

Records Retention

2020



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

Duty to Preserve Records

- For the register of deeds, record keeping is one of the central duties and purposes of the office.
- Federal and state laws and regulations require county officials to keep certain records.
- State law requires:
 - Safely keep all official records
 - Safely turn over to your successor all official records



Reasons for Records Management

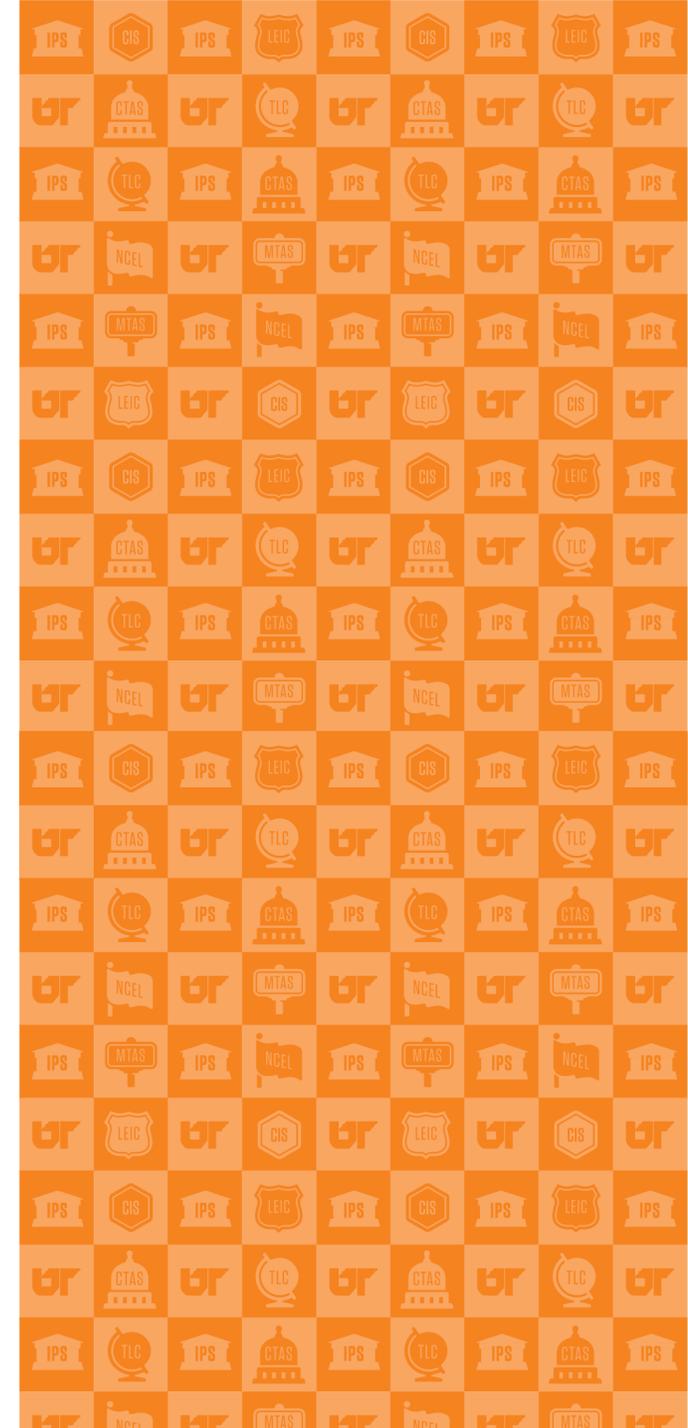
- Needed space
- Serve as a legal foundation
- Open records requirements
- Historical preservation of documents



Disposal of Public Records



County Technical Assistance Service
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Disposing Records: Checks and Balances



