



July 22, 2024

Current Retention Schedules

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Current Retention Schedules

Reference Number: CTAS-2068

Policy Statement

The Tennessee State Library and Archives (TSLA) is given authority by T.C.A. § 10-7-413 to review proposed destruction of county records and to take into the state archives such records proposed for destruction as may have historical research value. TSLA has reviewed and approved these retention guidelines prepared by the County Technical Assistance Service (CTAS).

Permanent Records.

With respect to records designated in these guidelines as "permanent," TSLA-

1. Concurs entirely with all guidelines herein that appraise records series to be of permanent value;
2. Reminds local governments that they are obliged by the provisions of T.C.A. § 10-7-503 to make such records permanently and consistently available for public inspection;
3. Advises that a county archives, which is an integral office of local government and responsible to the local county mayor through the public records commission, is the most effective and economical means of doing this; and
4. Encourages local governments to establish, support, and maintain such archives.

In cooperation with CTAS and other agencies, TSLA has designated certain records as permanent based on their value as legal and historical evidence to document the collective experience of the citizens of the community. Such records should be retained and made available to the public in public archives in accordance with T.C.A. § 10-7-503.

Temporary Records.

TSLA has appraised for historical value the descriptions of temporary records series that are herein recommended for destruction at the ends of their retention terms. Because of the confidence we have in this review and in the guidelines, TSLA certifies that-

- Destruction of records in accordance with these guidelines may be authorized by local public records commissions;
- Public records commissions may issue continuing records disposition authorizations for routine disposals, so that local offices do not have to present repeated requests to the public records commission; and that
- Disposal may then proceed without further review by TSLA;

provided that

- (1) Local officials report all such disposals to the local public records commission;
- (2) The local public records commission certifies to the county mayor that destruction has been authorized in accordance with these guidelines;
- (3) The certification cites the specific applicable guideline in each case of authorized destruction; and that
- (4) Local public records commissions consider carefully the needs of local historical and genealogical societies, consult with them, and upon their advice or request use the provisions of T.C.A. § 10-7-414(a) to authorize transfer of records otherwise scheduled for destruction (e.g. marriage bonds or court case files) to the local historical society for retention and historical research.

In the interest of building and maintaining a strong sense of community history, TSLA further encourages local public records commissions, executives, and legislative bodies to provide material and financial support for the local preservation and public inspection of such transferred records in accordance with T.C.A. § 10-7-414(c).

Questions about the possible disposition of county records and the establishment of a county archives and records program for the preservation of permanent value records can be referred to-

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Nashville, Tennessee 37243
(615) 741-2764

Accounting, Purchasing and Other Miscellaneous Records

Reference Number: CTAS-2063

Accounting and Purchasing Records and Other Miscellaneous Records. The records included in this schedule are not office specific. Many of these records will be found in every "fee" office, i.e. those offices that regularly receive money for the county, maintain bank accounts for depositing these monies, and keep track of the accounting of these funds for a period of time before they are transferred to the trustee or forwarded to the state. Depending on whether or not your county has a centralized purchasing office, individual offices may also have records of purchases, requisitions, files regarding bids, and contracts related to certain purchases. Therefore, the fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. Records will also differ from county to county based on whether the county is using a warrant-based system or a check-based system. Also included in this schedule are various miscellaneous records such as correspondence files, travel authorizations, etc. Finally, certain records of departments that may operate independently or may operate under the supervision of different county officials in different counties are also included in this schedule.

Retention Schedule for General Accounting and Purchasing Records

| Description of Record | Retention Period | Legal Authority/Rationale |
|---|--|---|
| <p>15-001 Accounts Paid Files and Ledgers— Paid invoices filed by vendor showing company, date, amount, date paid, and warrant number. Ledgers show name of vendor, amount of each invoice, amount paid on each account, and amount outstanding.</p> | <p>Retain five years after creation, then destroy.</p> | <p>Keep for audit and review purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>15-002 Autopsy Reports— Copies of medical examiner's investigative reports and autopsies.</p> | <p>County medical examiner should maintain one copy permanently. All other copies in other county offices may be treated as working papers and destroyed once the office no longer needs them.</p> | <p>Important investigative and historical record.</p> |
| <p>15-003 Bank Deposit Books—Bank books showing name and location of bank, information about accounts and amounts and dates of deposits.</p> | <p>Retain five years after last entry, then destroy.</p> | <p>Keep for audit purposes as directed by the Comptroller (T.C.A. § 10-7-404(a)).</p> |
| <p>15-004 Bank Deposit Slips—Slips showing name and location of bank, amount, and date of deposit.</p> | <p>Retain five years after last entry, then destroy.</p> | <p>Keep for audit purposes as directed by the Comptroller (T.C.A. § 10-7-404(a)).</p> |
| <p>15-005 Bank Statements—Statements showing name and location of bank, amounts and dates of deposits, amounts and dates of check withdrawals, and running balance.</p> | <p>Retain five years, then destroy.</p> | <p>Keep for audit purposes as directed by the Comptroller (T.C.A. § 10-7-404(a)).</p> |
| <p>15-006 Bids, Successful (on Equipment and Supplies)—Records showing bidder's name, complete description of item(s), delivery date, amount of bid, and any correspondence with the bidder.</p> | <p>Retain seven years after contract expires, then destroy.</p> | <p>Based on statute of limitations for legal action based on breach of contract (T.C.A. § 28-3-109).</p> |
| <p>15-007 Bids, Unsuccessful (on Equipment and Supplies)—Records showing bidder's name, complete description of item(s), delivery date, amount of bid, and any correspondence with the bidder.</p> | <p>Retain for one year after audit unless the county is operating under the purchasing provisions of the County Purchasing Law of 1957 .</p> | <p>Keep for audit purposes as directed by the Comptroller (T.C.A. § 10-7-404(a)). [T.C.A. § 5-14-108(g) - If under the 1957 Law.]</p> |
| <p>15-008 Bonds, Records of</p> | <p>See retention schedule for county mayor, number 3</p> | |
| <p>15-009 Building Plans—Blueprints and specifications for all county owned</p> | <p>Permanent record. Consider donating to archive once</p> | <p>Need for maintenance and operation of physical plant</p> |

Retention Schedule for General Accounting and Purchasing Records

| Description of Record | Retention Period | Legal Authority/Rationale |
|---|--|---|
| buildings. | building is destroyed or no longer possessed by the county. | during the life of the building (plus additional time if litigation could arise from a building's early demise). Historical record for both existing and demolished structures. |
| 15-010 Canceled Checks —Canceled checks showing date check issued, name of bank on which drawn, check number, to whom payable, purpose of payment, amount of check, and date canceled. | Retain five years, then destroy. | Keep for audit purposes as directed by the comptroller (T.C.A. § 10-7-404(a)). |
| 15-011 Cash Books and Cash Journals (any office other than Trustee) —Record of receipts and disbursements of the office, showing date of entry, amount, source of receipt or purpose of payment, amount of debit or credit, and name of account, person, or case credited. | Retain 10 years, then destroy. | Comptroller's office considers this record important for demonstrating patterns in investigations of mis-appropriation of funds (T.C.A. § 10-7-404(a)). |
| 15-012 Check Books —Books containing stubs of checks issued by an official (if operating with a checking system) showing check number, date issued, name of payee, amount and purpose of payment. | Retain five years after date of last check, then destroy. | Kept for audit purposes as directed by the comptroller (T.C.A. § 10-7-404(a)). |
| 15-013 Contracts —Contracts between county and contractors for services of miscellaneous types. | Retain seven years or until expiration of guarantees, then destroy. If no guarantees are involved, destroy seven years after completion of contract. | Based on statute of limitations for breach of contracts (T.C.A. § 28-3-109). |
| 15-014 Correspondence Files —Correspondence with citizens and government officials regarding policy and procedures or program administration. | Destroy after five years. Before disposal appraise for continuing administrative usefulness or historical value. | Maintain for reasonable period of time in case of continued action related to the correspondence. |
| 15-015 Facility Inspection and Maintenance Records —Records documenting inspection of and repairs or improvements made to county buildings and structures. | Retain five years. | Possible evidence in tort cases. |
| 15-016 Fee Books —A record of fees collected by the fee official, showing date of collection, from whom received, on what account, style of case, and amount collected. This record is now obsolete. | Retain 10 years after clerk's tenure is broken, then destroy. | Keep for audit purposes as directed by the comptroller (T.C.A. § 10-7-404(a)). |
| 15-017 Fixed Assets Inventory —Comprehensive inventory of all fixed assets. | Retain five years. | Keep for audit purposes as directed by the comptroller (T.C.A. § 10-7-404(a)). |
| 15-018 General Ledger —Master summary accounting record of county receipts, disbursements, and fund balances of all county funds. This is the summary information, not the detailed transaction record (see below). | Permanent record | Keep for important audit and historical purposes. |
| 15-019 General Ledger Accounts —Detailed record of all transactions on all county accounts, showing date of entry, amount, source of receipt or purpose of | Retain five years, then destroy. | Keep for audit purposes as directed by the comptroller (T.C.A. § 10-7-404(a)). |

