing workloads.

The current data processing billings shows a rate of 13¢ per transaction. This figure declines when the number of transactions increases, so we have used a rate of 10¢ per transactions for our estimate.

The equipment costs are based on the following configurations: All of the equipment necessary to create the film in a viewable form; one copier, and two retrieval stations (viewer/printers). Where possible, exact price quotations have been used, all others are best possible estimates.

	<u>Jacket</u>	<u>C.A.R.</u>	<u>Undatable Fiche</u>
Camera	7,040	13,284	27,500
2 Retrieval Stations	2,000	24,052	2,000
Processor	5,543	5,543	—
Duplicator	2,390	—	2,390
Reader/Filler	1,625	—	—
Viewer/Verifier	—	—	400
Magazine	—	97	—
Load Station	—	—	—
Extra Labor (3 years)	34,194	—	—
Extra D.P.	—	10,000	—
<b>TOTAL (3 years)</b>	<b>52,792</b>	<b>53,976</b>	<b>32,290</b>

#### **Conclusion**

Operationally, updatable microfiche are superior to the other two methods. Ease of use, speed of turnaround time and likelihood of user acceptance contribute heavily to this. When all cost elements are considered, this alternative is less expensive over a three-year period.

There are two manufacturers who have developed updatable microfiche systems. One of them, Microx, has signed a marketing agreement with Bell and Howell, who is not currently marketing the systems. Not only are Microx systems not available, there are no users available from whose experience the systems may be judged. The other manufacturer, A.B. Dick/Scott, has placed a large number of their System 200 products with a large and growing number of users. Several large banks and manufacturing corporations are on their user list, as well as the Department of the Army and the Colorado Springs Police Department.

The technique of updatable microfiche is judged to be superior to the alternatives. Since there is only one manufacturer currently marketing such equipment, we will be attempting to obtain approval for sole-source acquisition of one A.B. Dick/Scott System 200. Other items associated with the system may be obtained via competitive bid.

## **APPENDIX C**

### **THE PROTECTION OF RECORDS IN THE CIRCUIT COURT OF MULTNOMAH COUNTY: EXCERPTS FROM A RECORDS MANAGEMENT STUDY <sup>1</sup>**

Factors which speed recording media deterioration include: (1) acid caused by pollutants in the atmosphere or agents introduced during manufacturing processes; (2) light, primarily from the ultraviolet end of the spectrum; (3) air pollution; (4) vermin; (5) fungi; and (6) heat and moisture. Measures to lessen the impact of these destructive factors include: (1) using permanent/durable papers and inks for creating records having long-term values; (2) storing records in areas which avoid direct sunlight; (3) maintaining a regular cleaning schedule and good housekeeping procedures in storage areas; and (4) maintaining temperature and humidity within acceptable parameters (65° F and 45% RH with fluctuations not exceeding 10° F and 15% RH). Fire, water and people can also damage or destroy records. While the other factors listed cause deterioration over time, these latter three can cause a loss of recorded information at any time and are of immediate concern.

The greatest potential cause for court records loss is fire. The sprinkler system offers some protection from this type disaster but since records in storage do not easily ignite and burn, more potential damage from a fire situation may result from the water or chemicals used to extinguish the fire. A paper fire can become unapproachable and out of control in a maximum of 12-15 minutes from time of ignition if not detected and extinguished—the average time is 5 minutes. To provide better fire prevention/detection, it is suggested:

1. the sprinkler system be set at 250°-286° and the system be programmed to discharge each sprinkler head independently without discharging the whole system for a particular area—the system should be checked for operational readiness regularly;
2. smoke detectors, connected to a central alarm system, be installed in the File Room and storage areas (if not throughout the building);
3. portable fire extinguishers of the water-type, or as recommended in the latest revision of *Manual for Fire Protection for Archives and Records Centers*, Standard #232-AM (National Fire Protection Association, Boston), be placed in the File Room and outside the door for storage areas. NOTE: Water-type portable fire extinguishers should be of the trigger action, stored-pressure or charged-cartridge type. Many archivists prefer a Co<sub>2</sub> portable extinguisher as Co<sub>2</sub> does not harm record material as water does. However, since Co<sub>2</sub> is designed to work on flammable liquids, it will not be effective on a deep-seated paper fire;
4. exhibits be shelved on steel shelving (and in containers where practical) in an orderly manner, i.e., not jammed into every available space—records should also be shelved on steel shelving and stored in an orderly fashion with aisle space remaining clear;
5. exhibit and record storage areas not be used for storage of other materials including supplies;
6. exhibit and record storage areas be checked daily;

<sup>1</sup> From "Records Management in the Circuit Court of the State of Oregon, Fourth Judicial District—Towards a Court Records Management System", by Howard P. Lowell (March 1, 1978).

7. all authorized disposition actions for records and exhibits be taken on a regularly scheduled basis;
8. smoking be prohibited in the File Room and all record and exhibit storage areas, and appropriate signs posted; and
9. all electrical equipment in storage areas be unplugged when not in use, and all electrical equipment in the File Room be unplugged at the end of the work day.

To provide better water damage prevention/detection, it is suggested:

1. floor water sensors, connected to a central alarm, be installed in record and exhibit storage areas; and
2. records and exhibits not be stored at the basement level or in rooms with overhead pipes—if this does not seem possible given space constraints, records should be stored not less than 4 inches above the floor and tops installed on shelving units with no materials stored on these tops.

**APPENDIX D. Controlling the Use of Exhibits in the Denver District Court:  
Exhibit Receipt**

Date \_\_\_\_\_

No. \_\_\_\_\_

Courtroom No. \_\_\_\_\_

**DISTRICT COURT  
SECOND JUDICIAL DISTRICT OF COLORADO**

**EXHIBIT RECEIPT**

\_\_\_\_\_  
vs.  
\_\_\_\_\_

**PLAINTIFF'S EXHIBITS**

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

AA BB CC DD EE FF GG HH II JJ KK LL MM NN OO PP QQ RR SS TT UU VV  
WW XX YY ZZ ..... Transcript \_\_\_\_\_

**DEFENDANT'S EXHIBITS**

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24  
25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46  
47 48 49 50 ..... Transcript \_\_\_\_\_

Date Received \_\_\_\_\_

Date Stored \_\_\_\_\_

Received by \_\_\_\_\_

Storage Location \_\_\_\_\_

Telephone No. \_\_\_\_\_

Stored by \_\_\_\_\_

Date sent to Supreme Ct. \_\_\_\_\_

Date to be destroyed \_\_\_\_\_

Date sent to Appeals Ct. \_\_\_\_\_

Date case disposed of \_\_\_\_\_

Tagged \_\_\_\_\_

Date Notice Cards sent to attorney \_\_\_\_\_

**DESTROY** \_\_\_\_\_



Case No. \_\_\_\_\_

DENVER DISTRICT COURT

\_\_\_\_\_  
Plaintiff,

vs.

\_\_\_\_\_  
Defendant.

## NOTICE

TO ALL ATTORNEYS IN THE ABOVE CASE:

Unless the exhibits in the above case are withdrawn within 30 days they will be destroyed by Order of Court.