Official who has custody of the record



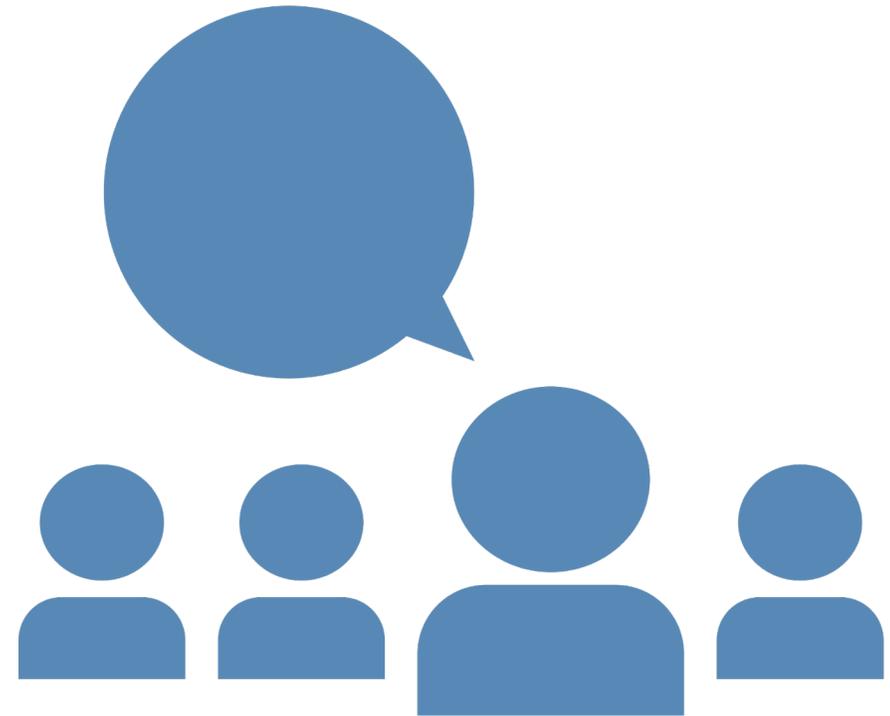
County public records commission



Tennessee State Library and Archives

County Public Records Commission

- 3 members appointed by the county mayor
 - County commissioner
 - Judge of a court of record
 - Genealogist.
- 3 ex officio members
 - County clerk
 - Register of deeds
 - County historian
- County archivist
- IT director



County Public Records Commission Authority

- **Oversee preservation and authorize destruction of all public records under their jurisdiction provided by law**
 - All documents, papers, records, books, and books of account in all county offices
 - Pleadings, documents, and other papers filed with clerks of courts including courts of record
 - The minutes and records of the county legislative body



County Public Records Commission Authority

- Oversight over disposal and final disposition of records
 - Ensure no county records are destroyed prematurely
 - Ensure original records have been successfully reproduced into other storage prior to destruction
 - Authorization to destroy
 - Temporary records and working papers
 - Original paper records
- Authorizing transfer of records
 - Transferring records with historical significance into the custody a local or regional public library, a local, regional or state college library, or the county archives.
- Promulgate rules and regulations including lamination and establishing copy charges related to the county archives.



First Step in Disposal Process

- Identify and classify the record.
- Three classes of records:
 - Working papers;
 - Temporary records; and
 - Permanent records.
- CTAS' e-Library (e-Li) contains retention schedules describing many major types of records maintained in county offices and recommends a time period that each record be kept.



Working Papers

- Working papers are records created to serve as input for final reporting documents, and those records which become obsolete immediately after agency use or publication.
- May be destroyed in accordance with the rules and regulations adopted by the public records commission.
- These rules and regulations should be liberal, allowing county officials to eliminate these records as easily as possible.



Temporary Records

- If a record needs to be kept around for some reason after its initial use, then it is at least a temporary record.
- Once retained for its useful term, then it may be destroyed.
- The rules of the records commission should require the official wishing to destroy temporary records to notify the commission of the kind of record to be destroyed and the basis for its destruction.



Continuing Authorization

- Record commissions can provide “continuing authorization” to destroy temporary records.
- When possible, it is recommended officials request continuing authorization.
- Once granted, officials only need to notify the commission when records are being destroyed in compliance with the schedule, identifying the type, age and quantity of the records.



Permanent Records

- Records required by law or their importance to be kept permanently.
- If you can safely and successfully convert paper records into another permanent media that is easier to store, the original paper version of the records can be destroyed.
- No original permanent public record may be destroyed unless a majority of the records commission agrees.
- Must give 90-days notice to the State Library and Archives prior to destruction.
- Additionally, prior to the destruction of any records reproduced onto electronic storage media, the records commission is required to provide public notice of the destruction in a newspaper of general circulation.



Classes of Records – Register of Deeds Examples

Working Papers

- Meeting notes
- Rough drafts of reports
- Daily balance sheet

Temporary Records

- Greenbelt certifications
- Reports to CLB
- State transfer and mortgage taxes to DOR
- Hiring records

Permanent Records

- Notebook
- Bill of Sale
- Contracts
- Deeds of Trust
- Index of UCC Instruments

Methods of Destruction

- For many working papers and some temporary records of an office, tossing them in the trash or recycling bin is appropriate.
- If there is a possibility that confidential information is included in the records, they must be disposed of in a manner that obliterates this information, such as shredding.



