



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

1982 Valma Avenue
Columbus, Ohio 43205

OHIO HISTORY CONNECTION

DEC 17 2020

STATE AND LOCAL
GOVERNMENT RECORDS

Page 1 of 2

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| P. Use Only | |
| YES | NO |

RECORDS RETENTION SCHEDULE (RC-2) – Part 1

See instructions before completing this form. Must be submitted with PART 2

Section A: Local Government Unit

Greene County Prosecuting Attorney

(local government entity)

Stephen K. Haller Stephen K. Haller Prosecuting Attorney 11/04/20
(signature of responsible official) (name) (title) (date)

Section B: Records Commission

GREENE COUNTY

Records Commission 937-562-6489

(telephone number)

O/O GREENE COUNTY ARCHIVES, 536 LEDBETTER ROAD, XENIA, OHIO 45385
(address) (city) (zip code)

GREENE
(county)

To have this form returned to the Records Commission electronically, include an email address: rheise@co.greene.oh.us

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

Brandi Muddler 12-16-2020
Records Commission Chair Signature Date

Section C: Ohio Historical Society - State Archives

Signature Local Government Records Archivist 12/29/2020
Title Date

Section D: Auditor of State

Signature Date

Please Note: The State Archives retains RC-2 forms permanently. It is strongly recommended that the Records Commission retain a permanent

SCHEDULE OF RECORDS RETENTION AND DISPOSITION

PROSECUTING ATTORNEY –2020

| Schedule Number | Record Title and Description | Retention Period | Media Type |
|-----------------|------------------------------|------------------|------------|
|-----------------|------------------------------|------------------|------------|

ADMINISTRATIVE DIVISION

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| 20-01 | <u>Bank Receipts</u> Record of all bank transactions. | Retain for 3 years after the end of the fiscal year, provided audited. | Paper Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec.117.26 O.R.C |
| 20-02 | <u>Contracts and Lease Agreements</u> Legal agreements with individuals, organizations, or entities to procure goods and/or services (ORC 2305.06). | Retain while active, plus 5 years. | Paper |
| 20-03 | <u>Fund Activity Reports</u> Copies of activity reports created, including the Law Enforcement Trust Fund and Furtherance of Justice Fund. | Retain for 5 years. | Paper and Electronic |
| 20-04 | <u>Personnel Records—Long Term</u> Files include: application form and resume, position descriptions, personnel action forms (Pas) and related documents concerning transfer, internal promotion, emotion, rate change, name change, leave of absence, service credit, etc. | Keep until microfilmed and images are verified. | Paper |
| 20-05 | <u>Personnel Records—Long Term</u> (Same as above) | Retain for 75 years. | Microfilm |
| 20-06 | <u>Personnel Records—Short Term</u> Files include: new hire documentation (acknowledgement and agreement forms, school transcripts, offer letters, etc.), recommendations for hire, training records, change of address forms, emergency contact information, letters of commendation, policy and procedures acknowledgements, performance evaluations/performance action improvement plans, disciplinary documents). | Retain for 2 years after termination of employment. | Paper |

ALL DIVISIONS

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| 20-07 | <u>Unprosecuted Case Files</u> Cases where files were created but the case was never prosecuted. | Retain for 3 years after the case is closed. | Paper and Electronic |
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CIVIL DIVISION