CLERK OF THE DISTRICT COURT

Date \_\_\_\_\_

**PLEASE PRESENT THIS NOTICE**  
**WHEN REQUESTING EXHIBITS.**

RECEIVED ☐ Plaintiff's ☐ Defendant's

Date \_\_\_\_\_

Form 95 D/C  
(Rev. 6/73)

☐ Attorney for Plaintiff  
☐ Attorney for Defendant

\_\_\_\_\_  
Attorney at Law

DENVER, COLORADO

802 \_\_\_\_\_

APPENDIX E

Disposing of Exhibits in the Denver District Court: Notice Card

## **APPENDIX F**

### **SETTING POLICY FOR EXHIBIT CONTROL IN THE CIRCUIT COURT OF MULTNOMAH COUNTY, OREGON <sup>1</sup>**

#### **PROPOSED CIRCUIT COURT EXHIBIT CONTROL PROCEDURES**

ORS 7.120 and the current policy of the Supreme Court allow for the following procedures regarding handling and disposition of exhibits:

##### **I. Civil Cases**

- A. The clerks must attempt to obtain a stipulation from the attorneys at the conclusion of the trial on the record that the exhibits may be released at that time.
- B. If the exhibits are not released at the conclusion of a civil trial, all exhibits are to be forwarded to the Circuit Court File Room. Exhibits are to be accompanied by an exhibit receipt form. The exhibits are compared against the receipt form to verify that all exhibits have been filed or otherwise accounted for. The exhibits are stored for the duration of the appeal or the appeal period.
- C. At the conclusion of the appeal or appeal period, a notice will be sent to the attorneys who introduced the exhibits requesting that they obtain a release of those exhibits which they entered within 60 days or they will be otherwise disposed of by the court.
- D. Those exhibits which are not retrieved by the attorneys who introduced them are to be disposed of as discussed below.

##### **II. Criminal Cases**

- A. At the conclusion of a criminal trial, all exhibits are to be forwarded to the Circuit Court File Room. Exhibits are accompanied by an exhibit receipt form. The exhibits are compared against the receipt form to verify that all exhibits have been filed or otherwise accounted for. The exhibits are stored for five years. All money and contraband will be stored in the Circuit Court vault.
- B. At the conclusion of five years, a notice should be sent to the attorneys who introduced the exhibits requesting that they obtain release of those exhibits which they entered within 60 days or they will otherwise be disposed of by the court.
- C. Those exhibits which are not retrieved by the attorneys who introduced them are to be disposed of as discussed below.

##### **III. Domestic Relations**

- A. Domestic Relations exhibits will be processed the same manner as civil exhibits except where the Court may order exceptions.

##### **IV. Disposition of Exhibits**

After the Court Administrator has made an attempt to notify the attorneys regarding exhibits in the Court's possession, and after the attorneys have had an opportunity to obtain the release of any exhibits which they wish to obtain following the final judgment, the Court shall use the following procedures for disposing of all remaining exhibits.

- A. To the extent possible, all exhibits shall be listed by case number (identifying the

<sup>1</sup> For further information, contact Michael D. Hall, Court Administrator, 204 Multnomah County Courthouse, Portland, Oregon 97204.

exhibit number and description), the party who introduced the exhibit, and the date of final judgment.

- B. The list shall be reviewed by the Court Administrator to determine whether any exhibits listed should be disposed of in a manner contrary to the following instructions.
- C. Photographs, diagrams, and miscellaneous paper exhibits shall be destroyed. Physical items of no value will also be destroyed.
- D. Alcoholic Beverages will be destroyed.
- E. Firearms: According to ORS 166.280, all firearms will be turned over to the Sheriff's Department for destruction. A receipt will be obtained from the Sheriff's Department by the Court Administrator.
- F. Illegal Drugs and Narcotics: According to ORS 474.140, all illegal drugs and narcotics will be turned over to the Sheriff's Department for destruction. A receipt will be obtained from the Sheriff's Department by the Court Administrator.
- G. Illegal Contraband: All miscellaneous illegal contraband such as narcotic paraphernalia will be turned over to the Sheriff's Department for destruction. A receipt will be obtained from the Sheriff's Department by the Court Administrator.
- H. Miscellaneous Items of Value: ORS 7.120 and County Ordinance No. 24 provides that all items of value which are not covered by the preceding categories are to be turned over to the County Department of Administrative Services for sale.

**Important Issues**

- 1. Exhibits must be clearly marked with the appropriate case number.
- 2. All exhibits must be turned into and signed for in the Circuit Court File Room.
- 3. All money and contraband exhibits will be stored in the Circuit Court vault.

APPENDIX G

Organization of Case File Papers in the  
Circuit Court of Orange County, Florida

MOTIONS

ORDERS

NOTICES

PETITIONS

APPLICATIONS

SUBPOENA FOR DEPOSITION

ADMITTED EVIDENCE

FINGERPRINT SHEET

VERDICT SLIPS

DEMANDS

LETTERS

INFORMATION (\*)

RECEIPT FOR INFORMATION (\*)

PRAECIPE (\*)

WITNESS SUBPOENA (\*)

OATHS OF INSOLVENCY

CAPIAS (\*)

SEARCH WARRANTS (\*)

PARENT NOTICES

NOTE: TIME STAMP ALL DOCUMENTS WITH THE EXCEPTION OF  
THOSE ABOVE MARKED WITH (\*) ON FRONT OF  
DOCUMENT AND AT TOP IF POSSIBLE. IF DOCUMENT  
IS OF MORE THAN ONE PAGE, TIME STAMP EACH PAGE.

FASTEN BOTH SIDES AT TOP

F L A T F I L E A R R A N G E M E N T

10/29/68



Case File Circulation Control in the  
Detroit Recorder's Court

## FILE REQUEST AND RECEIPT

File No. \_\_\_\_\_ ☐ Ct. File ☐ Pres. File

Def: \_\_\_\_\_

File will be located at: \_\_\_\_\_  
\_\_\_\_\_Purpose: ☐ Calendar conf. ☐ Evid. Hearing  
☐ Motion ☐ Final conf. ☐ Probation Report  
☐ Sentence ☐ Other (explain) \_\_\_\_\_  
\_\_\_\_\_

Next action date: \_\_\_\_\_

Estimated date file will return: \_\_\_\_\_

I ACCEPT RESPONSIBILITY FOR THIS COURT FILE :