Retention Schedule for General Accounting and Purchasing Records

| Description of Record | Retention Period | Legal Authority/Rationale |
|---|---|--|
| payment, amount of debit or credit, and name of account credited or charged. | | |
| 15-020 Grant Development and Proposal Files —Reports, planning memos, correspondence, studies and similar records created for and used in the development of grant proposals to state or federal agencies and contracts relating to the grant. | Keep all unsuccessful proposals for five years. Keep all records regarding grants that are received for life of grant plus seven years. | Unsuccessful proposals kept in case of appeal or for administrative use in re-application. Records on grants received kept based on statute of limitations for contract actions (T.C.A. § 28-3-109). |
| 15-021 Insurance Policies —Policies insuring county and/or its departments against risk of loss. | Retain seven years after expiration or replacement by new policy, then destroy, provided all claims on the policy have been settled. | Based on statute of limitations for breach of contract actions (T.C.A. § 28-3-109). |
| 15-022 Invoices | Refer to Accounts Paid Files and | Ledgers, above. |
| 15-023 Leases and Agreements | Destroy seven years after completion or expiration of lease or agreement. | Based on statute of limitations for breach of contract actions. T.C.A. § 28-3-109. |
| 15-024 Minutes —Written accounts of the proceedings of boards, committees and commissions. | Permanent record. | Actions recorded in minutes are effective until superceded or rescinded. Also of historical value. |
| 15-025 Minutes of Bid Openings —Record of bid openings showing item vendor, bid price and whether bid was successful. | Retain five years, then destroy. | Necessary in case of challenge to bid award. |
| 15-026 Payroll Records | See separate retention schedule elsewhere in this manual. | |
| 15-027 Purchase Orders | Keep five years after creation of record, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 15-028 Receipts and Receipt Books —Shows name, reason for payment, date, and account from which money came. | Retain five years after date of last receipt issued. | Keep for audit purposes as directed by the comptroller (T.C.A. § 10-7-404(a)). |
| 15-029 Requisitions and Requisitions for Purchase —Records of requests for supplies, equipment and services in counties with centralized purchasing departments or offices. | Keep five years after creation of record, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 15-030 Travel Authorizations | Retain five years after creation of record, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 15-031 Unclaimed Funds, Record of —Record of funds in hands of official unclaimed for seven years and turned over to state, showing information about source of funds and amount. | Retain 10 years, then destroy. | Record kept for audit purposes and a reasonable period to allow interested parties to make inquiries. |
| 15-032 Vehicle Maintenance Records —Record of repairs, service, etc. related to county owned vehicles. | Retain five years or life of vehicle, whichever is longer. | Keep for management purposes. |
| 15-033 Warrants —Canceled warrants showing date issued, warrant number, amount of warrant, name of payee, and purpose of payment. | Retain five years, then destroy. | Keep for audit purposes as directed by the comptroller (T.C.A. § 10-7-404(a)). |

Animal Control Records

Reference Number: CTAS-2064

Animal Control Records. The records included in this schedule are only those specific to a county

operation related to animal control. Not all counties provide such services. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules elsewhere in this manual. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

Retention Schedule for the Animal Control Records

| Description of Record | Retention Period | Legal Authority/Rationale |
|--|---|---|
| 17-001. Activity Reports —Monthly reports showing the activity of the animal control operations. | Retain two years, unless there is no annual report. If no annual report, retain as permanent record. | Keep to aid in planning. |
| 17-002. Adoption Contracts —May include agreement to have animal spayed/neutered when it is 6 months old. | Retain four years. | Keep to show proof of ownership/ patterns of behavior on part of animal or owners. |
| 17-003. Annual Reports —Annual reports showing the activity of the animal control operations. | Retain seven years. | Keep in case of need as evidence in litigation and for planning purposes. |
| 17-004. Bite Reports —Documents investigations of dog bites. | Retain four years. | Retention period based on likely time of complaint or legal action. |
| 17-005. Complaints, Record of —May contain date; time of complaint; complainant’s name, address and telephone number; owner’s name and address; animal’s license number and details of problem. | Retain four years or until resolution of any litigation whichever is later. | Record may be used in litigation. Retention period based on statute of limitations for actions for injuries to personal property plus one year (T.C.A. § 28-3-105). |
| 17-006. Controlled Substances, Log of | Retain three years. | TN Admin. Rule 1730-4-.09. |
| 17-007. Dispatching Logs | Retain four years, unless legal action is pending. *Retain three years. | Retention period based on likely time of complaint or legal action. |
| 17-008. Euthanasia Report —Must be kept for each animal euthanized; includes date, estimated age, breed, weight, sex, amount of euthanasia solution administered, and description of verification of death. | May want to retain four years if four year retention period adopted for other animal control records. | TN Admin. Rule 1730-4-.09. |
| 17-009. Field Reports (Daily) —Report of officer’s daily activities. | Retain one year. | Used to compile activity reports. |
| 17-010. Impound Log —Log of all animals brought into the animal shelter and whether animal was adopted or euthanized. | Retain four years. | Keep as part of history of animals and owners and to track activity at shelter. Can be useful in returning lost animals to owners. Keep to provide proof of vaccination and to facilitate return of lost animals to owners. Rabies vaccine lasts three years. |
| 17-011. Rabies Certificate —Rabies vaccination is required by T.C.A. § 68-8-104. Certificates are forwarded to animal control by veterinarians. | Retain four years. | Keep to provide proof of vaccination and to facilitate return of lost animals to owners. Rabies vaccine lasts three years. |
| 17-012. Return to Owner, Record of | Retain four years. | Keep to prove ownership of animal and assign liability to owner if the animal is ever in violation of ordinances or statutes. |
| 17-013. Spay/Neuter Deposit, Record of —Deposit is required by T.C.A. 44-17-503 for every animal not already spayed or neutered | Retain four years. | Keep as part of history of animals and owners. |

Retention Schedule for the Animal Control Records

| Description of Record | Retention Period | Legal Authority/Rationale |
|---|--------------------|--|
| that is adopted from an animal shelter. | | |
| 17-014. Surrender of Animal, Record of | Retain four years. | Keep to defend against liability for taking animal. Based on statute of limitations for offenses against property plus one year. |

Assessor of Property Records

Reference Number: CTAS-2049

Assessor of Property Records. The records included in this schedule are only those specific to the office of the assessor of property. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules in this manual. Included in this table is a listing of "obsolete" records. Your office should no longer be generating these records. They are still included in the disposition schedule so that anyone discovering those materials in older records of the office will know how to deal with them. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record, or the frequency of its occurrence. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the disposition of the record and so we can make note of that record's existence to include it in future revisions of this manual.

Retention Schedule for Assessor of Property

| Description of Record | Retention Period | Legal Authority/Rationale |
|--|---|--|
| 01-001 Aerial Photographs —Aerial photographs of flyovers. Negatives may be available at the State Department of Transportation's photographic lab. | Retain in office for one year after replacement by a newer, more current aerial photograph and one year after next re-appraisal. Older generations of photographs may be removed from the office and transferred to an archives or library within the discretion of the County Public Records Commission but should not be destroyed. | Keep for operational purposes through correction period and greenbelt re-certification to cover appeal period. This record series has a high historical and archival value and should be preserved for those reasons, although it is not necessary to maintain the older records in the assessor's office. |
| 01-002 Appeals and Reports to the State Board of Equalization and Court Appeals —These records consist of notice of hearing, name of property owner, appeal from county board of equalization, assessment, address, and time and place of hearing. Also included in this group of documents are documents involving appeal to the courts. | Retain two years after final disposition of case, then destroy. NOTE: A copy of all appeals should be kept by the State Board of Equalization also. | Keep to make certain the ruling is properly applied and that all parties understand the final determination of the issue. |
| 01-003 Application for Classification of Real Property under the Agricultural Forest and Open Space Land Act (Greenbelt) —Prior to May 1999, this record series also includes re-certifications on farmland (Approved application are also retained in the register of deed's office). | Retain four years, then destroy. | Retention period based on three year period of liability for rollback taxes. |

Retention Schedule for Assessor of Property

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|--|
| <p>01-004 Assessment Exemptions, Applications for—Copy of applications showing property owner's name, address, ward or district, date acquired, lot size or acreage, value, how property used, other purposes to be used for, signature of applicant, and notarization.</p> | <p>Retain copy of approved applications until two years after exemption expires, then destroy. Retain rejected applications for two years, then destroy.</p> | <p>Keep for audit purposes of the State Board of Equalization.</p> |
| <p>01-005 Assessment Rolls—Record of all assessments on real and personal property, showing name of taxpayer, civil district or ward, location and description of property, assessed valuation, date of assessments, acreage of farm land, and number of town lots.</p> | <p>Retain three years, then destroy.</p> | <p>Retention based on time period for corrections and rollback issues. This record is stored for a longer term with the trustee.</p> |
| <p>01-006 Board of Equalization Minutes and Reports—Daily record of proceedings of the board in regular session, showing date of meeting, names of members present, and petitions for adjustment of tax assessments of personal and real property, showing the name of petitioner, amount of original assessment, recommendations of the board, and date of adjustment, if made.</p> | <p>Retain 12 years.</p> | <p>T.C.A. § 67-5-1414 states that these records shall be kept for at least 10 years. It is recommended that the records be kept 12 to cover the 2 year period before taxes become delinquent and the 10 year statute of limitations.</p> |
| <p>01-007 Building Permits, copies of—Show name of owner, amount of money to be expended, type of structure, location, date, and name of contractor.</p> | <p>Retain one year after assessment, then destroy.</p> | <p>These are used to find new construction. Once improvement is assessed, the record has no use.</p> |
| <p>01-008 CAAS Cards (Computer Assisted Appraisal System)—Property record cards for rural, residential, industrial, commercial, and exempt property, giving information on ownership, assessment records, use or occupancy, construction date, age and condition, land description, sales and rental information, street improvements, utilities and services, topography, accessory buildings, improvements, valuations, notations, etc.</p> | <p>Retain most current card until a change is required to each parcel. Destroy obsolete cards when no longer of use to the office in accordance with regulations of the Public Records Commission.</p> | <p>Working paper. T.C.A. § 10-7-406(b). Property record cards are now a permanently retained type of record along with implementation of the state's online data base system.</p> |
| <p>01-009 Certificates of Public Utilities Tax Valuations by Office of State Assessed Properties, copy of—Tax roll listing total assessment of public utilities in the county by the office of state assessed properties.</p> | <p>Retain annual assessments one 1 year, then destroy. Original is filed with trustee and state office maintains the record.</p> | <p>This record is like a tax roll for public utilities that are assessed by the state.</p> |
| <p>01-010 Correctional Book or File (Also includes proration book)—Files of copies of letters of corrections sent to the Trustee wherein corrections are made on the tax roll and corrections where property has been transferred and a proration of tax between the transferror and the transferee is made. This documentation includes the reason for the correction, the nature of the error.</p> | <p>Retain three years, then destroy. Original is on record in the trustee's office.</p> | <p>Retention period based on correction period for property taxes.</p> |
| <p>01-011 Deeds, Copies of—Copies of warranty deeds used by assessor in determining ownership, property boundaries, location, etc., of property.</p> | <p>Destroy when obsolete or when purpose of retention has been served.</p> | <p>Working paper used only for deed transfers. T.C.A. § 10-7-406(b). Also filed permanently with register.</p> |
| <p>01-012 Field Books (a.k.a. Mini-maps, Mapping) Plats and notes used for location of property to be assessed, showing owner's name and assessed valuation.</p> | <p>Destroy when obsolete or when purpose of retention has been served in accordance with rules of the</p> | <p>Working paper. T.C.A. § 10-7-406(b).</p> |

