MINNESOTA JUDICIAL BRANCH

110.91 Destruction of Physical Court Files
Court Administration Process

General Record Keeping Processes: Records Destruction

References:

Statutes: See Records Retention Schedule

Court Rules: NA

Other: Records Retention Schedule

INTRODUCTION: Destruction of Physical Court Files is the process to be applied when physical (paper) court files are identified through a manual review process and destroyed pursuant to the Records Retention Schedule.

This process is considered interim. As such, it will be revisited if functionality in MNCIS makes it possible to automatically identify and remove cases from the database (referred to as "Purge" in TCIS). This should be used by all lines of business statewide which destroy physical paper court files.

BACKGROUND:
The Records Retention Schedule created and maintained by State Court Administration compiles all relevant information on the history, authority, and time frames applicable to records destruction. That information will not be reiterated or summarized here.

This process was documented pursuant to the recommendation of the Court Administration Team (CAT) on June 17, 2008.

Staff Actions:

Steps:

1. Inspect the physical court files or review the cases in MNCIS.*

   *Some courts have established other methods for identifying cases that qualify for destruction. Those methods are not included here.

   Note: This step is required in order to determine that the case exceeds the required retention period (as documented in the retention schedule). In addition, the step is necessary to assure that there are no pending actions, such as:
   - No financial balances due
   - No outstanding payment plans
   - No hearings that are without results
   - No active warrants
   - No active cash bonds
   - No unclaimed property
   - No current DL suspension

2. Add the case event "Physical Case File Destroyed Per Retention Schedule" (code: DESTROYED) to each MNCIS case.

   Note: The case event added in this step will appear on the Register of Actions for the case. It also automates two case updates which will alert the court and partner agencies (in MNCIS) and alert the public (in Minnesota Public Access, MPA) as to the file's destruction.
   1. A case flag is added to the MNCIS case which indicates that the file folder no longer exists. The flag is "Physical File Destroyed" and it appears on:
      - "Find a Case" results
      - All case tabs
      - Party record "Cases" tab
   2. A case status of "Closed-Physical File Destroyed" is added to the MNCIS case. The case status appears on:
      - MPA index
      - "Find a Case" results
      - Summary, Details, and Disposition case tabs
      - Party record "Cases" tab

   The "Physical Case File Destroyed Per Retention Schedule" case event is viewable on MPA Register of Actions, MNCIS Register of Actions, MNCIS case 'Events' tab, and recent case events on the MNCIS case 'Summary' tab.

3. Optionally, produce an 'Event Listing' report.

   Note: In the past, courts have depended upon TCIS purge lists, manually typed lists, etc. as the record of cases destroyed.
   Step 3 is optional since the MNCIS case will still exist and the case flag, status, and event will be displayed on every case. A report including a cumulative list of all files destroyed or files destroyed within a certain time frame can be produced at any point it is needed.

Tips:

Group Add Events or List Manager will facilitate adding case events to multiple cases and creating a list of those cases. (MNCIS Online Help topics: Group Add Events and Using List Manager)

Review local practices: Some counties or divisions have applied case events with due dates as a trigger to review the case or destroy the physical record. If such a case review was intended to trigger the records destruction, use the Event Review report to create a list and use this list to add the case event to all cases. The list may then also be used as a workspace from which to navigate to each case to apply a completed date to the case review.

TCIS to MNCIS conversions created lists of files which were not converted. The first efforts applied to physical file destruction should focus on the cases on these lists. Since these cases were not converted, the preceding instructions do not apply. (If these reports were not printed or saved in a locally accessible folder, it may be necessary to contact the county's MNCIS Implementation Site Coordinator to obtain the lists.)