Date \_\_\_\_\_ Signature \_\_\_\_\_

# APPENDIX I

## EXCERPT FROM THE FLORIDA RECORDS RETENTION SCHEDULE:

### GENERAL RECORDS SCHEDULE D-T1 (Revised February, 1977)

ITEM NO.	TITLE AND DESCRIPTION OF RECORDS SERIES	AUTHORIZED DISPOSITION
2.	<p><b>MISDEMEANOR CASE FILES (APPEAL CASES FROM LOWER COURTS AND THOSE MISDEMEANORS ARISING OUT OF THE SAME CIRCUMSTANCES AS THOSE GIVING RISE TO A FELONY THAT IS ALSO CHARGED)</b></p> <p>These case files of the Circuit Court are represented by individual folders usually filed in either numeric or chronologic-numeric order. The series contains the defendant's appeal file to this court. It contains original papers, pleadings, and final judgments of the appeal case and all other original papers, pleadings and final judgments of the final contest.</p>	<p>Retain pleadings, orders, motions, verdicts and sentences permanently. Retain all other supporting documents for five (5) years after disposition of case (see definition A, above) and passage of appeal time. Permanent documents should be microfilmed for security and preservation. If this is done, the permanent documents are to be retained in paper form for five (5) years after disposition of case and passage of appeal time, and offered to the Florida State Archives for possible accessioning prior to destruction.</p>
3.	<p><b>JUVENILE CASE FILES</b></p> <p>These records of the Circuit Court consist of juvenile court cases, including all petitions and orders filed, pleadings, certificates, proofs of publication, summons, warrants, other writs, social records consisting of records of investigation and treatment, and other information pertaining to a juvenile case as required by Section 39.12(2), Florida Statutes.</p>	
	<p>a. Case files which do not contain an order permanently depriving a parent of the custody of a child.</p>	<p>a. Destroy ten (10) years after date of last entry to the file, or upon child reaching age 21, whichever occurs first.</p>

b. Case files which contain an order permanently depriving a parent of the custody of a child.

b. Retain permanently. Such permanent files should be microfilmed for security and preservation. The paper documents may be destroyed after complete verification of the microfilm.

## APPENDIX J

### EXCERPT FROM RHODE ISLAND RECORDS MANAGEMENT RETENTION SCHEDULE <sup>1</sup>

#### RECORDS MANAGEMENT RETENTION SCHEDULE

##### Superior Court

###### *Criminal*

Criminal Appeals—Case Folders	Destroy after 10 years
Indictments—Case Folders	Destroy after 50 years (screen)
Card Files	Permanent retention (film)
Index Books	Permanent retention (film)
Docket Books	Permanent retention (film)
Fiscal Records	Destroy 2 years after audit
Stenographic Notes—Criminal Appeals	Indefinite retention
Stenographic Notes—Indictments	Indefinite retention
Exhibits	Destroy following appeal time; retain photo or sample

###### *Civil*

Docket Books	Permanent (possible filming)
Indexes	Permanent (possible filming)
Judgment Books	Permanent (possible filming)
Civil Actions—Case Folders	Destroy after 20 years (except land)
Civil Appeals—Case Folders	Destroy after 20 years (except land)
Exhibits	Destroy or return under Rule
Stenographic Notes	Indefinite retention

###### *Miscellaneous*

Transcripts	
Criminal	Indefinite retention (life of def.)
Civil	Destroy after 20 years
Depositions	
Criminal	Treat as exhibits
Civil	Destroy or return as exhibits
Naturalization	Permanent retention
Archival Material	Special storage

<sup>1</sup> Developed by Robert C. Harrall, Deputy State Courts Administrator, Supreme Court/Providence County Courthouse, Providence, Rhode Island.



## **APPENDIX K**

# **EXCERPTS FROM THE COLORADO RECORDS MANAGEMENT MANUAL: AN OPERATIONAL GUIDE PREPARED BY COLORADO JUDICIAL DEPARTMENT PERSONNEL**

Colorado Judicial Department—Office of the State  
Court Administrator—March 1975

- Table of Contents
- Introduction
- Preface
- General Instructions
- Authority for Destruction or Transfer
- Microfilming Guidelines
- Retention and Disposition Schedule Examples

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<b>Chapter 3</b>	<b>Forms (Reserved)</b>	

## INTRODUCTION

### § 2000

The State Archives and Public Records Act, CRS 1973, §24-80-101 through 112, permits the destruction of court records in accordance with this manual, as amended.

The provisions of this manual have been approved in principle by the Judicial Department, the State Attorney General, the State Auditor, and the State Archivist. However, the statement of policies contained in the instructions and schedules are not to be taken as authority to destroy records. It is intended only to indicate which records the Judicial Department ordinarily will permit to be destroyed and which records will have to be microfilmed prior to destruction. No records may be filmed, destroyed, or transferred without the specific approval of the State Court Administrator or his Records Management Officer. Final authorization forms from the State Archivist are also required.

It is the policy of the State Archivist to accept for storage all microfilmed court records, and all original records created before 1900, space permitting. Clerks are encouraged to examine the records in their custody with the view to securing the transfer to the State Archivist of as many pre-1900 records as possible, giving due consideration to the likely demand for such records in the clerk's office. Prior approval is required from the Office of the State Court Administrator before any transfer.

Attention is invited to the fact that warehousing of records is permitted, in approved facilities, as an alternative to microfilming. The statement of policies which indicates that microfilming is to be required as a prerequisite to destruction is not to be taken as a recommendation that records be microfilmed and destroyed. The expense of microfilming should be avoided wherever secure facilities are available for the preservation of records.

Before a microfilm project is commenced, the clerk must be certain that he has developed a plan which will facilitate retrieval of the records from the film. This ordinarily is possible without the creation of new indexes. Consult the Office of the State Court Administrator.

The instructions refer to records by categories of cases and by name. This approach is necessary because of the wide variance in the labels used through the years.

Although the instructions indicate that the State Court Administrator will consider requests for permission to destroy records of cases relatively soon after termination, clerks are cautioned to review the demand for records of the various categories before making such requests.

## PREFACE

This manual is published by the Office of the State Court Administrator under the direction of the Colorado Supreme Court. It reflects the continuing responsibility to supervise and administer the court system vested in the Chief Justice and the Supreme Court by Article VI of the Colorado Constitution.

The manual initially is a basic working guide for the retention and disposition of court records. At some future date, procedures for records creation and forms standardization will be published.

The primary purpose of the manual is to help court administrators and clerks manage the ever increasing volume of paper and records moving through the court system. This assistance includes provisions for outright destruction of records, microfilming and de-

struction of records, and transfer of records. This office welcomes comments and suggested changes from all department personnel.

The manual provides information in great detail and attempts to explain why certain retention periods were established. The schedules will be reduced in size and content once an initial orientation period has passed.

The Chief Justice expresses his appreciation and acknowledgment to the many judges, administrators and clerks who contributed their ideas and knowledge to this manual. Appreciation is also expressed to Edwin T. Zimny, Jr. of the administrator's office who coordinated and prepared the manual. Special acknowledgment is given to Paul B. Platt, formerly of this office, who prepared the Fiscal, Personnel, Payroll, and Statistical Schedules.

The manual has been coordinated with the State Auditor, the State Archivist, and the Attorney General. Their cooperation and comments have been most helpful.

It should be emphasized that this manual is the first official attempt in Colorado court history to dispose of court records. The manual is not perfect. We solicit the patience and understanding of all court personnel during the testing period, and trust each one will cooperate in resolving problems that may arise.