Retention Schedule for Assessor of Property

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| 01-013 Income Expense Records | Public Records Commission. Keep until next re-appraisal. | Term of retention based on appraisal cycle for the county. |
| 01-014 Maintenance Log of All Property Transfers —Form CT-007 used to record all transfers and sales. This form should be in continuous use. | Retain for five years, then destroy. | Valuable record for checking property transfers. |
| 01-015 Maps, Soil Delineation and Land Value — Land grade maps. | Retain in office until newer, more current information is available, and until next re-appraisal. Older generations of maps may be removed from the office and transferred to an archives or library within the discretion of the county public records commission but should not be destroyed. | In-office retention period based on re-appraisal cycle for the county. This record series has a high historical and archival value and should be preserved for those reasons, although it is not necessary to maintain the older records in the assessor’s office. |
| 01-016 Ownership Maps and Index, Rural and Urban —These maps reflect the status of real property as of January 1 of each year. | Retain only current and one previous generation of ownership maps and indexes. Older generations of photographs may be removed from the office and transferred to an archives or library within the discretion of the county public records commission but should not be destroyed. | Useful in office for tracking property changes and as evidence in challenges to tax sales. This record series has a high historical and archival value and should be preserved for those reasons, although it is not necessary to maintain the older records in the assessor’s office. |
| 01-017 Personal Property—Audit Records Supporting information and documentation for audit. Note: Except for the return schedule and assessment, the rest of this record series must be kept confidential and should be stored separately. | Retain for four years after assessment roll is complete, unless tax is subject of appeal to board of equalization or courts. Do not destroy until any such appeal is exhausted. | Retain in case of forced assessments. |
| 01-018 Personal Property— Record Cards and Tax Schedule Forms —Cards show business name, property location, type of business, map, group and parcel number, business code, mailing address, tax year, date schedule furnished, date schedule returned, date audited and assessed, assessment ratio, property value and type of assessment. Tax schedules show firm or trade name, business location, owner(s) of business, tax billing address, map, group and parcel number, assessment date, due date, property description, year, cost and value, leased property data, and assessor's calculations. | Retain for four years after assessment roll is complete, unless tax is subject of appeal to board of equalization or courts. Do not destroy until any such appeal is exhausted. | Retain in case of forced assessments. |
| 01-019 Property Transfers, Record of (Ledgers) —Show date, grantee, grantor, description of property, district, acreage, assessed valuation, consideration, deed book and page number. Similar to maintenance log. | Retain five years, then destroy. | Valuable record for checking property transfers. |
| 01-020 Sales Verification Forms —Form | Keep till next re-appraisal. | Retention period based on |

Retention Schedule for Assessor of Property

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|------------------|---|
| shows owner’s name, address, location of property, lot size or acreage, subdivision name, date, etc. | | re-appraisal cycle for that county. |
| OBSELETE RECORDS | | |
| 01-021 Data Processing Tapes —File record of all the essential assessment information in the county. Information kept in different format now. | | Destroy (obsolete record). |
| 01-022 Date Take Off Forms, for Comparable Sales —Form shows date, location, subdivision, date acquired, sale price, type or use, zoning, number of rooms or units, annual income from, square footage, land, improvements, and total appraisal. | | Retain three years, then destroy (obsolete record). |
| 01-023 Date Take Off Forms, for Updating —Form shows owner's name, address, location of property, lot size or acreage, subdivision name, date, whether new parcel or update, etc. | | Destroy (obsolete record). |
| 01-024 Merchant’s Ad Valorem Tax Ledgers —Show firm name, business address, assessed value, amount of tax, penalty, total, date due, delinquent date, date paid, and bill number. | | Destroy (obsolete record). |
| 01-025 N.A.L. Cards (Name, Address, Legal Description Cards) —These data processing cards contain information such as property owner’s name, address, acreage, lot size and number, zone, acquisition date, appraisal, subdivision name, house number, etc. | | Record is eligible for destruction, however, the information in this record series can be useful (obsolete record). |
| 01-026 Petitions for Review of Assessment —Petitions for assessment review showing date, owner's name, address, phone, type of property, residential data, income information, date on apartments, agricultural lands, reasons why assessor is in error, etc. | | Destroy (obsolete record). |

Circuit and Criminal Court Records Retention Schedule

Reference Number: CTAS-2052

Circuit and Criminal Court Records. The records included in this schedule are those for the offices of the Circuit and Criminal Courts, and, to a lesser degree, the General Sessions Courts. They are divided into different sections based on the type of record. Other records specific to the General Sessions Court and Juvenile Court are found in separate schedules in this manual. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules in this manual. Included in this table is a listing of “obsolete” records. Your office should no longer be generating these records. They are still included in the disposition schedule so that anyone discovering those materials in older records of the office will know how to deal with them. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record, or the frequency of its occurrence. This is particularly true of court records which may vary according to local rule and practice and especially confusing concerning the varying forms of docket books that courts may have utilized over the years. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

Retention Schedule for Circuit and Criminal Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--------------------------------------|-------------------------------|
| A. Civil Action Files | | |
| 04-001 Briefs —Statements of the case, legal theory and arguments for a party in a case. | Maintain for three years after final | T.C.A. § 18-1-202(b). |

Retention Schedule for Circuit and Criminal Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|--------------------------------|
| 04-002 Civil Actions, Record of —All original process and rules, pleadings, judge's opinions and orders, if any, in each civil case. | disposition of case, then notify parties and destroy. Permanent record. | T.C.A. § 18-1-202(a). |
| 04-003 Discovery Records, Civil Cases —Interrogatories, depositions and other legal devices to obtain information concerning a case prior to trial. | Maintain for three years after final disposition of the case, then destroy after notice is given to parties. | T.C.A. § 18-1-202. |
| 04-004 Doctor’s Depositions in Worker’s Compensation Cases | See Trial Exhibits and Evidence, below. | |
| 04-005 Judge’s Opinions —Statements by the judge of the decision reached in regard to a cause heard before him relating the law as applied to the case and giving reasons on which the judgment is based. | Permanent record. | T.C.A. § 18-1-202(a). |
| 04-006 Summonses —A writ notifying a person that a court action has been commenced against him, and that he is required to appear on a day named and answer the complaint in such action. | Permanent record. | T.C.A. § 18-1-202(a). |
| 04-007 Trial Exhibits and Evidence —Any documentary evidence and exhibits presented at trial that become part of the record of the case. For physical evidence, see T.C.A. § 18-1-206. | Retain 10 years after final judgment, then destroy unless local rule of court provides for a different retention period. | T.C.A. § 18-1-202(a). |
| B. Bonds | | |
| 04-008 Appearance and Bail Bond Records —Bonds and recordings of bonds executed by defendants and sureties showing defendant's name, name of person serving as surety, amount of bond, and signatures of the accused and sureties. | Retain 10 years after final judgment, then destroy. | T.C.A. § 18-1-202(a). |
| 04-009 Attachment and Injunction Bonds —Bonds executed in attachment and injunction cases insuring defendant against damages likely to occur as a result of wrongful suing, showing date of bond, names of principal and sureties, amount of bond, condition of the obligation, and signatures of principal and sureties. | Retain 10 years after final judgment, then destroy. | T.C.A. § 18-1-202(a). |
| 04-010 Cost Bonds, Civil Cases —Bonds executed to insure payment of court costs, showing names of plaintiff and defendant, amount and date of bond, condition of the obligation, and signatures of principal and sureties. | Retain three years after final judgment, then destroy. | T.C.A. § 18-1-202(b). |
| 04-011 Miscellaneous Bond Books —Receivers', indemnifying, appearance, cost, refunding, replevin, etc., bonds, showing names of principal and sureties, style of case, amount and date of bond, condition of the obligation, and signatures of principal and sureties. | Retain 10 years after release, replacement or expiration of all bonds in book, then destroy. | T.C.A. § 18-1-202(a). |
| 04-012(a) Prosecution Bonds —Bonds executed by persons instituting suits in circuit and criminal court, by virtue of which they assume all responsibility of judgment and costs that may be taxed to them, show | Retain 10 years after final judgment, then destroy. | T.C.A. § 18-1-202(a). |
| 04-012(b) Bondsman Reports - Reports from bonding com- | Retain 10 years, then de- | Keep record for audit purposes |

Retention Schedule for Circuit and Criminal Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|---|
| panies under T.C.A. § 40-11-303. | stroy. | and a reasonable period to allow Judge to investigate bondsmen. |
| C. Criminal Action Files (See also Process, Court Orders, Writs, Etc.) | | |
| 04-013 Criminal Actions, Record of —All original process, case papers and documents in criminal cases, including judge's orders, in both felony and misdemeanor cases. | Permanent record. | T.C.A. § 18-1-202(a). |
| 04-014 Detainer Warrants —Instrument authorizing the keeper of a prison to keep a person in custody. Shows name of person in custody, length of time to be detained, and signature of issuing official. Exception: Records of DUI offenses. | Retain 10 years, then destroy; however, records of DUI convictions should be kept 20 years. | T.C.A. § 18-1-202(a) T.C.A. § 55-10-403(a)(3) allows for prior DUI convictions up to 20 years before an offense to be used to enhance sentencing as a multiple offender. |
| 04-015 Indictments or Presentments by Grand Jury — These records show name of defendant, return date of indictment, and nature of offense charged therein. | Permanent record. | T.C.A. § 18-1-202(a). |
| 04-016 Recordings of Criminal Proceedings — | Retain 10 years after final judgment and exhaustion of appeals, then get court order to authorize destruction. | T.C.A. §§ 18-1-201 and 18-1-202(a). |
| Verbatim recordings of preliminary hearings entry of plea by the defendant as required by Tenn. Rules of Criminal Procedure, Rules 5.1 and 11. | Permanent record. | T.C.A. § 18-1-202(a). |
| 04-017 Summons, Criminal —A writ notifying a person that a criminal proceeding has commenced against him and that he is required to appear in court at a stated time and place. | Permanent record. | T.C.A. § 18-1-202(a). |
| D. Dockets [NOTE: Dockets are kept in varying formats in different courts. Not all of the following dockets may be found or kept in your court. Much of the information may be combined into one docket or maybe be kept electronically pursuant to T.C.A. § 10-7-121. Except for Mental Health and Adoption Dockets, most other dockets may now consolidated into a single docket. The fact that separate listings are given for dockets below does not mean that these records must be kept separately.] | | |
| 04-018 Alimony and Child Support Dockets/ Ledgers — | Retain 25 years after last entry, then destroy. | Retention period based on period of dependency of minor. |
| Docket/ledger shows date alimony or child support paid to court clerk, date paid out by him or her, name of person to whom paid, and amount. | Retain 10 years after last entry, then destroy. | T.C.A. § 18-1-202(a). |
| 04-019 Appeal Dockets —Record of cases going to appellate courts showing style of case, date, and ruling of the court; may show court costs. | Permanent record. | T.C.A. § 18-1-202(a). |
| 04-020 Appearance and Rule Dockets — Record of first appearance of all causes in court, showing date filed, names of attorneys, style of case, security, and action taken. | As long as the information in this record series is found in other records which are retained for 10 years, these are considered working papers records and may be destroyed when no longer useful. | T.C.A. § 10-7-406(b). |
| 04-021 Bar Dockets (aka Hearing Dockets, Trial Dockets, or Judge's Docket Sheets) —A record prepared for the use of the judge, clerk and bar, listing all cases set for trial in court, showing date of court term, case number, names of attorneys, plaintiff, defendant, date case filed; may also show page and volume number or recordation in minute book. This is basically a working paper, but may have record value in some counties. | If the county | These records could have |
| 04-022 Delinquent Tax Docket Book —Record of | | |