Alternatives to Destruction

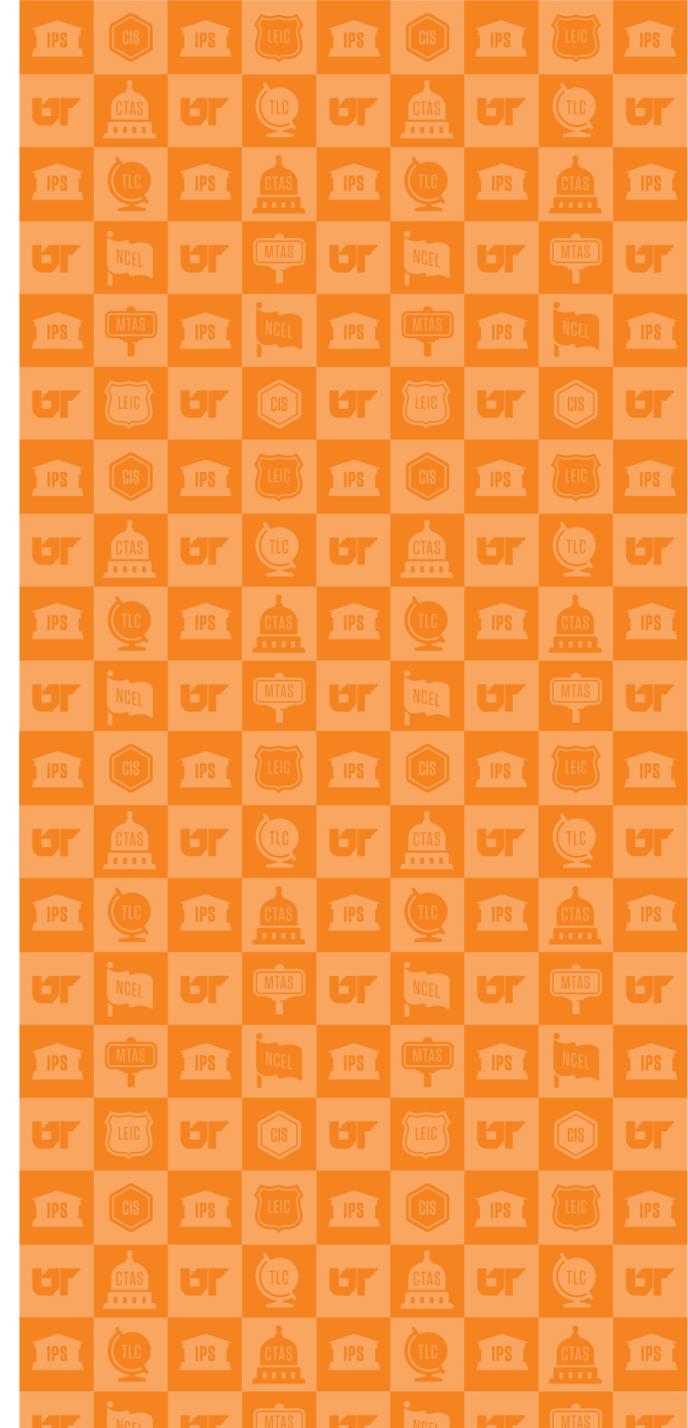


- The records may be transferred to a local or regional public library, a local, regional or state college library, or a county or regional historical society, to be preserved for historical purposes.
- Additionally, a county may establish its own archives or enter into an interlocal agreement with other local governments for the creation of a regional archives.

Alternative Storage Formats for Public Records



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Microfilming

- Trusted process over 150 years old
- Advantages:
 - Space savings (98% reduction in storage space over paper records)
 - Archival quality (suitable for long term retention)
- Disadvantages:
 - Expensive
 - Labor intensive
 - Requires expertise



Microfilm and the TSLA



- The TSLA may be able to provide some level of microfilming services.
- TSLA is an excellent source of objective advice about microfilming if you have any questions.

Electronic Storage

- Computers are being used both as a format for creating and maintaining records originally as well as for reproducing existing paper records onto other electronic storage media.
- Issues:
 - Security
 - Access
 - Preservation



Electronic Records Standards

- Records may be maintained in an electronic format under TCA 10-7-121 if the following standards are met:

The information must be available for public inspection, unless confidential;

The record must be retained for the entire retention period;

All data must be copied to storage media daily and back-ups that are more than one week old must be stored off-site; and

Official must be able to provide a paper copy upon request.

Electronic Records: Advantages & Disadvantages

Advantages

- Incredible reduction of storage space
- Speed of access and retrievability

Disadvantages

- Fragile
- Storage and operating systems change frequently

TSLA states that it does not consider any existing format for electronic records to be of permanent archival quality.

Dual Systems

- Many officials are, through scanning or imaging, creating electronic duplicates of the record which are primarily used by the office during the active life of the record.
- The paper version serves as a security copy which can be stored off-site.



Records Management Do's and Don'ts

Do

- Respect the right of the public to access records.
- Make sure you have proper back-ups and duplicates of any records kept in electronic format.
- Plan for ways to preserve records that must be “permanently” retained.