Harry O. Lawson  
State Court Administrator  
March 17, 1975

## GENERAL INSTRUCTIONS

### §2100

All clerks must complete the following basic elements when requesting the filming, destruction, or transfer of court records.

1. Prepare an accurate list of records by type of record, volume, and date, and submit it to the Office of the State Court Administrator for approval.
2. Receive a microfilm clearance for all film work prior to any destruction.
3. Receive a state archivist clearance, or court administrator letter clearance, prior to any destruction or transfer of records.

In many cases, clearance forms will be mailed in advance, eliminating the need to request prior approval. In such cases, clerks must note on the clearance form the information in paragraph 1 above.

## AUTHORITY FOR DESTRUCTION OR TRANSFER

### §2200

*Request for Authority:* Use a simple letter to request authority to destroy or transfer records. No additional forms will be created for this purpose. See §2400 for two examples of the types of information required.

### §2201

*State Court Administrator Procedure:* Upon receipt of a request for authority to dispose of court records, the State Court Administrator will review the request, and, as to any records proposed to be destroyed, notify the State Archivist, Attorney General, and State Auditor, and, upon final determination, issue the appropriate clearance to the clerk. The clerk shall return the clearance form to the State Archivist when the authorized disposal has been completed.

### §2202

*Methods of Destruction:* Records which have been cleared for destruction may be burned, where permitted, buried, or shredded, or sold and disposed of as waste paper. The Clearance form will indicate the methods allowed.



## MICROFILMING

### §2300

**When Required.** Before submitting a request for authority to destroy court records of which microfilm copies are required to be retained, the microfilming must be completed. See §2401 through §2429 to determine which records are required to be microfilmed. For any records not covered in §2401 through §2429, consult the Office of the State Court Administrator. Microfilming is to be done at the expense of the court with supplemental funds provided by the Office of the State Court Administrator.

### §2301

**Reader-Printer Required.** No record less than 23 years old which has been microfilmed may be destroyed unless the clerk has in his office the equipment which will permit the microfilm images to be read and reproduced in approximately their original size. It is recommended that such equipment be secured before microfilming is started. Records over 23 years old may be destroyed after microfilming provided a reader is available. Copies may be obtained upon request from the State Archivist.

### §2302

**Microfilming Standards.** The following standards and procedures shall be observed in preparing microfilm copies of court records prior to request for authority to destroy.

**§2302.1 Preservation of items not filmed.** All records required to be microfilmed shall be microfilmed unless their size or physical form prevents microfilming, in which case an explanation of their omission shall be microfilmed at the appropriate point in the film. Such items shall be retained by the clerk and the microfilmed explanation shall state that they have been preserved in the clerk's office.

**§2302.2 Omissions.** In microfilming case files created under our existing system, it usually is more economical to film the entire content of the file rather than to select only the important items.

**§2302.3 Expunged Records.** The microfilm copies of expunged court records shall be separated and shall not appear on the same reel of film as records which are not expunged. Examination of filming of expunged records is to be permitted only on court order. The clerk shall supervise such examination and limit it to the case the examination of which the court permits.

**§2302.4 Retrieval.** Microfilm copies will be so arranged and identified that an individual document or series of documents can be located on the film. Requests for authority to destroy records which have been microfilmed shall be accompanied by a description of the reference system established to locate microfilm copies. That system is subject to review by the State Court Administrator. The State Court Administrator will assist clerks in devising such systems on request.

**§2302.5 Film Quality.** The film stock used and its processing techniques shall comply with the minimum standards of quality required by the State Archivist.

**§2302.6 Identification of Film Reels.** Each film reel shall be identified by a title target showing the clerk's office having custody of the records, a brief title of the record series, inclusive dates, and file arrangement, and a reel number target in characters that can be read without magnification.

**§2302.7 Certification.** At the beginning of each reel of microfilm shall appear a certificate worded as follows:

I hereby certify that the microphotographs reproduced on this film are true copies of the original records and were filmed by

(Name of Department or Agency)

in fulfillment of the provisions of *An Act Relating to Public Records Reproduction on Film—Evidence*, Section 24-80-107. CRS 1973 (as amended). The records reproduced on this microfilm were created during the normal course of official business of this agency. The description and

methods of arrangement and dating of the original records have been retained.

Date

Authorizing Officer

Title

**§2202.8 Labels.** Each film carton shall be identified by a label showing reel number, name of office and identification of records filmed.

**§2303**

**State Archives.** Whenever microfilm copies are made one copy shall be retained by the clerk and one copy shall be delivered to the State Archivist.

## RETENTION AND DISPOSITION SCHEDULES (How to Use This Section)

**§2400**

The retention and disposition schedules are listed alphabetically by both subject and type of record. The section numbers pertaining to each record category are located at the top left and lower right of each page. The page numbers are inclusive within each section. The pages are numbered this way and not consecutively because the manual is not totally complete at this time and there is no way to know exactly how many pages will finally result.

The following examples indicate the proper procedure to follow in using this manual. In all cases, clerks should set aside as many record categories as possible for disposition at the same time. This will reduce the paperwork and expenses since all disposition clearances and destruction can be accomplished at the same time.

**Example 1—Destruction and Transfer Only: No Filming Required.**

**Justice of the Peace Records—§2411, p. 1.**

1. Turn to §2411 of the manual.
2. Note that all justice of the peace records may either be destroyed or transferred to the State Archivist.
3. Prepare brief list of the records and the disposition requested, and send this information to the Office of the State Court Administrator, attention: Records Management Officer, 323 State Capitol Building, Denver, Colorado 80203. The inventory completed in 1973 should be helpful here.

**Example:**

First District

Jefferson County

JP Docket Books 294 vols 1901-1965 (destroy)

JP Docket Books 30 vols 1890-1900 (transfer)

4. Await official archives destruction clearance form, or letter from Judicial Department authorizing destruction or transfer.
5. Destroy or transfer in accordance with instructions provided on clearance form.

**Example 2—Microfilming, Followed by Destruction.**

**District Court—Civil Case Files—§2406, p. 1.**

Register of Actions—§2406, p. 3.

1. Turn to §2406 of the manual.
2. Note that civil case files may be filmed and destroyed 23 years after filing date (10 years under certain conditions). Note that the register of actions may be filmed along with the case files, or separately, and then destroyed.
3. Complete the filming requirement. You must obtain a separate film clearance from the State Archivist for all rolls of film submitted. (See following sample). Any unacceptable items must be re-filmed and cleared prior to any destruction.
4. Prepare a brief list of the records filmed and the disposition requested, and send

this information to the Office of the State Court Administrator, attention: Records Management Officer, 323 State Capitol Building, Denver, Colorado 80203. The inventory completed in 1973 should be helpful here.

*Example:*

Civil and Domestic  
Case Files

(Film clearance received)

Fourth District

El Paso District Court

Case #6,400-30,000 1800-1952  
(film and destroy)

5. Await official archives destruction clearance form, or letter from Judicial Department authorizing destruction or transfer.
6. Destroy or transfer in accordance with instructions provided on clearance form.