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| 20-08 | <u>Bankruptcy Court Records (Federal District Court)</u> Records related to bankruptcy cases used in collection of debts owed to the county. Entered into IAS system. | Retain for 5 years after the case is closed. | Electronic |
| 20-09 | <u>Civil Case Journal</u> | Retain permanently | Microfilm RC-3 Required |
| 20-10 | <u>Civil/Appellate Case Files</u> | Retain for 6 years after verdict returned or settlement reached. | Electronic |
| 20-11 | <u>Delinquent Tax and Assessment Collection Fund Records (DTAC)</u> Records related to the expenditure and receipt of money from the DTAC fund. Per ORC 149.38. | Retain for 4 years. | Paper |
| 20-12 | <u>Foreclosure Files</u> Documents pertaining to a specific legal process in which a lender attempts to recover the balance of a loan from a borrower who has stopped making payments to the lender by forcing the sale of the asset used as the collateral for the loan. | Retain for 5 years after the case is closed. | Paper |
| 20-13 | <u>Opinion Files</u> Include research files, contract reviews and opinions of county prosecuting attorney for clients, filed by office or department to which directed. | Retain for 6 years (<i>per County Prosecutor</i>). | Paper |
| 20-14 | <u>Petit Jury Records</u> Documents related to the selection of Petit Jurors for court proceedings in which the county is a party to the suit or criminal cases prosecuted for the county. | Retain for 1 year. | Paper |

CRIMINAL DIVISION

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| 20-15 | <u>Criminal/Appellate Felony Case Files</u> -Documents the prosecution of adult felony cases. May include records used in handling appeals. | Retain all homicide and sexual offense* files permanently or until files are preserved on microfilm according to ANSI standards and film verified. *Except, retain <u>Internet</u> sexual offense case files (Tier 1 Offender) for 15 years. Retain case files for all other felony offense categories for 12 years. | Paper Paper Paper |
| 20-16 | <u>Criminal/Appellate Felony Case Files</u> (Same as above) | Retain permanently | Microfilm |
| 20-17 | <u>Criminal Case Journal</u> Case Track | Retain permanently. | Paper and Electronic <i>Electronic information will need to be backed up and migrated as electronic systems change.</i> |
| 20-18 | <u>Criminal Homicide Case Files</u> | Retain permanently | Microfilm RC-3 Required |
| 20-19 | <u>Fugitive Extradition Warrants</u> Records approving the removal of a person from one state to a requesting state for criminal prosecution. | Retain for 15 years. | Paper and/or Electronic |
| 20-20 | <u>Grand Jury Records</u> Documents produced by the Grand Jury in relation to individual cases deliberated. Including reports and witness lists. | Retain for 5 years. | Paper |
| 20-21 | <u>Investigative Files</u> For which no criminal charge is made. | Retain for 3 years. | Paper |
| 20-22 | <u>Sealed Cases</u> Case files for which an order to seal the case has been issued by the court. | Retain until microfilmed and images have been verified. | Paper |
| 20-23 | <u>Sealed Cases</u> (Same as above) | Retain permanently | Microfilm |

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| 20-24 | <u>Sexual Offense Case Files</u> | Retain for 12 years or until files are preserved on microfilm according to ANSI standards and film verified. | Paper |
| 20-25 | <u>Sexual Offense Case Files</u> | Retain for 20 years. | Microfilm |
| 20-26 | <u>State Funds Seized Pending Forfeiture Account</u> All records pertaining to the forfeiture of funds. Includes bank records and forfeiture paperwork from the court. | Retain for 3 years. | Paper |

JUVENILE DIVISION

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| 20-27 | <u>Adult Case Files</u> Case files for adults charged through the Juvenile Court Includes appellate, parental educational neglect, adult misdemeanor, and contributing charges. | Retain until files are preserved on microfilm according to ANSI standards and film verified. | Paper and Electronic |
| 20-28 | <u>Adult Case Files</u> (Same as above) | Retain permanently. | Microfilm |
| 20-29 | <u>Children's Service Files</u> Child abuse, neglect, and dependency cases, including appellate files. Files are also held by Children's Services and the Juvenile Court. | Retain for 25 years, or until files are preserved on microfilm according to ANSI standards and film verified. | Paper & Electronic |
| 20-30 | <u>Children's Service Files</u> (Same as above) | Retain for 25 years. | Microfilm |
| 20-31 | <u>Expunged Records</u> Case files for which a court has issued an expungement order. (ORC 2151.35.5-2151.35.8) | Retain until destruction order has been received. | Paper, Electronic, and Microfilm |
| 20-32 | <u>Juvenile Case Files</u> <u>Case files</u> For juveniles charged with criminal offenses through the Juvenile Court. Includes appellate, delinquency, truancy, unruly, and traffic cases. Files are also held by the Juvenile Court. | Retain for 25 years, or until files are preserved on microfilm according to ANSI standards and film verified. | Paper and Electronic |
| 20-33 | <u>Juvenile Case Files</u> (Same as above) | Retain for 25 years. | Microfilm |