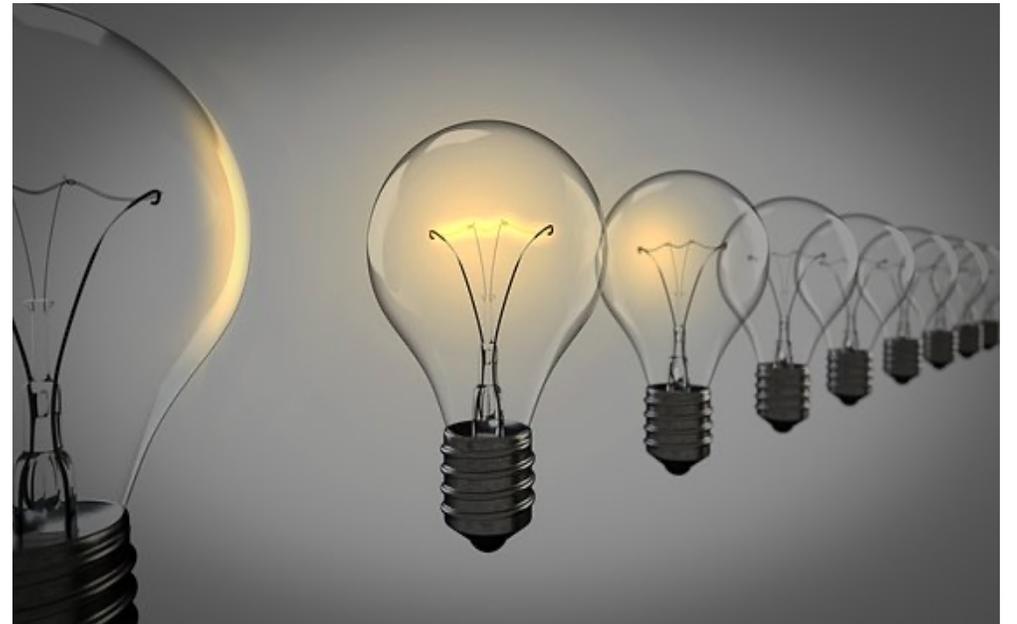
Don't

- Don't destroy county records without proper authorization to do so (i.e., get permission from the Public Records Commission).



Additional Sources of Assistance

- The Tennessee State Library and Archives
- Local Historical and Genealogical Societies
- Private firms and contractors





Records Retention in e-Li

<http://eli.ctas.tennessee.edu>

Records Management

Retention Schedules

E-LI TRAINING DIRECTORY REFERENCE MATERIALS LINKS OF INTEREST

- Accounting/Budget/Finance ▶
- County Offices ▶
- County Operations ▶
- Elections ▶
- Open Government ▶
- Personnel/HR ▶
- Public Safety ▶
- Purchasing ▶
- Records Management** ▶
- Revenue ▶
- Structure of County Government ▶

- [Contact Us](#)
- [InfoBytes](#)
- [Office Specific Manuals](#)
- [e-Li Help](#)

Ask e-Li

Search Terms or reference number

[Search eLi](#)

The CTAS e-Library, or e-Li, contains information of interest to Tennessee organized by topic. General topics are listed on the left navigation bar over a topic in the left navigation bar. You can find specific information located above. Enter search terms or reference number. Under the le

- Reasons for Records Management
- Legal Issues ▶
- County Public Records Commission ▶
- Public Access to Records ▶
- Student Records ▶
- Basic Records Management ▶
- Disposal of Records ▶
- Alternative Storage Formats ▶
- Proper Storage Conditions ▶
- Disaster Preparedness ▶
- Retention Schedules ▶

of information in e-Li. There is also a link to the link provides information on navigating e-Li and

comments or ask us questions about e-Li.

County Technical Assistance Service (CTAS)

Office of Open Records Counsel

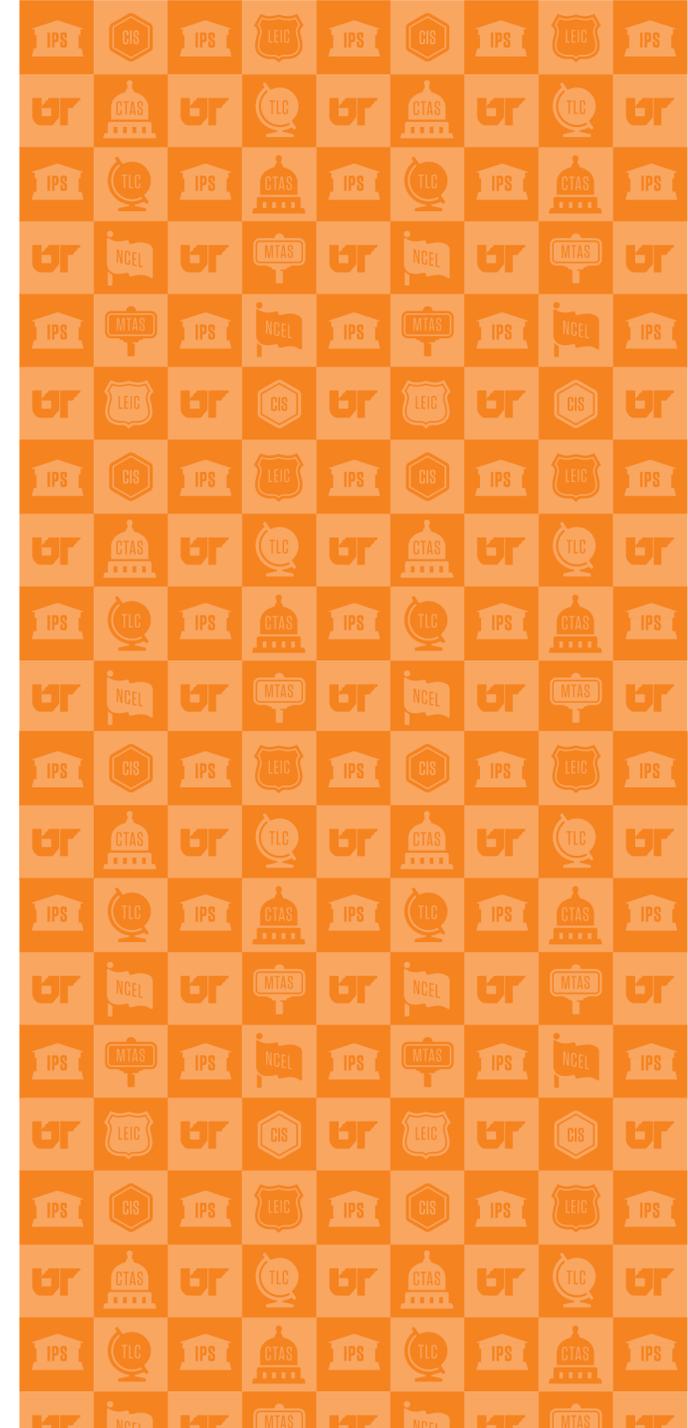
- OORC provides assistance to county officials and citizens with specific open records requests.
- <https://www.comptroller.tn.gov/openrecords/>
- Phone: (615) 401-7891
- Fax: (615) 741-1551
- Email: open.records@cot.tn.gov
- OORC provides advisory opinions, training, forms and best practice guidelines for record custodians.