32402

**BIRTH RECORDS (Delayed Birth Certificates)**

**Record Title**

**Retention Period**

**Authorized Disposition**

**1. Core file**

5 years after

**Transfer: Earliest**

Petition for  
Certificate

certificate issued

through 12-31-1900 to  
custody of State  
Archivist, if any.

Birth

Affidavits of Witnesses

Standard Certificate of

Birth

**2. Delayed Birth  
Certificates**

5 years after

**Transfer: Earliest**

certificate issued

through 12-31-1900 to  
custody of State  
Archivist, if any.

May microfilm and  
destroy all others.

**Comments:**

1. The function of issuing delayed birth certificates was transferred to the Bureau of Vital Statistics of each county on January 1, 1968. See C.R.S. 1963, 66-8-14 and 66-8-20: (Vol. 10, 1967 Supp.) Prior to that time, the delayed birth certificate issued by the court was filed either with the local bureau of vital statistics or the local department of health.

## APPENDIX L

### COSTS AND BENEFITS OF A STATEWIDE RECORDS CENTER <sup>1</sup>

#### BENEFITS OF RECORDS CENTER

1. Provide secure storage space for permanent records to assure their preservation.
2. Provide record center service at low cost per unit and overall cost avoidance to the government of the State of Florida.
3. Reduce office space requirements valued at \$8.21 per cubic foot of records. For a center holding 40,000 cubic feet of records, this amounts to a cost avoidance of over \$300,000 annually for space and equipment, compared with an annual expenditure of \$50,000 to \$75,000 for center operations. The latter figures also include the cost of providing service to the courts and to other governmental agencies.

#### ESTIMATED COSTS IN CONSTRUCTING, EQUIPPING AND OPERATING A RECORDS CENTER

The cost of constructing, equipping and operating a record center at 1975 prices is estimated and summarized below. The cost for one unit of approximately 10,000 square feet of the type now used by the State in Tallahassee will provide about 8,000 square feet of storage space (40,000 cubic feet); 1,000 square feet of archival space with air conditioning and humidity controls (5,000 cubic feet) and 1,000 square feet of office and working area. The building should have a ceiling height to permit storage of records 13- or 14-shelves high with room for necessary heat and air ducts, and sprinkler and smoke detection systems. Major cost items include:

Building construction @ \$25 per square foot (assume land available at no cost)	\$250,000
Shelving units, purchase, shipping and erection costs @ \$1.50 per cubic foot—estimated at 50,400 cubic feet if 14-high shelving is used	75,600
Equipment and furnishings (e.g., ladders, forklifts, shredder, office equipment)	20,000
<b>Total Fixed Capital Outlay</b>	<b>\$345,600</b>
Cost per year (amortized over 20 years)	17,280
Projected operating budget:	
1 Supervisor	12,000
1 Assistant	10,000
1 Clerk Typist	5,000
1 Laborer	5,000
<b>Total Personnel Cost</b>	<b>\$ 32,000</b>
Amortization of building and related items	17,280
Other operating expenses	5,000
<b>GRAND TOTAL</b>	<b>\$ 54,280</b>

<sup>1</sup> From Koenig, Mar and Associates, *Records Management Study: Florida State Court System*. Tallahassee, Florida: Office of States Court Administrator, April 1975, pp. 106-107.



It is assumed the first or second year's cost would be less for each unit until sufficient records were accessioned to require the staff indicated above. After two or three years, it may be necessary to add one or two clerk/record technician/archivist positions at approximately \$11,000 per annum each if the workload increases. It is anticipated that the workload will divide among record center functions as follows:

	<u>Percent</u>
Accession records (bring records into the center, identify them, set up location records and place the records on shelves)	30
Provide reference services as requested, either returning (and later refiling) the documents or case folders or providing information	40
Disposal (remove records and destroy them in accordance with approved schedules and procedures)	15
Storage and maintenance operations	15

**APPENDIX M**  
**COURT RULES MANDATING USE OF**  
**LETTER-SIZE DOCUMENTS**

**SUPREME COURT, STATE OF OREGON**

**RULE 5.01 STYLE OF PLEADINGS (STATE UNIFORM RULE)**

- (1) (a) Definitions: The word "documents" as used in this rule means every paper filed in any type of proceeding in this court.  
(b) The words "printed documents" means those the content of which is wholly or partially printed.  
(c) The words "with legal turn" refer to documents printed on both sides so that when the first side of the printed page is turned, the top of the second side will appear on the reverse side of the bottom of the first side.
- (2) (a) For the period from January 1, 1973, through June 28, 1974, all pleadings and copies thereof shall be typed or printed on either legal or letter cap paper, the pages thereof numbered and the lines on each page numbered.  
(b) Beginning July 1, 1974, and at all times thereafter, all documents (except exhibits and wills) shall be prepared on letter size 8½" x 11" paper with at least a one inch top margin, except that smaller size paper may be used for bench warrants, commitments and documents otherwise designated by the court.
- (3) (a) All pleadings (complaints, petitions, answers, responses and replies) and requested instructions shall be double spaced, prepared on one side only and on paper with numbered lines; provided, formal matters such as verification and proof of service may be on the back side with legal turn.  
(b) All other documents may be single spaced, and the lines thereof need not be numbered. Printed documents may be prepared on both sides with legal turn.
- (4) Copies of pleadings and documents which are to be filed will not be deemed acceptable if there exists less than a 20% background.  
Rev. (4/73)
- (5) Backing sheets, if used, shall be of the same size as the document to which attached, but no heavier than 16 substance, and shall not be folded over at the top.
- (6) The name of each document and the number of the page, except the first page, shall appear on the bottom of each page.
- (7) The name, address and telephone number of the attorney of record (or party appearing in *propria persona*) shall appear on all documents presented for filing.
- (8) The name of the attorney signing any document shall be typed or printed immediately below the signature.
- (9) On all orders prepared for signature, the name of the ordering judge, if known, is to be typed immediately under the signature line prior to presentation for signature.
- (10) In addition to statutory requirements, the caption of each complaint or petition shall set forth the kind or nature of the cause, such as "action at law" or "suit in equity" and indicate the type of action or suit, such as "personal injury", "breach of contract", "specific performance", "reformation of contract", etc. If an answer to an action at law sets forth an equitable defense, the caption shall so state. Every motion or demurrer shall show in the caption the name of the pleading against which it is directed. The court case number shall appear in the caption of every document except a complaint or petition.
- (11) Each separate cause of action or suit, counter-claim, defense or reply shall be stated

separately and each shall be divided into consecutively numbered paragraphs. Each paragraph shall contain a complete and distinct statement.

(Rev. 3/74)

(12) On all undertakings on appeal the type of undertaking must appear in the caption of the document; such as: undertaking of costs, supersedeas bond on appeal, etc.

(Added 12/75)

## STATE OF NEW JERSEY

### RULES OF GENERAL APPLICATION

#### 1:4-9. *Size and Weight of Filed Papers*

Pleadings and other papers filed with any court, except as otherwise provided by R. 2:6-10, shall be prepared on letter size (approximately 8½ x 11 inches) paper of customary weight and quality. Prior to September 1, 1971, however, either legal or letter size papers may be filed.

