



Minnesota Judicial Branch Policy

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Category:	Access to Records
Title:	Electronic Communications Retention Schedule
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ELECTRONIC COMMUNICATIONS RETENTION SCHEDULE

I. POLICY STATEMENT

This Electronic Communications Retention Schedule establishes retention periods for records held in any electronic communications accounts provided by the Minnesota Judicial Branch and listed in this policy, including (for example) e-mail and Teams messages. This Schedule is part of an ongoing process to responsibly manage electronic communications tools in light of the public's right to access records held by the Judicial Branch, the Judicial Branch's operational needs, and the significant burden of storing and reviewing electronic communications records (including e-mails and Teams messages) in response to public access requests.

Public access to Judicial Branch records (including e-mails and Teams messages) is governed by the Rules of Public Access to Records of the Judicial Branch and Judicial Branch Policies 303; Confidentiality and 318; Code of Ethics. Appropriate and inappropriate use of Judicial Branch electronic communications accounts is governed by Judicial Branch Policy 317; Internet and Electronic Communications.

II. APPLICABILITY

This Schedule is applicable to all electronic communications tools provided by the Minnesota Judicial Branch and listed in this policy. This Schedule applies to any additional electronic communications tools that the Minnesota Judicial Branch begins to provide in the future. This Schedule may be superseded by court orders or litigation holds. This Schedule establishes record retention periods, but does not govern whether information is public or non-public. Whether the public can access a particular piece of information is governed by the Rules of Public Access to Records of the Judicial Branch.

III. PROCEDURES

A. Records within the MJB email system.

1. All messages in Deleted Items folders shall be recoverably deleted through an automatic deletion process that occurs once every 24 hours.
2. Individual messages in Sent Items folders shall be recoverably deleted through an automatic deletion process six months after they are sent.
3. Individual messages in Inbox folders shall be recoverably deleted through an automatic deletion process one year after they are received.
4. Individual messages in all other folders (Drafts, Junk E-mail, etc.) and in Teams Chat shall be recoverably deleted through an automatic deletion process 60 days after they are received.
5. Records of meetings or appointments in calendars for conference rooms or bridge lines shall be recoverably deleted through an automatic deletion process one year after the meeting or appointment date. Records of meetings or appointments in all other calendars shall be recoverably deleted through an automatic deletion process two years after the meeting or appointment date.
6. Subject to the requirements in section III.D. of this policy, account users are free to delete any records in their discretion at any time once they are not needed for their job duties, even if they have not reached their automatic deletion dates.
7. The Information Technology Division shall not establish or activate technology which automatically journals or archives electronic communications described by this Policy.
8. Teams in the Teams application will be automatically deleted after one year of inactivity on the Team.

B. Records in the Online Archive

1. Records that have been moved by an individual to the online archive folders provided by the Minnesota Judicial Branch are not subject to the automatic deletion requirements established in this policy, unless they are deleted in an account user's discretion from the online archive folders.

C. Responsibility to Maintain Backup of Deleted Messages

1. The Information Technology Division shall retain all previously deleted messages on a backup server for 42 days.

D. Responsibility of Users

1. All people who are assigned a Minnesota Judicial Branch email account by the Minnesota Judicial Branch must comply with all related Judicial Branch policies, including without limitation Policy 317; Internet and Electronic Communications. Electronic communications that must be kept as permanent business records (see, e.g., Minn. Stat. § 15.17, subd. 1) should be retained outside of the electronic communications accounts.

IV. IMPLEMENTATION AUTHORITY

Implementation of this policy shall be the responsibility of the State Court Administrator.