Retention Schedule for Circuit and Criminal Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| property taken over by the county, showing description of all properties sold at a tax sale, whether redeemed or not, by whom redeemed, amount of taxes, date, and decree of court relevant to property. | maintains this information in this format, retain as a permanent record. | bearing on land title and therefore need to be maintained. |
| 04-023 Execution Dockets and Indexes—A financial record of cases tried, style of case, nature of action, amount of judgment and cost, and amount and date paid. | Permanent record. | T.C.A. § 18-1-202(a). |
| 04-024 Grand Jury Dockets— Docket shows name of defendant, offense charged, and date of indictment or no true bill. | Retain 10 years, after last entry, then destroy. | T.C.A. § 18-1-202(a). |
| 04-025 Motion Dockets— Docket shows names of plaintiff and defendant, date motion filed, nature of motion, and remarks. | As long as information in these records is found in other records which are retained for 10 years, these are considered working papers and may be destroyed when no longer useful. | T.C.A. § 10-7-406(b). |
| 04-026 Rule Dockets and Indexes— A record of original processes issued and filed incident to cases tried in court, showing number of case, date and hour filed, names of complainant, respondent, and solicitors; also date and nature of process, names of bondsmen, date process served, note of officer's return, and rules and orders of the court. | Permanent record. | T.C.A. § 18-1-202(a). |
| 04-027 Worker's Compensation Dockets— Docket shows name of person applying for compensation, date of application, date and amount of judgment, and accrued costs. | Permanent record. | T.C.A. § 50-6-225. |
| E. Financial Records— The disposition schedule for many of the financial records of the court can be found in schedule number 15 in this manual, entitled General Accounting and Purchasing Records. The items included below are those financial items unique to the office of the court clerk. | | |
| 04-028 Bills of Costs— Bills of costs submitted for payment showing names of plaintiff and defendant, date of initial action, items of cost, amount of each, date process issued, signature of official issuing warrant, date filed with court for trial, clerk's certification, date judgment paid, and number of warrant issued in payment. | If information in this record series is found elsewhere, destroy when no longer useful. If information is kept electronically, keep paper records five years. | Working paper that can be destroyed in accordance with rules of the Public Records Commission (T.C.A. § 10-7-406(b)). Five year retention period is based on audit requirements (T.C.A. § 10-7-404(a)). |
| 04-029 Case Ledgers— Record of case funds received and distributed. | Retain 25 years after last entry, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 04-030 Fee Reports— Reports of fees collected by the clerk showing date of report, date of collection, from whom received, purpose of payment, date of report, and signature of clerk. This record is now obsolete. | Retain 10 years after clerk's tenure is broken, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 04-031 General Account Ledgers (refer to execution docket)— Ledger accounts of funds received from sales of property in settlement of estates, alimony payments, and payments of judgments and court costs; money distributed by the | Permanent record. | May have bearing on land title. |

Retention Schedule for Circuit and Criminal Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| <p>clerk showing style and number of case, date of collection, name of person from whom received, and amount; date of payment, name of payee, number of check issued, and amount; may show cash book and page number from which entry was posted.</p> | <p>See separate retention schedule in this manual for employment records.</p> | |
| <p>04-032 Payroll Records</p> | | |
| <p>04-033 Receipt Books, Delinquent</p> | <p>Retain 10 years after issuance of last receipt, then destroy.</p> | <p>T.C.A. § 18-1-202.</p> |
| <p>Tax—Duplicates of receipts issued for payment of delinquent taxes, showing receipt number, date issued, name of taxpayer, amount, year of assessment, district number, number of acres of farm land, number of town lots, valuation, personal property valuation, amounts of state and county taxes, interest, penalty, and total amount of payments.</p> | | |
| <p>04-034 Unclaimed Funds, Record of—Record of funds in hands of clerk unclaimed for seven years and turned over to state, showing style of case, case number, respondent, and amount.</p> | <p>Retain 10 years, then destroy.</p> | <p>Keep record for audit purposes and a reasonable period to allow interested parties to make inquiries.</p> |
| <p>F. Index Books</p> | | |
| <p>04-035 Divorce and Adoption Cases, Index—Indexes to original divorce and adoption cases, showing names of parties, style of case, case number, and file container in which record is filed. Note: Record series may contain confidential information.</p> | <p>Permanent record.</p> | <p>Necessary for use of other permanent records.</p> |
| <p>04-036 General Index—Index to all original case papers, showing file number and names of complainant and respondent.</p> | <p>Permanent record.</p> | <p>Necessary for use of other permanent records.</p> |
| <p>04-037 Hospital Lien Index—Index for the hospital lien book, referencing patient's name and hospital or operator.</p> | <p>Permanent record.</p> | <p>Necessary for use of other permanent records.</p> |
| <p>04-038 Judgment Index Books (see Divorce and Adoption cases, Indexes)</p> | <p>Permanent record.</p> | <p>Necessary for use of other permanent records.</p> |
| <p>04-039 Minute Books and Indexes—Minutes show the course and proceedings in all cases from their origin to termination, giving name of defendant, offense charged, date of trial, verdict of jury, and sentence of the court.</p> | <p>Permanent record.</p> | <p>Necessary for use of other permanent records.</p> |
| <p>G. Process, Court Orders, Writs, Etc.</p> | | |
| <p>04-040 Affidavit of Complaint—A written statement alleging that a person has committed an offense and alleging the essential facts instituting the offense charged made upon oath before a magistrate or court clerk.</p> | <p>Permanent record.</p> | <p>T.C.A. § 18-1-202(a).</p> |
| <p>04-041 Attachments on Personal Property—Writs issued during court action to seize the personal property of the defendant to be held as security for the satisfaction of such judgment as the plaintiff may recover.</p> | <p>Retain 10 years after final settlement of case, then destroy.</p> | <p>T.C.A. § 18-1-202(a).</p> |

Retention Schedule for Circuit and Criminal Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--|---|
| 04-042 Attachments on Real Property —Writs issued during court action to seize the real property of the defendant to be held as security for the satisfaction of such judgment as the plaintiff may recover. | Retain 10 years after final settlement of case, then destroy. | T.C.A. § 18-1-202(a). |
| 04-043 Capias —The general name for several types of writs which require an officer to take the body of the defendant into custody; they are writs of attachment or arrest. | Permanent record. | This record is in the nature of original process (T.C.A. § 18-1-202(a)). |
| 04-044 Criminal Citation —A demand that the defendant cited appear in court at a stated time to answer to a misdemeanor charge. The citation states the name and address of the person cited, the name of the issuing officer and the offense charged. | Retain for 10 years, then destroy. | T.C.A. § 18-1-202(a). |
| 04-045 Executions —Writs or orders providing that an act or course of conduct be carried out. | Retain 10 years after issuance, then destroy. | T.C.A. § 18-1-202(a). |
| 04-046 Fieri Facias —Court orders to levy execution on property, sell the same, and apply the proceeds to the satisfaction of judgments in court; shows names of complainant and respondent, description of property, and amount involved; an execution. | Retain 10 years, then destroy. | T.C.A. § 18-1-202(a). |
| 04-047 Garnishments —Process whereby defendant's property in possession or control of another is applied to payment of defendant's debt. Shows names of court, plaintiff, and defendant, total costs, and reporting date. | Retain 10 years, then destroy. | T.C.A. § 18-1-202(a). |
| 04-048 Habeas Corpus, Writs of —Writs issued to change the place of trial, to move from custody of one court to another, directing that a detained person be produced, etc. | Permanent record. | This record is in the nature of original process (T.C.A. § 18-1-202(a)). |
| 04-049 Mittimus —Commitments to jail, showing name of person committed, offense charged, name of prosecutor, amount of bail, date, and signature of clerk of the court. | Retain 10 years, then destroy. | T.C.A. § 18-1-202(a). |
| 04-050 Replevin Warrants (Writs of Possession) —Writs giving authority to recover goods or chattels claimed to be wrongfully taken or kept. | Permanent record when used as leading process (now obsolete), otherwise retain 10 years, then destroy. | T.C.A. § 18-1-202(a). |
| 04-051 Search Warrants —A written order issued in the name of the state and directed to a law enforcement officer commanding him to search a specific house, business establishment, or other premise for | Retain 10 years, then destroy. | T.C.A. § 18-1-202(a). |
| 04-052 Subpoenas —Copies of summonses to appear in court as witnesses in lawsuits, showing name of person summoned, day and hour to appear, in whose behalf, and signature of the clerk. | In criminal cases, retain 10 years, then destroy; in civil cases, retain three years, then destroy. | T.C.A. § 18-1-202(a)—(b). |
| 04-053 Warrants —Writs issued in both civil and criminal cases requiring an officer of the law to arrest the person named therein and bring him before the court to answer charges of some offense which he is alleged to have committed. | Permanent record. | T.C.A. § 18-1-202(a). |
| Exception: Unserved Misdemeanor Warrants | Unserved misdemeanor warrants—five years | T.C.A. § 40-6-206. |