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| 20-34 | <u>Sealed Cases</u> Case files for which an order to seal the case has been issued by the court. | Retain until microfilmed and images have been verified. | Paper |
| 20-35 | <u>Sealed Cases</u> (Same as above) | Retain permanently | Microfilm |

SUPPORT ENFORCEMENT DIVISION

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| 20-36 | <u>Case Files</u> <u>Individual case files.</u> | Retain for 4 years after the case is closed, provided that all arrears are paid and minor children reach the age of emancipation. | Paper |
| 20-37 | <u>Reports-Monthly</u> Monthly bill to agencies. | Retain for 5 years. | Paper |
| 20-38 | <u>Reports-Quarterly</u> Statistical reports including number of motions and documents filed. | Retain for 5 years. | Electronic |

VICTIM WITNESS DIVISION

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| 20-39 | <u>Card Index</u> Filed chronologically by case number—one box per year. | Retain for 50 years. | Paper |
| 20-40 | <u>Case Files</u> Confidential files. Some content is duplicated from the criminal case files, but much is unique to Division services. | Discard unnecessary documents and retain significant materials for 50 years, or, until files are preserved on microfilm according to ANSI standards and film verified. | Paper and Electronic |
| 20-41 | <u>Case Files</u> (Same as above) | Retain microfilm in the County Archives permanently. | Microfilm |
| 20-42 | <u>Case Log – Printout</u> (1982-1996) Printout from the database in chronological and alphabetical order (victims and offenders). | Retain permanently. | Paper |
| 20-43 | <u>Case Log - Database</u> Computerized index of clients. | Retain for 15 years. | Electronic <i>Electronic information will need to be backed up and migrated as electronic systems change.</i> |

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| 20-44 | <u>Demographic Database</u> Computerized compilation of all victim, offender and case data information. | Retain permanently. | Electronic <i>Electronic information will need to be backed up and migrated as electronic systems change.</i> |
| 20-45 | <u>Prosecution Database-Adult</u> Computerized compilation of annual case statistics for all adult felony prosecutions. | Retain 10 years. | Electronic |
| 20-46 | <u>Prosecution Database-Juvenile</u> Computerized compilation of annual case statistics for all juvenile prosecutions. | Retain 10 years. | Electronic |
| 20-47 | <u>SB 160 Mandatory Database</u> Computerized compilation of required victim and offender information for specified Judicial Release candidates. | Retain permanently. | Electronic <i>Electronic information will need to be backed up and migrated as electronic systems change.</i> |
| 20-48 | <u>Grant Records</u> Files documenting the federal and state grants received to fund the division. | Retain for 6 years after termination of the grant, or as directed by the funding agency. | Paper and Electronic |
| 20-49 | <u>Reports-Monthly</u> Statistical/Programmatic | Retain for 5 years. | Paper and Electronic |
| 20-50 | <u>Reports-Annual</u> Statistical/Programmatic | Retain permanently. | Paper and Electronic |
| 20-51 | <u>Victims of Crime Act (VOCA) Victim Files-Violent Crimes</u> Files related to the advocacy and support of the victims of misdemeanor criminal behavior. | Retain until microfilmed and images have been verified. | Paper |
| 20-52 | <u>Victims of Crime Act (VOCA) Victim Files-Violent Crimes</u> (Same as above) | Retain permanently | Microfilm |

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec.117.26 O.R.C