Note: Source—R.R. 1:27C

### RULES GOVERNING APPELLATE PRACTICE

#### 2:6-10. *Format of Briefs and Other Papers*

All briefs, appendices, petitions, motions, transcripts and other papers may either be printed or reproduced by any other method capable of providing plainly legible copies, such as typed carbon copies, mimeograph, multigraph, multilith, ditto, photocopy or electrostatic copies. Paper shall be of good quality, opaque and unglazed. Coated paper may be used. Where the method of reproduction permits, color of paper shall be India eggshell. Copy may be printed on both sides provided duplicating or text paper of not less than 50 lb. weight is used. If copy is typed, type size shall be pica or larger and double spaced. Papers if printed shall be approximately 6½ inches by 9½ inches and if otherwise reproduced shall be approximately 8½ inches by 11 inches. Margins shall be approximately one inch. The stenographic transcript or other papers on file or in evidence may be reproduced without retyping in which event the page size, but not the margin requirements, shall be observed. Papers should be bound or stapled along the left margin or in the upper lefthand corner. Covers shall conform to R. 2:6-6(b).

Note: Source—R.R. 1:7-10. Amended July 7,

1971 to be effective September 13, 1971.

### COMMENT

The major innovation of the tentative draft rule, the change from legal to letter-size filed papers, is retained by the revised rule, which, however, provides for a two-year transitional period during which either size may be used. The rule also substitutes the requirement of "customary" weight for that of the tentative draft rule which provided that the weight of paper conform to standards prescribed by the Administrative Director of the Courts. It is anticipated (despite some opposition of the bar expressed at the May 1967 Judicial Conference) that the change in paper size, together with the elimination of the traditional backer provided by R. 1:4-1 will result in a secretarial time-saving, in space-saving in law offices and in the facilitated filing and preservation of papers. Presumably, and to achieve uniformity, such legal documents as deeds, mortgages, security instruments and the like will also begin to be printed on letter size paper as well. It is also anticipated that these technical changes will facilitate inexpensive appendix reproduction on appeals and will result in flat filing in clerks' offices, which will facilitate review of files by the trial courts. The tentative draft comment also points out that space lines on typewriters can be adjusted so that a letter size page will have substantially the same number of lines as a legal size page.

## **APPENDIX N**

### **RECORDS MANAGEMENT GOAL SETTING IN THE MULTNOMAH COUNTY CIRCUIT COURT <sup>1</sup>**

The Circuit Court in Multnomah County has recognized the need to streamline and improve its records handling processes thereby contributing both to increased operational effectiveness and efficiency while reducing or avoiding costs steps toward a comprehensive records management system, including:

1. centralizing case files under one control system and utilizing shelf filing equipment for active case file maintenance;
2. establishing a retention and disposition schedule which allows for destruction of inactive records having no continuing or permanent value to the Court or the State;
3. controlling user access to case files thus improving security and decreasing misfiles;
4. color-coding case files by filing year and coding file folders to ease retrieval;
5. promulgating size and format standards for documents submitted for filing;
6. changing from book to card format, computerizing certain indexes and actively microfilming certain registers, indexes and dockets for current use;
7. automating accounting records and criminal records processes with plans to expand SJIS to civil and domestic relations records processes in the near future;
8. making security microfilm copies for certain permanently valuable records and depositing this security copy off-site in a controlled storage environment; and
9. defining records management as a component in the Court's administrative structure, and committing staff resources to function in this area.

<sup>1</sup> From a draft of "Records Management in the Circuit Court of the State of Oregon Fourth Judicial District—Towards A Records Management System", by Howard P. Lowell (March 1, 1978). For the Administrative Office, Circuit Court, Portland, Oregon 97204—Michael D. Hall, Court Administrator.



## APPENDIX O

### CONTINGENCY PLANNING: IMPLEMENTATION ALTERNATIVES FOR RECORDS MANAGEMENT IN CUYAHOGA COUNTY (CLEVELAND, OHIO) COURTS <sup>1</sup>

#### 1.1.2 IMPLEMENTATION ALTERNATIVES

Seven possible alternatives for acting upon the presented records management recommendations were developed. These alternatives were based upon different combinations of the following factors:

- Action to be taken upon the records management recommendations.
- Action to be taken upon the present archival records.
- Storage location of present archival records.
- Storage location of future archival records.

For the purpose of this study, an archival record is defined as any record which is no longer required in the normal office area due to a low volume of inquiries against the record. The determination of how long a record should remain "active" was based upon personal observations and interviews with key employees in the involved agencies. The storage of archival records is of special concern for those records series impacting the Justice Center.

The seven implementation alternatives, summarized by Figure 1.2, were analyzed

**FIGURE 1.2—Implementation Alternatives Summary**

PARAMETER	ALTERNATIVE NUMBER						
	1	2	3	4	5	6	7
1. Implement recommendations for new records.	N	N	N	Y	Y	Y	Y
2. Implement recommendation for present archival records.	N	N	N	Y	Y	N	N
3. Continue present practices.	Y	Y	Y	N	N	N	N
4. Store present archival records in Justice Center (1).	Y	N	N	Y	N	N	Y
5. Store present archival records in current location.	N	Y	Y	N	Y	Y	N
6. Store future archival records in Justice Center.	Y	Y	N	Y	N	N	Y
7. Store future archival records in current storage area.	N	N	Y	N	Y	Y	N

Notes: Y=Yes

N=No

(1)= Common Pleas and Cleveland Municipal and criminal records only.

<sup>1</sup> From: Court Management Project CMP-91, Cuyahoga County, Ohio. Judicial Records Management: An Analysis of Current Practices and Procedures and Suggestions for Improvement, September 30, 1975. By Philip McClelland, Christopher Vasil, and Melvin B. Mixer II.

from both a cost and a square footage requirements point of view. The cost analysis was performed on a cumulative cost basis, and includes the value of the required square footage, annual cost of operating the recommended program, and the cost of disposing of the present archival records in the recommended manner. The square footage cost factors used were based upon the commercial value of the various facilities and are as follows:

- \$13.00 per sq. ft. annually for the Justice Center.
- \$5.00 per sq. ft. annually for other governmental facilities.

Assistance in the development of these square footage cost factors was provided by Prindle, Patrick & Partners, County Justice Center architects, and by the realty firm of Ostendorf-Morris.

Based upon an analysis of the various alternatives, documented in Section 11.0, Implementation Alternative 5 is suggested as being the best possible alternative. In summary, this alternative proposes:

- Implementation, for both active and archival records, of the recommended records management practices.
- Storage of active records only (and of microfilmed archival records) in the Justice Center.
- Storage of all present and future hardcopy archival records in one or more of the present archival storage areas.

This implementation alternative will stabilize the square footage required for the storage of both active and archival records and will result in a significant reduction in the square footage presently being utilized for this purpose. This alternative will also eliminate the need for any additional file cabinets and other filing media, and will create a surplus of file cabinets. Figure 1.3 illustrates the impact of this implementation alternative by record series, by governmental facility, and by unit of government.