Retention Schedule for Circuit and Criminal Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|---|
| 04-054 Writ of Possession —A writ employed to enforce a judgment to recover possession of land. | Permanent record. | Could have bearing on land title. |
| H. Reports | | |
| 04-055 Audit Reports —Audit reports show name of office, fund or account, account of all receipts and disbursements, date of audit and signature of auditor. | Preserve permanently one copy of all audits. | Record has historical significance. |
| 04-056 Delinquent Tax Collections Reports —Copies of reports made by the clerk to the cities, county, and state of tax collections in litigation, showing docket number, case number, names of complainant and respondent, amount collected, total, and date of report. | Retain 10 years, then destroy. | T.C.A. § 18-1-202(a). |
| 04-057 Grand Jury Reports —Record of grand jury actions, showing name of defendant, offense charged, testimony of witnesses, whether indictment or no true bill is returned, and recommendations. | Retain 10 years and until spread in minutes, then destroy. | T.C.A. § 18-1-202(a). |
| 04-058 Litigation Tax Reports —A record of all state and county litigation taxes collected by the clerk showing number of cases and amount received. | Retain 10 years after last entry, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404). |
| 04-059 Revenue Dockets or Reports — Record of reports to the county judge or county mayor of state and county revenue collected by the clerk and remitted to the trustee and state, showing date and source of collection, date reported, certification of clerk, and amounts of taxes, fees, and total. Receipts from trustee and state for funds received may be posted in these volumes. | Retain 10 years after clerk’s tenure is broken, then destroy. | Keep for evidence in cases of misappropriation of funds. |
| 04-060 Sale Books or Reports —Record of court land sales, showing name of court, style of case, location and description of property, by what process land was sold, date of sale, name of purchaser, and tax collected. | Permanent record. | Could have bearing on land title. |
| 04-061 Special Commissioners Reports —Reports of special commissioners appointed when property is sold by court. | Permanent record. | Could have bearing on land title. |
| 04-062 Worker’s Compensation Payment Records | Retain 10 years after judgment in case, then destroy. | T.C.A. § 18-1-202(a). |
| I. Other Records | | |
| 04-063 Adoption Files —Petitions to the court for the adoption of children, all intermediate proceedings, and final decree of the court, showing, in addition to the text, name and address of petitioner, date of petition, name of child, names of parents or custodian of child, age, date of birth, sex of child, statement of financial status and character of petitioner, and signatures of petitioners, affiants, and judge. Note: Record series contains confidential information. | Permanent record. | T.C.A. § 36-1-111 Has historical value and potentially significant in inheritance issues. |
| 04-064 Bastardy Proceedings, Records of —Original papers incident to proceedings in bastardy cases including warrants, bills of cost, bonds, and court decrees showing names of plaintiff and defendant, date of trial, nature and purpose of process, and signature of issuing officer. | Permanent record. | Has historical value and potentially significant in inheritance issues. |
| 04-065 Bastardy Cases and Changes of Names, Records of —These records may include petition from | Permanent record. | Has historical value and potentially significant in |

Retention Schedule for Circuit and Criminal Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| subject or subject’s parent or guardian seeking name change; also court order showing subject’s name, sex, race, date and place of birth, file date, incorrect and correct information, date and signature of judge and acknowledgment of clerk. | | inheritance issues. |
| 04-066 Domestic Relations Records —Records pertaining to matters such as adoptions, bastardy proceedings, child custody, and divorce. | Permanent record. | Has historical value and potentially significant in inheritance issues. |
| 04-067 Hospital Lien —A verified statement of claim setting forth the name and address of the patient and operator of the hospital, date of admission and discharge, amount claimed to be due and names and addresses of any one believed liable for damages. | Retain for 10 years, then destroy. | Statute of Limitations, T.C.A. § 28-3-110 T.C.A. § 18-1-202. |
| 04-068 Hospital Lien Book —Book in which the clerk enters the date and hour of filing of a hospital lien, name and address of hospital, the operator thereof, the patient, those claimed to be liable and the amount claimed. Releases are noted on the margin of this book. | Retain for 10 years after last entry, then destroy. | Statute of Limitations, T.C.A. § 28-3-110 T.C.A. § 18-1-202. |
| 04-069 In Memoriam Books —Record of deaths of members of local bar. | Permanent record. | Keep for historical value. |
| 04-070 Judgment Books —Record of judgments rendered by the court, showing book and page numbers of rule docket in which case is recorded, number and style, names of plaintiff and defendant, judgment rendered, and amount of costs. This is an obsolete record. | Permanent record. | T.C.A. § 18-1-202(a). |
| 04-071 Jury Books —A record of jurors serving in cases tried before this court, showing date of court, style of case, nature of action or offense charged, and names of jurors. | Retain 10 years after last entry, then destroy. | T.C.A. § 18-1-202(a). |
| 04-072 Jury Commission Records —Jury commission reports from commission to court of names drawn for jury service from jury box, jury cards, etc. | Retain for 10 years, then destroy. | T.C.A. § 18-1-202(a). |
| 04-073 Jury List Book —A book containing a list of names of persons qualified to serve as jurors selected by the jury commissioners. | Retain for 10 years after last entry, then destroy. | T.C.A. § 18-1-202(a). |
| 04-074 Land Condemnation Records —Records pertaining to land condemned for road and sewer construction, commercial development, etc. | Permanent record. | Could have bearing on land title. |
| 04-075 Land Sale Newspaper Clippings —Newspaper clippings of chancery court land sales for failure to pay delinquent taxes and for judgments settling estates for minor children, showing place of sale and description of property to be sold. Clippings are pasted in volumes. | Retain 10 years after last entry, then destroy. | T.C.A. § 18-1-202(a). |
| 04-076 Minute Books | See Indexes - Minute Books and Indexes. | |
| 04-077 Naturalization Records —Records of proceedings in the naturalization of aliens including certificates of arrival, declarations of intention, petitions, affidavits of witness who has known the petitioner for at least 5 years, oaths of allegiance, and orders of the court conferring rights and privileges of citizenship upon petitioner. | Permanent record. (These records are not usually found today in Circuit Court records.) | Important for historical purposes and for establishing citizenship. |
| 04-078 Plan and Plat Records —Drawings and blueprints of forms, subdivisions, cemeteries, city lots, and street improvements, showing name of | Permanent record. | Could have bearing on land title. |

Retention Schedule for Circuit and Criminal Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|---------------------------------------|
| subject, date of drawing, boundaries, scale used, location, name of engineer making survey, name of draftsman, and certificate of registration. | Retain until all files and papers are returned, then destroy according to rules of the Public Records Commission. | Working paper (T.C.A. § 10-7-406(b)). |
| 04-079 Receipts for Papers —Record of all files and papers removed from the office, showing date and by whom taken, and date returned. | Permanent record. | Could have bearing on land title. |
| 04-080 Sale Books — Record of court land sales, showing name of court, style of case, location and description of property, by what process land was sold, date of sale, name of purchaser, and tax collected. | Retain 10 years after last entry, then destroy. | T.C.A. § 18-1-202(a). |
| 04-081 Sheriff’s Receipt Books —Book used by execution clerks to record and control the execution and flow of fieri facias and other process to be returned by sheriff. | Retain 10 years after last entry, then destroy. | T.C.A. § 18-1-202(a). |
| 04-082 Witness Books —Record of witnesses appearing in court cases, showing date of court term, style of case, names of witnesses for complain-ant, names of witnesses for respondent, number of days attended, miles traveled, amount due, and date of payment. | | |

OBSOLETE RECORDS

| | | |
|---|--|--|
| 04-083 Enrollment Books — Recorded copies of original process incident to civil cases, showing names of plaintiff and defendant, cause of action, dates of trial and disposal of case, nature and text of process filed, and date recorded; may include bills and petitions, answers and pleas, and depositions. This is an obsolete record. | Permanent record. No longer generated. Keep for historical value. | |
| 04-084 Retired Cases Dockets —Record of cases disposed of or retired by the court, showing case number, date retired, names of complainant, respondent, and attorneys; also date of filing, rule docket and page number of recordation, dates and text of orders of the court; and volume and page number of recordation in minute book. | Obsolete record no longer in use. Retain 10 years, after last entry, then destroy. | |
| 04-085 Subpoena and Commission Dockets —Record of subpoenas and commissions issued authorizing persons to take depositions, showing date of entry, style of case, nature of action, kind of writ, how served, and disposition of the case. | Obsolete record no longer generated. Return 10 years after last entry, then destroy. | |

Clerk and Master Records Retention Schedule

Reference Number: CTAS-2053
Clerk and Master Records. The records included in this schedule are those for the office of the clerk and master. Many of the materials in this schedule will also be important to county clerks that serve as clerks for probate court. They are divided into different sections based on the types of records. Records that may

be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules in this manual. Included in this table is a listing of “obsolete” records. Your office should no longer be generating these records. They are still included in the disposition schedule so that anyone discovering those materials in older records of the office will know how to deal with them. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record or the frequency of its occurrence. This is particularly true of court records which may vary according to local rule and practice and especially confusing concerning the varying forms of docket books that courts may have utilized over the years. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--|-------------------------------|
| A. Civil Action Files | | |
| 05-001 Briefs —Statements of the case, legal theory and arguments for a party in a case. | Maintain for three years after final disposition of case, then notify parties and destroy. | T.C.A. § 18-1-202(b). |
| 05-002 Chancellor’s Opinions —Statements by the chancellor of the decision reached in regard to a cause heard before him relating the law as applied to the case and giving reasons on which the judgment is based. | Permanent record. | T.C.A. § 18-1-202(a). |
| 05-003 Civil Actions, Record of —All original process, pleadings, chancellor’s opinions and orders in each civil case, motions, master’s reports, affidavits, etc. | Permanent record. | T.C.A. § 18-1-202(a). |
| 05-004 Discovery Records —Interrogatories, depositions and other legal devices to obtain information concerning a case prior to trial. | Maintain for three years after final disposition of the case, then notify parties and destroy. | T.C.A. § 18-1-202(b). |
| 05-005 Doctor’s Depositions in Worker’s Compensation Cases | See Trial Exhibits and Evidence, below. | |
| 05-006 Summonses —A writ notifying a person that a court action has been commenced against him, and that he is required to appear on a day named and answer the complaint in such action. | Permanent record. | T.C.A. § 18-1-202(a). |
| 05-007 Trial Exhibits and Evidence —Any documentary evidence and exhibits presented at trial that become part of the record of the case. For physical evidence, see T.C.A. § 18-1-206. | Retain 10 years after final judgment, then destroy unless local rule of court provides for a different retention period. | T.C.A. § 18-1-202(a). |
| B. Bonds | | |
| 05-008 Appearance and Bail Bond Records —Bonds and recordings of bonds executed by defendants and sureties showing defendant’s name, name of person serving as surety, amount of bond, and signatures of the accused and sureties. | Retain 10 years after final judgment, then destroy. | T.C.A. § 18-1-202(a). |
| 05-009 Attachment and Injunction Bonds —Bonds executed in attachment and injunction cases insuring defendant against damages likely to occur as a result of wrongful suing, showing date of bond, names of principal | Retain 10 years after final judgment, then destroy. | T.C.A. § 18-1-202(a). |