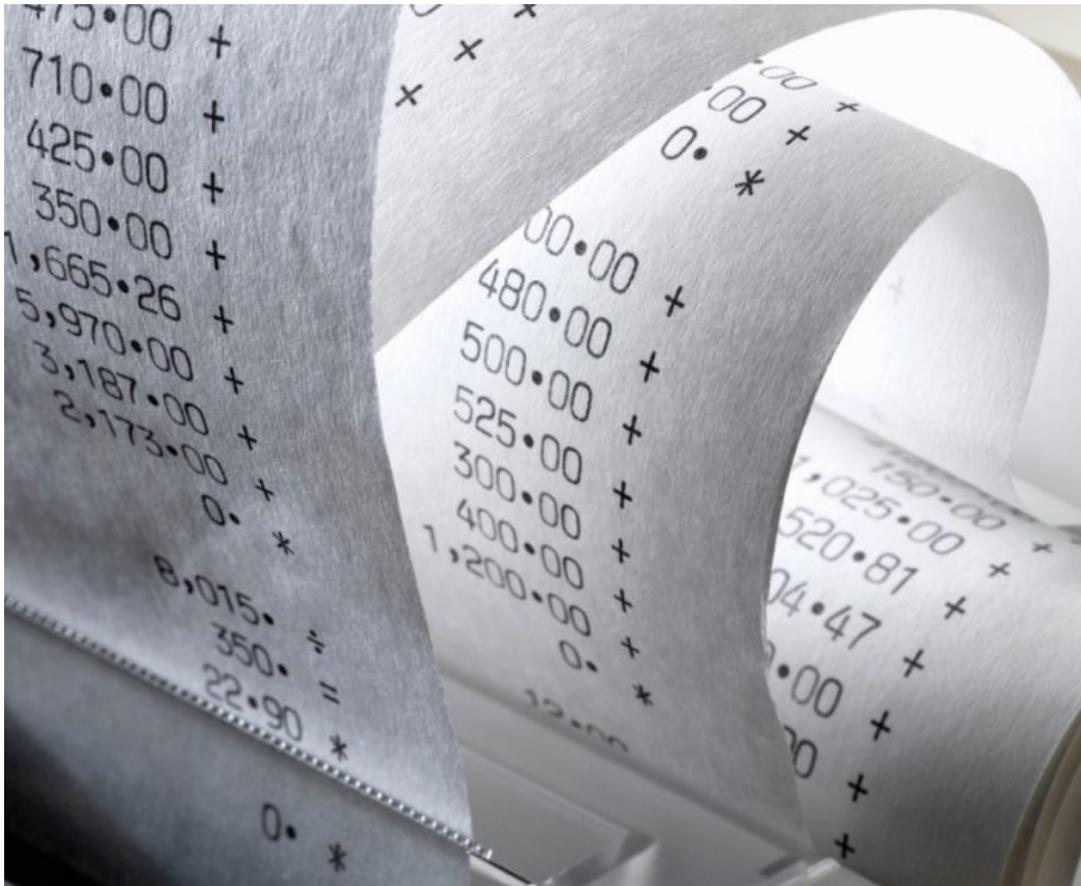
Examples



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Working Papers



- Daily cash journal
- Daily balance sheet
- Adding machine tapes
- Cash Journal Summary Report

Temporary Records

- Created Daily
 - Checking Deposit/Deposit Ticket
 - Receipts
 - Cash Drawer Report
 - Credit Card Transaction Report
 - Collection Report
 - Delivery Method Report
 - Mail Log
 - Cash Journal Summary Report
 - Regular Notebook

Weakley County Cash Drawer Report

For All Users:1/17/2020

BATCH NUM	PAYMENT TYPE	AMOUNT

76606	CHECK	82.00
76609	CHECK	12.00
76610	CHECK	12.00
76611	CHECK	17.00
76614	CHECK	12.00
76615	CREDIT CARD	12.00
76617	CASH	15.00
76619	CHECK	2459.95
76622	CHECK	225.40
	Cash Total:	15.00
	Check Total:	2820.35
	Subtotal:	2835.35
	Credit Card Total:	12.00
	Subtotal:	12.00
	Grand Total:	2847.35