From a cumulative cost standpoint, the recommended alternative will be initially more expensive due to the high cost of disposing of the present archival records in the recommended manner. However, the annual operating cost of the program will be minimal once the backlog is eliminated. Over an extended period of time the savings in

FIGURE 1.3—Square Footage Impact of Recommended Approach

RECORD SERIES	1974 SQUARE FEET UTILIZED	RECOMMENDED APPROACH (1978)		
		ACTIVE SQUARE FEET	ARCHIVAL SQUARE FEET	TOTAL SQUARE FEET
Court of Appeals	438	5	20	25
Court Pleas—Domestic Relations	267	27	—0—	27
Common Pleas—Juvenile	1,141	300	234	534
Common Pleas—Civil	2,470	331	301	632
Common Pleas—Criminal	249	21	—0—	21
Cleveland Municipal—Civil	3,547	145	1,295	1,440
Cleveland Municipal—Criminal	1,750	115	410	525
Justice Center—Cleveland	—0—	260	—0—	260
Justice Center—County	—0—	352	—0—	352
Justice Center—Total	—0—	612	—0—	612
Juvenile Court Facility	1,141	300	234	534
Other County Facility	3,424	32	321	353
Other City Facility	5,297	—0—	1,705	1,705
Total—County	4,565	684	535	1,239
Total—City	5,297	260	1,705	1,965
GRAND TOTAL	9,862	944	2,260	3,204

square footage will offset the initial backlog costs. Figure 1.4 summarizes the annual operating costs and the backlog costs by record series, by responsible agency, and by unit of government. These cost estimates include additional personnel, microfilming hardware and microfilm costs. For a detailed breakdown of the required additional personnel and hardware costs, refer to Section 12.0 and Figure 12.11.

Figure 1.5 graphically compares the cumulative costs (square footage, additional personnel, hardware, processing) for the recommended program to those which would result from the present practices being continued and all archival records being moved to the Justice Center (Implementation Alternative 1). As illustrated by this graph, the recommended program will save Cuyahoga County \$346,063 by 1989, with initial cost savings being realized in 1985. For the City of Cleveland, the recommended program will save \$903,194 by 1989 with initial savings being realized in 1978. Refer to Section 11.0 for the detailed cost comparisons for each of the seven implementation alternatives.

### 1.1.3 IMPLEMENTATION PLAN

Section 12.0 provides detailed information on the impact of the recommended implementation alternatives in each of the record series, and a proposed plan for implementing the recommended management program. In addition, this section presents other concepts which should be taken into consideration prior to developing a final implementation plan.

The implementation plan has been divided into nine tasks which should be performed to effectively implement the recommended records management program. These tasks, which are discussed in detail in Section 12.2.1, are as follows:

1. Report Evaluation
2. Program Development
3. Records Commission Coordination
4. Inter-Agency Coordination
5. Detailed Program Development
6. Implementation Preparation
7. Justice Center Preparation

FIGURE 1.4—Estimated Costs of Recommended Program

RECORD SERIES	ANNUAL OPERATING \$ (1)	BACKLOG DISPOSITION \$ (2)
Court of Appeals	-0-	-0-
Common Pleas—Domestic Relations	10,000	45,000
Common Pleas—Juvenile	2,500	53,000
Common Pleas—Civil	1,707	179,296
Common Pleas—Criminal	6,250	32,600
Cleveland Municipal—Civil	2,780	122,260
Cleveland Municipal—Criminal	840	22,260
Cuyahoga County Clerk of Courts	17,957	256,896
Sub-Total		
Common Pleas—Juvenile Division	2,500	53,000
Sub-Total		
Cleveland Municipal Clerk of Courts	3,620	144,520
Sub-Total		
County Sub-Total	20,457	309,896
Cleveland Sub-Total	3,620	144,520
<b>TOTAL</b>	<b>24,077</b>	<b>454,416</b>

Notes: (1) Does not include square footage costs of present personnel costs.

(2) Includes only those costs associated with the microfilming of certain archival records.

