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TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 40 – LOCAL GOVERNMENT RECORDS RETENTION SCHEDULES

PART 12 – MUNICIPAL COURT RECORDS (LG12)

12.1 Purpose, Authority, Severability, and Destruction

12.1.1 Purpose

To establish the official retention, maintenance, and disposal requirements for a public record based upon any administrative, legal, fiscal, and/or historical value related to that record created or received by an agency, department, division, board, commission, office, or quasi-public corporation under any branch of State or local government which performs functions relating to government, or acts on behalf of a governmental agency, pursuant to law or relating to the transaction of public business.

12.1.2 Authority

This Regulation is promulgated pursuant to the authority granted in R.I. Gen. Laws Title 38 (“Public Records”), including expressly but without limitation R.I. Gen. Laws §§ 38-3-1 et seq.

12.1.3 Severability

If any provision of these Regulations or the application thereof to any Person or circumstances is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations shall not be affected thereby.

12.1.4 Destruction Review Procedure

Government employees should also consult with their administration to determine if any records eligible for destruction may be involved in current, pending, or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act. (Part 10-2 of this Chapter (Legal Records) and R.I. Gen. Laws Chapter 38-2)

LG12.1 Traffic

LG12.1.1 Universal Summons

Summons issued for moving vehicle violations. Violations may include speeding, expired registration, failure to stop at a stop sign, etc.

LG12.1.1A Paid in Full

Payment of universal summons without court action.

Retention: Retain three (3) years after final disposition.

LG12.1.1B Court Disposition/Closed Case Files

Closed files of universal summons heard by court with all fines paid. File may include original summons, receipt of payment, driving abstract and court disposition.

Retention: Retain three (3) years after final disposition.

LG12.1.1C Clearance for Reinstatement/Blue Forms

Forms indicating satisfaction/payment of universal summons violations which resulted in loss of driver's license. Forms authorize reinstatement of license.

Retention: Retain five (5) years after final disposition.

LG12.1.1D Traffic Tribunal Hearing Closed

Universal summons cases heard initially by municipal court and appealed to Traffic Tribunal. Original file returned from Traffic Tribunal with final disposition.

Retention: Retain five (5) years after final disposition.

LG12.1.1E Universal Summons Copies

Universal summons cases to be heard by Traffic Tribunal only. (R.I. Gen. Laws § 8-8.2-2)

Retention: Retain three (3) years.

LG12.1.2 Transmittal Lists

List of summonses issued for moving violations. Includes summons number, offender's name, officer's number, date, whether paid or hearing required.

Retention: Retain one (1) year.

LG12.1.3 Record and Receipts for Distributed Summons Books

Record of summons books distributed by court clerk and receipts signed by chief administrative officer of municipal police department for books received.

Retention: Retain two (2) years.

LG12.1.4 Summary Sheets

Original summary sheets signed by chief administrative officer of municipal police department and deposited with the clerk of the municipal court. Purpose is to record the use and date of each summons in summons book. Includes the date of issuance of all summons for each book, court complaint number and disposition if known, and accounts for the mutilation or destruction of any summonses. (R.I. Gen. Laws § 31-27-12.3(b))

Retention: Deliver annually during the month of July to the administrative clerk in the Traffic Tribunal.

LG12.2 Local Ordinance

LG12.2.1 Local Ordinance Violations – Zoning, Fire and Health

Summons/tickets issued for local ordinance violations. Does not include minimum housing violations.

LG12.2.1A Warnings

Summons issued for local violations with no fine issued or court action.

Retention: Retain seven (7) years from date of issuance.

LG12.2.1B Paid in Full

Payment of summons with no court action.

Retention: Retain seven (7) years after final disposition.

LG12.2.1C Court Disposition/Closed Case Files

Closed files of local ordinance summons heard by court with all fines paid.

Retention: Retain seven (7) years after final disposition.

LG12.2.2 Other Local Ordinance Violations

Includes animal control and parking violations.

LG12.2.2A Warnings

Summons issued for local ordinance violation with no fine issued or court action.

Retention: Retain three (3) years from date of issuance.

LG12.2.2B Paid in Full

Payment of summons with no court action.

Retention: Retain three (3) years after final disposition.

LG12.2.2C Court Disposition/Closed Case Files

Closed files of local ordinance summons heard by court with all fines paid.

Retention: Retain three (3) years after final disposition.

LG12.2.2D Clearance for Reinstatement/Blue Forms

Forms indicating satisfaction/payment of local ordinance violations (usually parking violations) which resulted in loss of driver's license. Forms authorize reinstatement of license.

Retention: Retain five (5) years after final disposition.

LG12.2.3 Minimum Housing Violations

Summons tickets issued for violations to minimum housing ordinances.

LG12.2.3A Paid in Full

Payment of summons with no court action.

Retention: Retain seven (7) years after final disposition.

LG12.2.3B Court Disposition/Closed Case Files

Closed files of summons heard by court with all fines paid.

Retention: Retain ten (10) years after final disposition.

LG12.2.4 Transmittal Lists

List of summonses issued for local ordinance violations. Includes summons number, offender's name, officer's number, date, whether paid or hearing required.

Retention: Retain one (1) year.

LG12.3 Administration

LG12.3.1 Dockets

List of persons scheduled to appear in court. May include summons number, offender's name, license, and registration number, and usually accompanied by a sign in sheet. May also include supporting records or work product.

Retention: Retain three (3) years.

Note: Dockets should include names of complainant and respondent, license and registration numbers, offense, court date, judgement and disposition. Alternatively, this information should be kept in a separate docket book. In either case, retain as a permanent record to satisfy R.I. Gen. Laws § 42-8.1-17.

LG12.3.2 Video Tapes/Files

Evidence relating to a particular case of non-compliance in violation of town/city ordinance.

Retention: Retain until final disposition of case.

LG12.3.3 Audio Tapes/Files

Audio tapes of court proceedings.

Retention: Retain three (3) years.

LG12.3.4 Cash Drawer Receipts/Deposits

Daily deposits receipts of payments received by the municipal court. May include an individual listing of payments and a breakdown of accounts into which fines/receipts are deposited.

Retention: Retain three (3) years.

LG12.3.5 Warrants Cancelled

Copy of warrants issued and then cancelled by the municipal court. File may include court and police copy of warrant and letter/fax/email to police calling for cancellation of warrant.

Retention: Retain five (5) years.

LG12.3.6 Reports

LG12.3.6A Paid Suspension List

Retention: Retain three (3) years.

LG12.3.6B Suspensions Sent to Traffic Tribunal to be Satisfied

Retention: Retain five (5) years.

LG12.3.6C Ticket Status Report

Retention: Retain one (1) year.

LG12.3.6D Paid Ticket Computer Printout

Retention: Retain until audit plus (1) year.

LG12.3.6E Annual Reports

Retention: Permanent.

LG12.3.7 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms (PRA 003) signed by authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B
(Certificates of Records Destruction).