76600	CASH	12.00
76601	CHECK	12.00
76602	CHECK	17.00
76603	CHECK	17.00
76604	CHECK	12.00
76605	CHECK	271.48
76605	CHECK	5.00
76607	CHECK	12.00
76608	CHECK	63.70
76612	CHECK	12.00
76613	CHECK	12.00
76616	CASH	23.55
76618	CHECK	448.74
76620	CHECK	853.51
76621	CHECK	12.00
	Cash Total:	35.55
	Check Total:	1748.43
	Subtotal:	1783.98
	Grand Total:	1783.98
	Overall Totals	
	Cash Total:	50.55
	Check Total:	4568.78
	Subtotal:	4619.33
	Credit Card Total:	12.00
	Subtotal:	12.00
	Grand Total:	4631.33



Temporary Records

- Created Monthly
 - Credit Card Transaction Report
 - Cash Journal Summary
 - Collection Register (Summary of monthly business)
 - Financial Report
 - Monthly Receipt Register
 - Check Reconciliation

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Cash Journal
1/ 1/2020 thru 1/31/2020

Page: 1

Date	Description	Accounts Receivable		Cash		Bank		Mortgage Tax		Transfer Tax		EDP Fee		Fees & Commission		Copies		Overage / Underage		Refunds		
		DR	CR	DR	CR	DR	CR	DR	CR	DR	CR	DR	CR	DR	CR	DR	CR	DR	CR	DR	CR	
	Beginning Balance as of 1/1/2020			50.00											50.00							
02	RECEIPTS 172352-172361			2250.12		2250.12			620.08	1043.03				38.00								.01
	DAILY DEPOSIT			2250.12		2250.12																
	RECEIPTS 172362-172367			141.20		141.20			20.70	18.50				12.00	90.00							
	DAILY DEPOSIT			141.20		141.20																
06	RECEIPTS 172368-172380			579.30		579.30				368.30				26.00	187.00							
	DAILY DEPOSIT			579.30		579.30																
07	RECEIPTS 172381-172383			416.53		416.53			314.53					6.00	98.00							
	DAILY DEPOSIT			416.53		416.53																
08	RECEIPTS 172384-172389			1109.23		1109.23			198.38	704.85				12.00	194.00							
	DAILY DEPOSIT			1109.23		1109.23																
09	RECEIPTS 172390-172400			5771.07		5771.07			39.02	5398.30				28.00	294.00							11.75
	DAILY DEPOSIT			5771.07		5771.07																
10	RECEIPTS 172401-172417			488.88		488.88			30.73	146.15				34.00	288.00							19.00
	DAILY DEPOSIT			488.88		488.88																
13	RECEIPTS 172418-172430			2727.86		2727.86			170.74	2246.12				30.00	276.00							6.00
	DAILY DEPOSIT			2727.86		2727.86																
14	RECEIPTS 172431-172440			844.65		844.65			304.25	44.40				38.00	458.00							
	DAILY DEPOSIT			844.65		844.65																
15	RECEIPTS 172441-172446			829.28		829.28			172.15	351.13				20.00	293.00							6.00
	DAILY DEPOSIT			829.28		829.28																
16	RECEIPTS 172447-172452			306.07		306.07			136.06					14.00	157.00							.01
	DAILY DEPOSIT			306.07		306.07																
17	RECEIPTS 172453-172459			818.27		818.27			65.37	508.90				28.00	218.00							
	DAILY DEPOSIT			818.27		818.27																
	RECEIPTS 172460-172469			940.26		940.26				702.26				38.00	212.00							
	DAILY DEPOSIT			940.26		940.26																
21	RECEIPTS 172470-172475			1793.64		1793.64			403.88	1157.36				14.00	219.00							10
	DAILY DEPOSIT			1793.64		1793.64																
22	RECEIPTS 172476-172483			1535.26		1535.26			45.58	1287.60				18.00	179.00							5.08
	DAILY DEPOSIT			1535.26		1535.26																
24	RECEIPTS 172484-172495			132.00		132.00								22.00	110.00							
	DAILY DEPOSIT			132.00		132.00																
27	RECEIPTS 172496-172510			2588.01		2588.01			453.37	1727.23				34.00	348.00							5.01
	DAILY DEPOSIT			2588.01		2588.01																
28	RECEIPTS 172511-172519			1772.23		1772.23			183.55	1292.51				28.00	268.00							.17
	DAILY DEPOSIT			1772.23		1772.23																
29	RECEIPTS 172520-172531			829.82		829.82			81.85	444.97				24.00	279.00							
	DAILY DEPOSIT			829.82		829.82																
30	RECEIPTS 172532-172539			4498.41		4498.41			952.22	3129.19				28.00	376.00							5.00
	DAILY DEPOSIT			4498.41		4498.41																
31	EDM TENN DEPT OF REVENUE CK# 822			725.71		725.71			24387.57	4314.30				20073.27								
	DAILY DEPOSIT			725.71		725.71																
31	EDM COUNTY TRUSTEE CK# 823							6722.77	108.09	493.61				522.00	5544.14							30.75
	DAILY DEPOSIT																					
	Totals	0.00	0.00	31128.20	31078.20	31110.34	31110.34	4420.39	4420.39	20566.88	20566.88	522.00	522.00	5544.14	5594.14	30.75	30.75	26.28	26.28	0.00	0.00	
	Ending Balance as of 1/31/2020			50.00											50.00							