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|---|
| and sureties, amount of bond, condition of the obligation, and signatures of principal and sureties. | | |
| 05-010 Cost Bonds, Civil Cases —Bonds executed to insure payment of court costs, showing names of plaintiff and defendant, amount and date of bond, condition of the obligation, and signatures of principal and sureties. | Retain three years after final judgment, then destroy. | T.C.A. § 18-1-202(b). |
| 05-011 Guardian’s Bonds —Loose file original bonds executed by guardians to insure the discharge of duties obligations, showing names of estate, guardian, minors, and sureties, amount of bond, date executed, conditions of the obligation, date of approval by the court, and signatures of principal, sureties, and judge. | Retain 10 years after final judgment, then destroy. | T.C.A. § 18-1-202(a). |
| 05-012 Miscellaneous Bond Books —Receivers', indemnifying, appearance, cost, refunding, replevin, etc., bonds, showing names of principal and sureties, style of case, amount and date of bond, condition of the obligation, and signatures of principal and sureties. | Retain 10 years after release, replacement or expiration of all bonds in book, then destroy. | T.C.A. § 18-1-202(a). |
| C. Dockets [Note: Dockets are kept in varying formats in different courts. Not all of the following dockets may be found or kept in your court. Much of the information may be combined into one docket or maybe be kept electronically pursuant to T.C.A. § 10-7-121. Except for Mental Health and Adoption Dockets, most other dockets may now consolidated into a single docket. The fact that separate listings are given for dockets below does not mean that these records must be kept separately.] | | |
| 05-013 Alimony and Child Support Dockets & Ledgers —Docket shows date alimony and child support paid to court clerk, date paid out by him or her, name of person to whom paid, and amount. | Retain 25 years after last entry, then destroy. | Retention period based on period of dependency of minor. |
| 05-014 Appeal Dockets —Record of cases going to appellate courts showing style of case, date, and ruling of the court; may show court costs. | Retain 10 years after last entry, then destroy. | T.C.A. § 18-1-202(a). |
| 05-015 Appearance and Rule Dockets —Record of first appearance of all causes in court, showing date filed, names of attorneys, style of case, security, and action taken. | Permanent record. | T.C.A. § 18-1-202(a). |
| 05-016 Bar Dockets (aka Hearing Dockets, Trial Dockets, or Judge’s Docket Sheets) —A record prepared for the use of the chancellor, clerk and master and bar, listing all cases set for trial in court, showing date of court term, case number, names of attorneys, plaintiff, defendant, date case filed; may also show page and volume number or recordation in minute book. This is basically a working paper, but may have record value in some counties. | As long as the information in this record series is found in other records which are retained for 10 years, these are considered working papers records and may be destroyed when no longer useful. | T.C.A. § 10-7-406(b). |
| 05-017 Delinquent Tax Docket Book —Record of property taken over by the county, showing description of property, whether redeemed or not, by whom redeemed, amount of taxes, date, and decree of court relevant to property. | If the county maintains this information in this format, retain as a permanent record. | These records could have bearing on land title and therefore need to be maintained. |
| 05-018 Distribution Dockets —Dockets showing the detailed distribution of funds belonging to an | Permanent record. | This record has long term significance to the parties. |

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
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| estate, etc. | | May also contain information affecting land title. |
| 05-019 Execution Dockets and Indexes —A financial record of cases tried, showing date or court term, style of case, nature of action, amount of judgment and cost, and amount and date paid. | Permanent record. | T.C.A. § 18-1-202(a). |
| 05-020 Guardian and Trustee Dockets —Record of proceedings pertaining to guardianships and trusteeships showing names of guardians, trustees, minors, trustors, etc., amount of bond, names of sureties, and date executed; may also include dates, letters and orders issued, dates of annual and final settlements, and book and page number of recordings in minute book. | Permanent record. | This record has long term significance to the parties. May also contain information affecting land title. |
| 05-021 Motion Dockets —Docket shows names of plaintiff and defendant, date motion filed, nature of motion, and remarks. | As long as information in these records is found in other records which are retained for 10 years, these are considered working papers and may be destroyed when no longer useful. | T.C.A. § 10-7-406(b). |
| 05-022 Rule Dockets and Indexes —A record of original processes issued and filed incident to cases tried in court, showing number of case, date and hour filed, names of complainant, respondent, and solicitors; also date and nature of process, names of bondsmen, date process served, note of officer's return, and rules and orders of the court. | Permanent record. | T.C.A. § 18-1-202(a). |
| 05-023 Worker's Compensation Dockets —Docket shows name of person applying for compensation, date of application, date and amount of judgment, and accrued costs. | Permanent record. | T.C.A. § 50-6-225. |
| D. Financial Records —The disposition schedule for many of the financial records of the court can be found in schedule number 15 in this manual, entitled General Accounting and Purchasing Records. The items included below are those financial records unique to the office of the clerk and master. | | |
| 05-024 Fee Books —A record of fees collected by the clerk and master in court litigation, showing date of collection, from whom received, on what account, style of case, and amount collected. This book is no longer used in most counties. | Retain 10 years after clerk's tenure is broken, then destroy. May be obsolete. | T.C.A. § 18-1-202. |
| 05-025 General Account Ledgers (refer to execution docket) —Ledger accounts of funds received from sales of property in settlement of estates, alimony payments, and payments of judgments and court costs; money distributed by the clerk and master showing style and number of case, date of collection, name of person from whom received, and amount; date of payment, name of payee, number of check issued, and amount; may show cash book and page number from which entry was posted. | Permanent record. | May have bearing on land title. |
| 05-026 Investment Ledger — Record of funds belonging to estates and ordered to be invested. | Permanent record. | This record may have significance to the parties |

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| 05-027 Notes —Original notes submitted to the clerk for funds loaned by order of the court, showing date and amount of note, date due, style of case from which funds are loaned, and signatures of principal and sureties; may also be notes executed to the clerk and master as payment for real estate purchased at court sales. | Retain 10 years after payment of note, then destroy. | for decades. This record has long term significance to the parties. May also contain information affecting land title. |
| 05-028 Payroll Records | See separate retention schedule in this manual for employment records. | |
| 05-029 Receipt Books —Duplicates of receipts issued for payment of judgments and costs in litigation, showing date of receipt, name of payor, amount and purpose of payment, names of complainant and respondent, and signature of clerk and master. | Retain 10 years after issuance of last receipt, then destroy. | T.C.A. § 18-1-202(a). |
| 05-030 Receipt Books, Delinquent Tax —Duplicates of receipts issued for payment of delinquent taxes, showing receipt number, date issued, name of taxpayer, amount, year of assessment, district number, number of acres of farm land, number of town lots, valuation, personal property valuation, amounts of state and county taxes, interest, penalty, and total amount of payments. | Retain 10 years after issuance of last receipt, then destroy. | T.C.A. § 18-1-202(a). |
| 05-031 Unclaimed Funds, Record of —Record of funds in hands of clerk unclaimed for 7 years and turned over to state, showing style of case, case number, respondent, and amount. | Retain 10 years, then destroy. | Record kept for audit purposes and a reasonable period to allow interested parties to make inquiries. |
| E. Guardian and Conservatorship Records | | |
| 05-032 Administrator and Guardian Notifications (Appointments), Record of —A record of notification of appointments to guardian and administrators, showing date of official notice, name of ward or estate, and date of final settlement with the court. | Permanent record. | This record has long term significance to the parties. May also contain information affecting land title. |
| 05-033 Conservator’s Bonds —Loose file original bonds executed by conservators to guarantee performance of duties showing names of persons for whom responsible, amount of bond, date executed, conditions of the obligation, approval of the judge, and signatures of principal, sureties, and judge. | Retain 10 years after expiration of bond, then destroy. | T.C.A. § 18-1-202. |
| 05-034 Conservator’s Bonds, Record of —Bound original and/or recorded copies of conservator’s bonds. | Retain 10 years after expiration of bond, then destroy. | T.C.A. § 18-1-202. |
| 05-035 Conservator’s Settlements, Record of — Recorded copies of conservator’s settlements with the court showing name of person for whom responsible, name of conservator, date of appointment, receipts and disbursements during the period reported, totals, balance due, date of settlement, acknowledgment and approval of the court, date recorded, and signature of the clerk. | Permanent record. | This record has long term significance to the parties. May also contain information affecting land title. |
| 05-036 Guardians’ Bonds and Letters, Record of — Bound original and/or recorded copies of guardians' bonds. Letters show names | Retain 10 years after expiration of bond, then destroy. | T.C.A. § 18-1-202. |