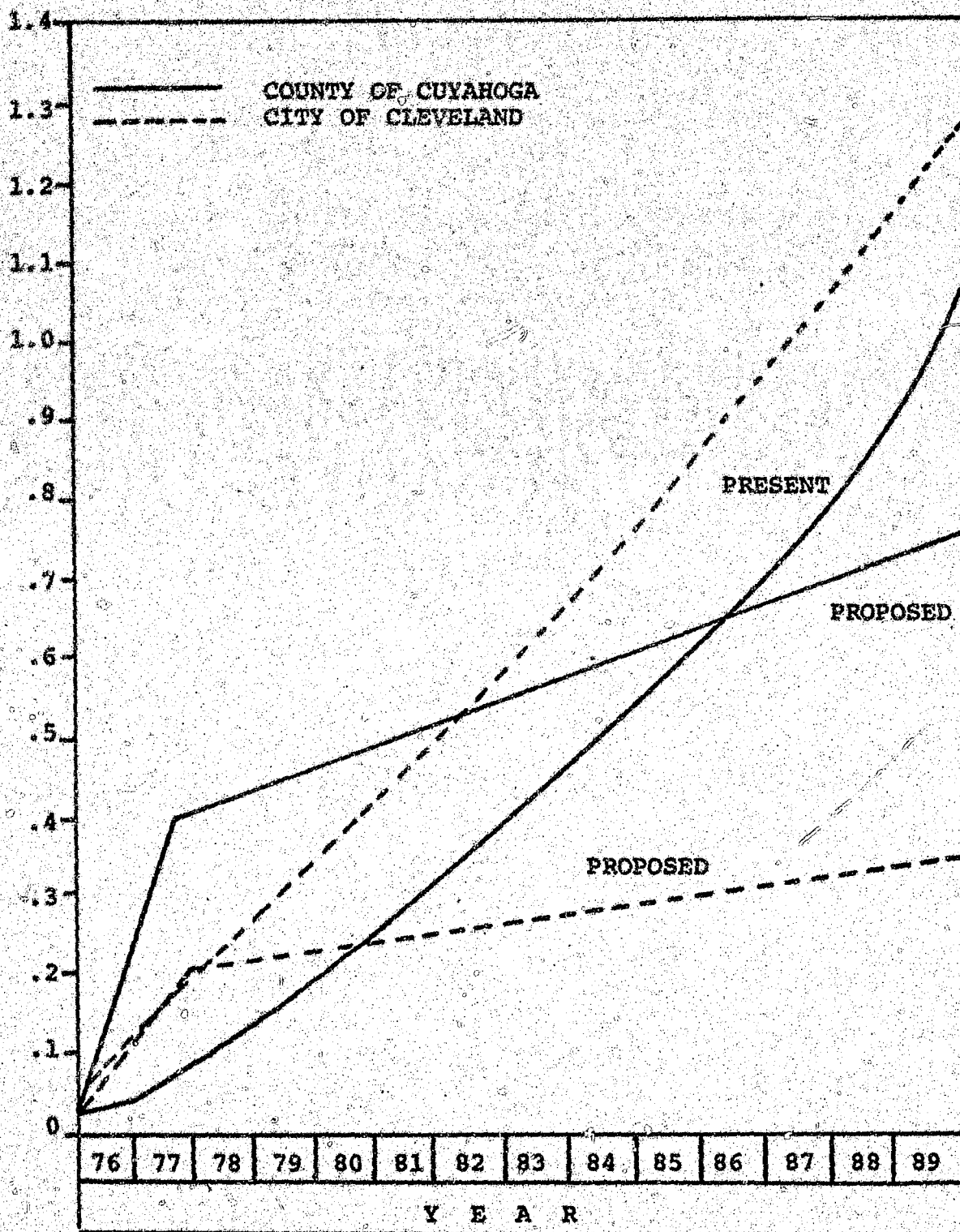


FIGURE 1.5 - PRESENT VS. RECOMMENDED  
PROGRAM COST COMPARISON



#### **8. New Records Operations**

#### **9. Archival Records Operations**

**This plan is based upon the following assumptions:**

- **The recommended records management program will be implemented for new records on January 1, 1976.**
- **The present archival records will be disposed of in the recommended manner over a two-year period beginning on January 1, 1976.**

**Refer to Figure 12.9 for the proposed implementation plan time schedule, and to Figure 12.11 for the detailed human and physical resource estimates.**

**The other concepts to which consideration should be given are:**

- **The establishment of a Judicial Records Center.**
- **The employment of a professional experienced archivist.**

**These concepts, their benefits and their impacts are discussed in Section 12.3.**

# APPENDIX P

## Sample Records Inventory Worksheet

RECORDS INVENTORY WORKSHEET					RECORD SERIES NO.	
1. RECORD SERIES TITLE		2. AGENCY		3. DIVISION		
		4. BUREAU		5. SECTION		
		6. LOCATION				
		7. CONTACT (NAME & TELEPHONE NUMBER)				
8. DESCRIPTION (CONTENTS, PURPOSE, AND USE; INCLUDE FORM TITLES AND NUMBERS IF ANY)						
9. FILE TYPE		10. CUT-OFF		11. HOW FILED		12. AUTHORIZATION FOR SERIES
<input type="checkbox"/> a. Subject <input type="checkbox"/> b. Case <input type="checkbox"/> c. Working Papers <input type="checkbox"/> d. References <input type="checkbox"/> e. Index		<input type="checkbox"/> a. Calendar Year <input type="checkbox"/> b. Fiscal Year <input type="checkbox"/> c. Continuous <input type="checkbox"/> d. Other _____		<input type="checkbox"/> a. Individual (Loose) <input type="checkbox"/> b. In Folders <input type="checkbox"/> c. Bound <input type="checkbox"/> d. Other _____		<input type="checkbox"/> a. Statute <input type="checkbox"/> b. Regulation <input type="checkbox"/> c. Administrative (Check one)
13. ARRANGEMENT		PLACE AN "X" IN THE PROPER COLUMN (If answer is "yes" explain on reverse side.)				
<input type="checkbox"/> a. Alpha by _____ <input type="checkbox"/> b. Numeric by _____ <input type="checkbox"/> c. Chronological by _____ <input type="checkbox"/> d. Other _____		16. ARE THERE COPIES OF THIS RECORD SERIES (OR MAJOR PORTION OF IT) - IN THIS AGENCY?				
		- IN ANOTHER AGENCY?				
		17. DOES THIS RECORD SERIES CONTAIN CLASSIFIED INFORMATION REQUIRING SECURITY HANDLING?				
		18. IS THERE ANY LEGAL REQUIREMENT AFFECTING THE DISPOSAL OF THIS RECORD SERIES?				
14. SIZE		19. DOES THIS RECORD SERIES PROVIDE DATA AS INPUT TO AN EDP FILE?				
<input type="checkbox"/> a. Letter <input type="checkbox"/> b. Legal <input type="checkbox"/> c. Other _____		20. DOES THIS RECORD SERIES CONTAIN DOCUMENTATION PRODUCED AS EDP PRINTOUT?				
15. INCLUSIVE DATES		21. IS THIS RECORD SERIES (OR ANY PART OF IT) EVER REPRODUCED ON MICROFILM?				
From _____ Thru _____		22. DOES THIS RECORD SERIES CONTAIN INFORMATION USED IN THE AUDIT PROCESS?				
23. HOLDINGS		VOLUME - TYPE OF SPACE				24. REF. RATE
TIME PERIOD		Office	"A" Storage	"B" Storage	Tape	
CURRENT YEAR						C T S OTHER _____
LAST YEAR						C T S OTHER _____
PRECEDING YEAR						C T S OTHER _____
ALL PRIOR YEARS						C T S OTHER _____
TOTAL						C T S OTHER _____
26. RECOMMENDED RETENTION PERIOD INCLUDING "VITAL RECORD" VALUE.						27. INVENTORIED BY - DATE

**CONTINUED**

**1 OF 2**

## **APPENDIX Q**

### **PACKING RECORDS FOR STORAGE**

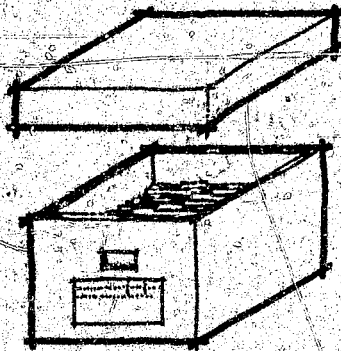
Cardboard containers (see Figure 16) are used to transfer records to a storage area. The carton shown has inside dimensions of 10 inches by 12 inches by 15 inches and holds one cubic foot of either letter or legal-size records. One carton is needed for each cubic foot of files being transferred.

To make future reference easier, the records should be packed without disturbing the existing filing arrangement. The file folders are inserted in an upright position with letter-size folders across the 12-inch dimension facing the front of the container (the narrower 12-inch side of the container is considered the front) or with legal-size folders across the 15-inch dimension, facing the left side of the container. Records with different retention periods should not be placed in the same carton. A sample label for the carton is shown in Figure 16.

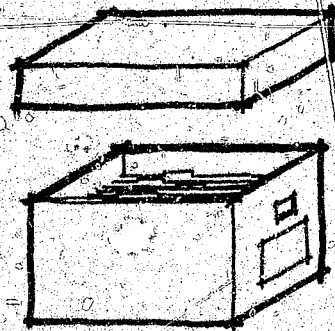


# packing records for transfer

## record storage boxes



letter-size



legal-size

## storage box label

AGENCY: orange county circuit court	ACCT. NO.: 100125	CARTON NO.: 7
SERIES: criminal case files	INCL. DATES: Jan. 1, 1969 to Dec. 31, 1969	FROM-TO 69-C1000- 69-C1100
DESCRIPTION: files are from criminal cases that have been inactive for over five years and have no appeal pending. Included are complaints, motions, judgments, and sentencing orders.		
FILE ARRANGEMENT: numerical		

figure 16

**END**