Retention Schedules

Record Name	Retention Reference Number	Description	Retention Period
Check Reconciliations, Bank statements, deposit slips,	15-003, 15-004, 15-005, 15-010, 15-012	Bank Deposit Books, Slips, Statements, Canceled Checks, Check Books (duplicates)	5 years, then destroy
Receipts, receipt listings (credit card transaction reports, collection registers, daily receipt register, monthly receipt register)	15-028	Receipts and Receipt Books	5 years after last receipt issued
Cash Journal, Financial report	15-011	Cash books and cash journals	10 years, then destroy
	15-018	General Ledger	Permanent record



**RECORDS DISPOSITION AUTHORIZATION
FOR COUNTY GOVERNMENT RECORDS***

County: _____
Office or Agency: _____ Phone: _____
Address: _____
Agency Head/Officeholder: _____
Signature: _____ Date: _____

Action Requested:

- Continuing Records Disposition Authority (Records Disposition Schedule) ¹
- One-Time Records Disposition Authority ²
- Revision of/Exception to Existing Records Disposition Authority³
- _____
- Other Disposition (explain in attached memorandum) ⁴

Title/Description of Records:⁵ _____
CTAS Code:⁶ _____
Date Span of Records (e.g. 1988-1998): _____
Volume of Material (e.g. 25 cubic feet, 3 banker's boxes, 1 Hollinger box): _____

Proposed Disposition: ⁷

- Retain ____ months/years, then destroy.
- Retain ____ months/years, then film and destroy paper copy (or erase from computer record).
- Retain ____ months/years, then transfer to archives.

Approved Not Approved

Chairperson, Public Records Commission Date

*For the disposition of additional records, please use the supplemental form provided.

Records Disposition Authorization



SUPPLEMENTAL REQUESTS FOR ADDITIONAL RECORDS DISPOSITIONS

(Page ____ of ____)

Action Requested:

- Continuing Records Disposition Authority (Records Disposition Schedule)
- One-Time Records Disposition Authority
- Revision of/Exception to Existing Records Disposition Authority

Other Disposition (explain in attached memorandum)

Title/Description of Records: _____

CTAS Code: _____

Proposed Disposition:

- Retain _____ months/years, then destroy.
- Retain _____ months/years, then microfilm and destroy original.
- Retain _____ months/years, then transfer to archives.

Action Requested:

- Continuing Records Disposition Authority (Records Disposition Schedule)
- One-Time Records Disposition Authority
- Revision of/Exception to Existing Records Disposition Authority

Other Disposition (explain in attached memorandum)

Title/Description of Records: _____

CTAS Code: _____

Proposed Disposition:

- Retain _____ months/years, then destroy.
- Retain _____ months/years, then microfilm and destroy original.
- Retain _____ months/years, then transfer to archives.

Action Requested:

- Continuing Records Disposition Authority (Records Disposition Schedule)
- One-Time Records Disposition Authority
- Revision of/Exception to Existing Records Disposition Authority

Other Disposition (explain in attached memorandum)

Title/Description of Records: _____

CTAS Code: _____

Proposed Disposition:

- Retain _____ months/years, then destroy.
- Retain _____ months/years, then microfilm and destroy original.
- Retain _____ months/years, then transfer to archives.

Records Disposition Authorization





Please use the following instructions to correctly fill out the RDA form.

1 A Continuing RDA is used for a type of record(s) that an office continually creates and, thus will continually need to destroy. Once a Continuing RDA has been approved, this record type can be destroyed after its retention period without having to submit another request.

2 This is a one-time request for records that an office does not typically or continually create. If an office wants to destroy the same type of records at a later date, another request must be submitted.

3 This option allows for a change to an existing RDA that an office has submitted, due to legal or historical or other reason. Be sure to include an explanation for the change.

4 Use this option in circumstances where an office needs to destroy a record sooner than CTAS prescribes or that no CTAS disposition is provided at all and the office would like to create one. Be sure to include an explanation of your actions.

5 Please write the name or a brief description of the type of record you are requesting action on (e.g. warrants, ballots).

6 Use the five-digit CTAS code that corresponds with the record type listed in the *Records Management for County Government* manual.

7 This information can be found in the CTAS manual next to the five-digit code and description of record, telling how long an office should keep the record (based on the legal retention schedule) and what an office will do with the record after that period has expired.