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|--|
| <p>of guardian, estate, and minors, order of the court, date issued, and name of the clerk. 05-037 Guardian Files—These files may include orders, petitions, claims, bills of costs, inventories, accounts, receipts, settlements, and recapitulations. All of these records except petitions should be recorded.</p> | Permanent record. | <p>This record has long term significance to the parties. May also contain information affecting land title.</p> |
| <p>05-038 Guardian Rule Dockets—Record of all proceedings pertaining to guardianship of minors, showing names of guardian and minors, amount of bond, names of sureties, date executed, date letter of guardianship issued, dates of annual and final settlement by guardian, dates of orders confirming settlements, and book and page number of recording in minute book.</p> | Permanent record. | <p>This record has long term significance to the parties. May also contain information affecting land title.</p> |
| <p>05-039 Guardian Settlements, Record of—Recorded copies of settlements filed by guardians showing whether partial or final, name of guardian, name of minor, date of report, amounts of receipts and disbursements, name of payee, and purpose of payment.</p> | Permanent record. | <p>This record has long term significance to the parties. May also contain information affecting land title.</p> |
| <p>05-040 Ward Receipts—Show testimony of ward and receipt for all demands against the guardian when ward has become 21 years old. Receipt shows date, name of guardian and ward, and description of items.</p> | Retain 10 years after termination of the guardianship, then destroy. | <p>Retention period established to cover period of time during which a controversy might arise.</p> |
| F. Index Books | | |
| <p>05-041 Divorce and Adoption Cases, Index—Indexes to original divorce and adoption cases, showing names of parties, style of case, case number, and file container in which record is filed. NOTE: Record series may contain confidential information.</p> | Permanent record. | <p>Necessary for use of other permanent records.</p> |
| <p>05-042 General Index—Index to all original case papers, showing file number and names of complainant and respondent.</p> | Permanent record. | <p>Necessary for use of other permanent records.</p> |
| <p>05-043 Guardian Index—Index to guardians showing name of guardian and book and page number of recording.</p> | Permanent record. | <p>Necessary for use of other permanent records.</p> |
| <p>05-044 Judgment Index Books (see Divorce and Adoption cases, Indexes)</p> | Permanent record. | <p>Necessary for use of other permanent records.</p> |
| <p>05-045 Minute Books and Indexes—Minutes show the course and proceedings in all cases from their origin to termination, giving name of defendant, offense charged, date of trial, verdict of jury, and sentence of the court.</p> | Permanent record. | <p>Necessary for use of other permanent records.</p> |
| G. Probate Court Records (transferred to Clerk and Master in most counties) | | |
| <p>05-046 Abstracts of Conveyances—Record of real estate transfers in probate court showing amount of sale, date of transaction, names of parties to the transfer, and dates recorded.</p> | Permanent record. | <p>This record has long term significance to the parties. May also contain information affecting land title.</p> |
| <p>05-047 Administrator’s Bonds—Loose file original bonds executed by administrators to guarantee the performance of duties, showing names of estate, administrator, sureties, amount of bond, date executed, conditions of the obligation, approval of the judge, and signatures</p> | Retain for 10 years after expiration of bond, then destroy. | T.C.A. § 18-1-202. |

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|--|
| <p>of principal, sureties, and judge. 05-048 Administrator’s Bonds and Letters, Record of—Bound original and/or recorded copies of administrators’ bonds; also letters showing names of administrator and estate, order of the court, date issued and name of the clerk. Oaths to perform the will of the deceased, or for faithful performance of duties, may also be included.</p> | <p>Retain for 10 years after expiration of bonds, then destroy.</p> | <p>T.C.A. § 18-1-202.</p> |
| <p>05-049 Administrator’s Files (Wills may be Annexed)—These files may include orders, petitions, claims, bills of cost, inventories, accounts, receipts, settlements, and recapitulations.</p> | <p>Permanent record.</p> | <p>Since these files include orders, preserve permanently (T.C.A. § 18-1-202). It is also necessary to permanently preserve original of all wills.</p> |
| <p>05-050 Administrator’s Rule Dockets—An account of proceedings pertaining to settlements of administrators showing name of administrator, amount of bond, names of sureties, date of letter of administration or statement, book and page number of recordation, dates of partial and final settlements, date of filing, and dates of court orders confirming settlements.</p> | <p>Permanent record.</p> | <p>Rule dockets are maintained permanently (T.C.A. § 18-1-202).</p> |
| <p>05-051 Administrator’s Settlements, Record of— Recorded copies of administrators' settlements with the probate court showing name of deceased, name of administrator, date of appointment, book and page number where will is recorded, receipts and disbursements during the period reported, totals, balance due estate, date of settlement, acknowledgment and approval by the court, date recorded, and signature of the clerk.</p> | <p>Permanent record.</p> | <p>This record has long term significance to the parties. May also contain information affecting land title.</p> |
| <p>05-052 Estate Receipts of Executors, Administrators, and Clerk—Original receipts taken by the clerk for disbursement of funds incident to estate settlements showing date of receipt, amount and purpose of payment, signature of payee, and source from which funds were derived. Also includes affidavits of heirs who have become of age, acknowledging settlement for their portions of estate involved, showing names of guardian and heir, date and amount of settlement, date of affidavit, and signature of heir. These may be loose files or bound volumes.</p> | <p>Permanent record. Preserve original bound volumes permanently.</p> | <p>This record has long term significance to the parties.</p> |
| <p>05-053 Estate Sales, Accounts of—Itemized accounts of sales of estates of deceased persons as submitted to the county court by administrators, showing date and nature of all transactions.</p> | <p>Permanent record.</p> | <p>This record has long term significance to the parties. May also contain information affecting land title.</p> |
| <p>05-054 Estate Settlement Files</p> | <p>Permanent record.</p> | <p>This record has long term significance to the parties. May also contain information affecting land title.</p> |
| <p>05-055 Executor’s Bonds—Loose file original</p> | <p>Preserve originals</p> | <p>These records have been</p> |

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| <p>bonds executed by executors to guarantee the performance of all duties, showing names of principal and sureties, amount of bond, date executed, conditions of the obligation, date of approval by the judge, and signatures of principal, sureties, and judge.</p> | <p>permanently if not microfilmed; if microfilmed, retain 30 years, then destroy.</p> | <p>determined to have significant historical material.</p> |
| <p>05-056 Executor’s Bonds and Letters Index—Index to executors' bonds and letters showing name of executor and book and page number of recording.</p> | <p>Permanent record.</p> | <p>These records have been determined to have significant historical material.</p> |
| <p>05-057 Executor’s Bonds and Letters, Record of— Bound original and/or recorded copies of executors' bond; also letters showing names of administrator and estate, order of the court, date issued, and name of the clerk. Oaths to perform the will of the deceased, or for faithful performance of duties may also be included.</p> | <p>Preserve originals permanently if not microfilmed; if microfilmed, retain 30 years after last issued bond, then destroy.</p> | <p>These records have been determined to have significant historical material.</p> |
| <p>05-058 Executor’s Files—These files may include orders, petitions, claims, bills of costs, inventories, accounts, receipts, settlements, recapitulations, and wills. All of these records except petitions should be recorded.</p> | <p>Preserve originals of all orders, distributed receipts, & inheritance tax receipts not microfilmed; if microfilmed, originals may be destroyed after final settlement. Preserve permanently original of all wills. Retain all other records in file 10 years if not microfilmed, then destroy; if microfilmed, destroy after final settlement of estate.</p> | <p>These records have been determined to have significant historical material. Any court orders must be preserved permanently.</p> |
| <p>05-059 Executor’s Rule Dockets—An account of proceedings pertaining to settlements of executors showing name of administrator or executor, amount of bond, names of sureties, date of letter of administration or testament, book and page number of recordation, dates of partial and final settlements, date of filing, and dates of court orders confirming settlements.</p> | <p>Permanent record.</p> | <p>This record has long term significance to the parties. May also contain information affecting land title.</p> |
| <p>05-060 Executor’s Settlements, Record of— Recorded copies of executors' partial and final settlements with probate court showing names of estate and executor, date of appointment, book and page number where will is recorded, receipts and disbursements during the reported period, totals, balance due estate, date of settlement, acknowledgment and approval of the court, date recorded, and signature of the clerk.</p> | <p>Permanent record.</p> | <p>This record has long term significance to the parties. May also contain information affecting land title.</p> |
| <p>05-061 Homestead, Dower and Dissent Records— Original papers, including petitions to county court asking for appointment of commissioners to set aside homestead and dower sufficient for needs of widow and family pending settlement of estates, oaths of commissioners with signatures, date of oath and signature of county court clerk administering oath, reports of commissioners showing recommendations regarding portion of estate that may be set aside,</p> | <p>Permanent record.</p> | <p>This record has long term significance to the parties. May also contain information affecting land title.</p> |

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|---|
| and itemized list of items to be included, and petition and orders in case where spouse of deceased dissents from the will. | | |
| 05-062 Insolvent Estates Proceedings, Record of — Record of proceedings in the settlement of insolvent estates including administrator's suggestion of insolvency, showing names of estate and administrator, date filed, court's order for publication of notice to creditors to file claims; list of claims filed showing date filed, number of claims, name of claimant, date due, and signature of person to whom payment is made. | Permanent record. | Certain of these materials may significantly affect land title and property rights. |
| 05-063 Inventories of Estates, Record of —Recorded inventories of estates of deceased persons listing all property belonging to the estate and value of each item, showing name of administrator, executor, or guardian filing same, date filed, and date sworn to and subscribed before a notary public of the clerk. | Unless materials are all and obviously of historical significance, retain 10 years, then destroy. | T.C.A. § 18-1-202. |
| 05-064 Land Sales, Record of —Record of land sales authorized by the court at the instance of heirs showing style of case, date of sale, name of purchaser, amount of consideration, date and terms of payment, and distribution of funds received from sale. | Permanent record. | This record has long term significance to the parties. Contains information affecting land title. |
| 05-065 Notes, Record of —Record of notes executed by purchasers of land sold by decree of the court in settlement of estates, showing number of note, date executed, date due, amount of note, district number, names of complainant and respondent, and signatures of purchaser and surety; on reverse side of note a record of payments showing amount, date paid, and signature of the clerk. | Permanent record. | This record has long term significance to the parties. Contains information affecting land title. |
| 05-066 Probate Court Minutes —Recorded minutes of probate court proceedings, including the appointment of administrators, executors, and guardians, estate settlements, probation of wills, adoption and insanity hearings, and the dispatch of all probate matters coming within the jurisdiction of probate court. | Permanent record. | This record has long term significance to the parties. May also have historical significance. |
| 05-067 Realty Transfer Record—Probate Court — Record of real estate transfers showing amount of sales, date of transaction, names of parties to transfer, description of property by metes and bounds, and date recorded. | Permanent record. | This record has long term significance to the parties. Contains information affecting land title. |
| 05-068 Receipt Books (aka Distribution of Estates Books) —Original receipts made to the clerk for money paid out by him in transacting the business of the court. An example: the settlement of estates and the sale of land for purpose of petition, showing date of payment, and clerk's signature. Receipts may be pasted in volume. | Permanent record. | May include important information for tracing land title transfers. |
| 05-069 Receipts, Miscellaneous —Duplicates of receipts issued by the clerk for money received by him in process of settlements with agents of | Retain five years, then destroy. | Keep for audit purposes. T.C.A. § 10-7-404(a). |