For any questions concerning this form or the procedures for using this form, please contact Dr. Wayne C. Moore,
Assistant State Archivist
Tennessee State Library and Archives
(615) 253-3458
Wayne.Moore@state.tn.us

Records Disposition Authorization



County Technical Assistance Service
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Audit Log Retention

- Audit Logs are not found in the retention schedule
 - Retention schedule determined by TN Office of Comptroller Division of Audit
- Examples
 - Change/Void Reports (Modification report) – Keep current year plus year being audited.
 - During audit period you will have current year plus previous two years
 - Once audit is completed, destroy oldest year
 - Backup Reports – Keep current year plus year being audited.
 - Once audit is completed, destroy previous year.
 - Delivery Method Report/Mail Log
 - Once audit is completed, destroy previous year.



Uniform Commercial Code Instruments

- Index for U.C.C. Instruments – Permanent Record (11-044)
- UCC Instruments - If no termination is filed, retain for three years after maturity date of financing statement or continuation statement, whichever is later. If you have a microfilm of the financing state and a termination is filed, destroy other records upon receipt of termination statement; without microfilm, keep one year, then destroy. (11-043)



Other Records to Consider

- Purchase orders – May destroy after completion of audit (finance office is office of record)
- Invoices – May destroy after completion of audit (finance office is office of record)
- Federal Lien Book – Permanent record (IRS related)

My Company Ltd. **INVOICE** No: INV001
My Company Logo

Date	2010-01-01
Your Order No.	1234

Invoice To:
My Customer Name
1 Customeraddress Street
Customercity
AB1 2CD
UK

Item	Description	Qty	Each	Total
1.	Part No. 1	1	100.00	100.00
2.	Part No. 2	2	200.00	400.00
3.	Part No. 3	3	300.00	900.00

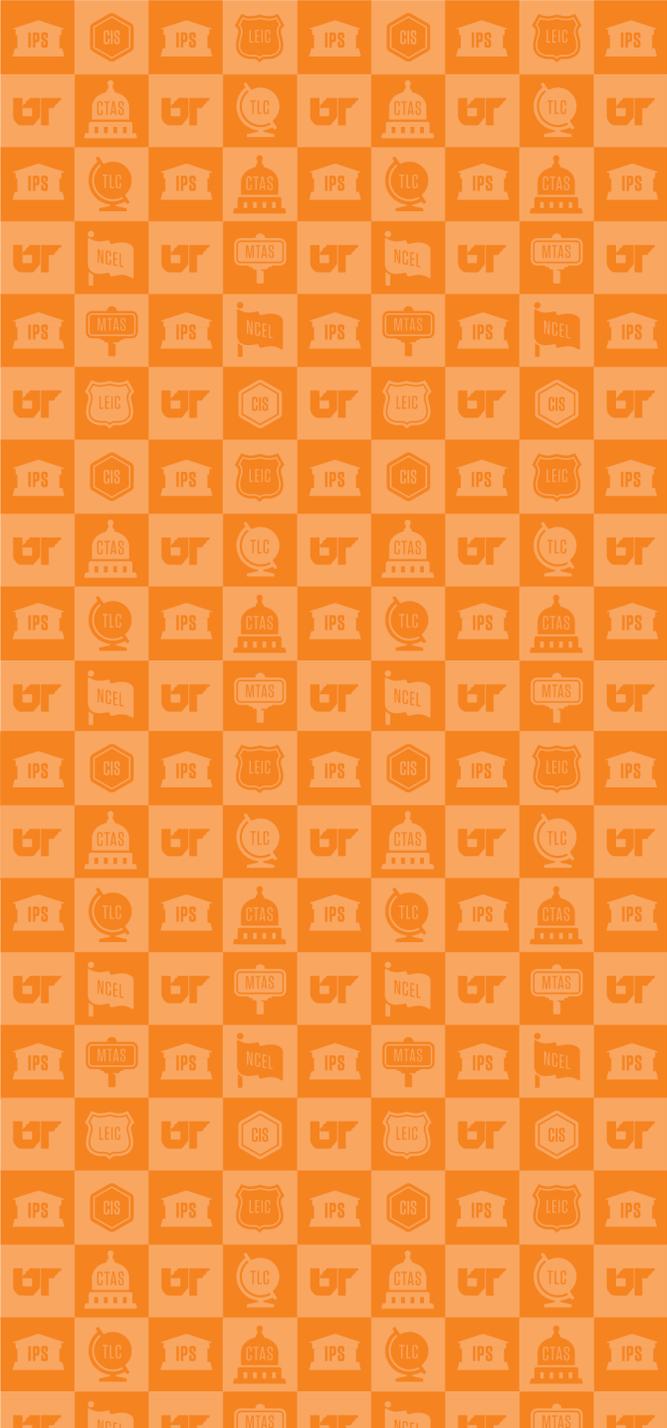
Total Net Amount £ 1 400.00
VAT £ 245.00 (17.5%)
Invoice Total £ 1 645.00
Terms: on receipt of invoice

My Company Ltd.
1 Myaddress Street
Mycity
EF1 2GH
UK

Tel: 01234 56780
Fax: 01234 56789
Email: law@accurateimmigration.com
Website: www.mycompanysite.com

Ownership of goods only passes when this invoice is paid in full.





Questions?



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