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|---|
| <p>estates, showing date of receipt, amount received, name of payor, purpose of payment, and clerk's signature.</p> | | |
| <p>05-070 Rule Dockets—Record of suits for sales of land, partitioning of estates, and habeas corpus proceedings showing names of attorneys, plaintiff, and defendant, process and rules, date petition filed, date set for hearing, subpoenas to answer, date bond filed; may also include decree date of the court and final disposition of the case.</p> | Permanent record. | Rule dockets are retained permanently (T.C.A. § 18-1-202). |
| <p>05-071 Settlements—See Administrator's Files.</p> | Permanent record. | See Administrator's Files. |
| <p>05-072 Trustees and Assignees' Bonds and Oaths—</p> | | |
| <p>Loose file original bonds of trustees and assignees appointed for benefit of creditors, showing name of appointee, by whom appointed, date and amount of bond, and signatures of principal and sureties; also oath to perform faithfully all duties imposed by law, to make an inventory of all goods, chattels, lands and other assets conveyed to him, and to return or cause to be filed in the clerk's office an account of all sales, and moneys received, or securities taken; shows acknowledgment of the clerk.</p> | Retain five years after release, replacement or expiration of bond, then destroy. | Maintain for audit purposes (T.C.A. § 10-7-404(a)). |
| <p>05-073 Trustees and Assignees' Bonds and Oaths, Record of—Bound original and/or recorded copies of trustees' and assignees' bonds and oaths.</p> | Retain five years after release, replacement or expiration of all bonds in bound volumes, then destroy. | Maintain for audit purposes (T.C.A. § 10-7-404(a)). |
| <p>05-074 Widows' and Orphans' Provisions, Record of — A record of provisions made by the court for the support of widows and orphans, showing itemized account of commodities and cash provided.</p> | Permanent record. | Record has historical significance. |
| <p>05-075 Wills—Original wills filed for probate and recording showing name of testator, date instrument executed, names of legatees, provisions for the partition, distribution, and administration of the state, names of witnesses and testator, clerk's notation of the court's action, and book and page number of recordation.</p> | Permanent record. | This record has long term significance to the parties. Contains information affecting land title. |
| <p>05-076 Wills, Record of—Recorded copies of wills showing name of testator, date instrument executed, names of legatees, provisions for the partition, distribution, and administration of the estate, names of witnesses and testator, date of probation, and approval of the court.</p> | Permanent record. | This record has long term significance to the parties. Contains information affecting land title. |
| <p>H. Process, Court Orders, Writs, Etc.</p> | | |
| <p>05-077 Attachments on Personal Property—Writs issued during court action to seize the personal property of the defendant to be held as security for the satisfaction of such judgment as the plaintiff may recover.</p> | Retain 10 years after final settlement of case, then destroy. | T.C.A. § 18-1-202(a). |
| <p>05-078 Attachments on Real Property—Writs issued during court action to seize the real property of the defendant to be held as security for the satisfaction of such judgment as the</p> | Retain 10 years after final settlement of case, then destroy. | T.C.A. § 18-1-202(a). |

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| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| <p>plaintiff may recover. 05-079 Executions—Writs or orders providing that an act or course of conduct be carried out.</p> | <p>Retain 10 years after issuance, then destroy.</p> | <p>T.C.A. § 18-1-202(a).</p> |
| <p>05-080 Fieri Facias— Court orders to levy execution on property, sell the same, and apply the proceeds to the satisfaction of judgments in court; shows names of complainant and respondent, description of property, and amount involved; an execution.</p> | <p>Retain 10 years, then destroy.</p> | <p>T.C.A. § 18-1-202(a).</p> |
| <p>05-081 Garnishments—Process whereby defendant's property in possession or control of another is applied to payment of defendant's debt. Shows names of court, plaintiff, and defendant, total costs, and reporting date.</p> | <p>Retain 10 years, then destroy.</p> | <p>T.C.A. § 18-1-202(a).</p> |
| <p>05-082 Habeas Corpus, Writs of—Writs issued to change the place of trial, to move from custody of one court to another, directing that a detained person be produced, etc.</p> | <p>Permanent record.</p> | <p>This record is in the nature of original process (T.C.A. § 18-1-202(a) 0.</p> |
| <p>05-083 Replevin Warrants (Writs of Possession)— Writs giving authority to recover goods or chattels claimed to be wrongfully taken or kept.</p> | <p>Permanent record when used as leading process (now obsolete), otherwise retain 10 years, then destroy.</p> | <p>T.C.A. § 18-1-202(a).</p> |
| <p>05-084 Subpoenas—Copies of summonses to appear in court as witnesses in lawsuits, showing name of person summoned, day and hour to appear, in whose behalf, and signature of the clerk.</p> | <p>In civil cases, retain three years, then destroy.</p> | <p>T.C.A. § 18-1-202(b).</p> |
| <p>05-085 Warrants—Writs issued in both civil and criminal cases requiring an officer of the law to arrest the person named therein and bring him before the court to answer charges of some offense which he is alleged to have committed.</p> | <p>Permanent record.</p> | <p>T.C.A. § 18-1-202(a).</p> |
| <p>05-086 Writ of Possession—A writ employed to enforce a judgment to recover possession of land.</p> | <p>Permanent record.</p> | <p>Could have bearing on land title.</p> |
| <p>05-088) Clerk and Master (Financial) Reports— Reports submitted to the chancellor by the clerk and master on receipts and disbursements of this office, showing date, source, and amount of receipt; also purpose, date, and amount of disbursement, and date reported.</p> | <p>Retain 10 years, then destroy.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>05-089 Delinquent Tax Collections Reports—Copies of reports made by the clerk to the cities, county, and state of tax collections in litigation, showing docket number, case number, names of complainant and respondent, amount collected, total, and date of report.</p> | <p>Retain 10 years, then destroy.</p> | <p>T.C.A. § 18-1-202(a).</p> |
| <p>05-090 Litigation Tax Reports—A record of all state and county litigation taxes collected by the clerk showing number of cases and amount received.</p> | <p>Retain 10 years after last entry, then destroy.</p> | <p>Keep for audit purposes. T.C.A. § 10-7-404(a).</p> |
| <p>05-091 Revenue Dockets or Reports—Record of reports to the county judge or county mayor of state and county revenue collected by the clerk and remitted to the trustee and state, showing</p> | <p>Retain 10 years after clerk's tenure is broken, then destroy.</p> | <p>Keep for use as evidence in case of misappropriation of funds.</p> |

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|---|
| date and source of collection, date reported, certification of clerk, and amounts of taxes, fees, and total. Receipts from trustee and state for funds received may be posted in these volumes. | | |
| 05-092 Sale Books or Reports —Record of court land sales, showing name of court, style of case, location and description of property, by what process land was sold, date of sale, name of purchaser, and tax collected. | Permanent record. | Could have bearing on land title. |
| 05-093 Special Commissioners Reports —Reports of special commissioners appointed when property is sold by court. | Permanent record. | Could have bearing on land title. |
| 05-094 Worker’s Compensation Payment Records | Retain 10 years after judgment in case, then destroy. | T.C.A. § 18-1-202(a). |
| J. Other Records | | |
| 05-095 Adoption Files —Petitions to the court for the adoption of children, all intermediate proceedings, and final decree of the court, showing, in addition to the text, name and address of petitioner, date of petition, name of child, names of parents or custodian of child, age, date of birth, sex of child, statement of financial status and character of petitioner, and signatures of petitioners, affiants, and judge. Note: Record series contains confidential information. | Permanent record. | T.C.A. § 36-1-111. Has historical value and long term significance to the parties. |
| 05-096 Chambers Minutes and Indexes —Minute books in which are recorded decrees in matters of urgency handed down by chancellor at chambers. | Permanent record. | Has historical value. |
| 05-097 Delinquent Tax Lists —Lists of delinquent real estate taxes, showing name of taxpayer, location and description of property, assessed valuation, amount of taxes due, interest, and penalty; may be posted to delinquent tax dockets. | Destroy after posting to delinquent tax dockets. If not posted to delinquent tax dockets, retain as a permanent record. | Could affect land title. |
| 05-098 In Memoriam Books —Record of deaths of members of local bar. | Permanent record. | Keep for historical value. |
| 05-099 Insanity Proceedings, Record of —Recorded proceedings in insanity inquisitions showing name of patient, suggestion of insanity, name of trial judge, date of trial, sworn statement of examining physicians, statements of witnesses, and final disposition of the case. | Permanent record. | Has long term significance to the parties. |
| 05-100 Insurance Policies —Insurance policies on property held by deed of trust on which loans have been made, and policies naming the clerk and master beneficiary by virtue of his being receiver for the estate, showing name of company, name of agent issuing policy, date of policy, date of expiration, amount of premium, amount of coverage, and description of property covered. | Retain 10 years after expiration or replacement of policy, then destroy. | T.C.A. § 18-1-202(a). |
| 05-101 Land Condemnation Records —Records pertaining to land condemned for road and sewer construction, commercial development, etc. | Permanent record. | Contains information that has bearing on land title. |
| 05-102 Land Records of Partitioning —Original papers relative to suits for the sale of | Permanent record. | Contains information that has bearing on land title. |

Retention Schedule for the Office of the Clerk and Master

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|--|
| property including orders and decrees, notices of sale of land, lists of assets and liabilities, clerk’s reports of sales, notices of publication, and depositions relative thereto. | | |
| 05-103 Land Sale Newspaper Clippings —Newspaper clippings of chancery court land sales for failure to pay delinquent taxes and for judgments settling estates for minor children, showing place of sale and description of property to be sold. Clippings are pasted in volumes. | Retain 10 years after last entry, then destroy. | T.C.A. § 18-1-202(a). |
| 05-104 Names and Birth Dates Corrected, Records of —These files may contain copies of court orders for correcting names and birth dates. Orders show subject’s name, sex, race, date of birth, place of birth, and file date; also incorrect and correct information, date and signature of county judge, and acknowledgment of the clerk. Copies of State Division of Vital Statistics forms may be filed showing two affidavits of persons knowing subject and documents used in ascertaining birth. File may also contain petition from subject seeking change in name and/or birth. | Preserve file permanently if court order is not recorded; if order is recorded, retain file 10 years, then destroy. | Has long term significance to the parties. May have historical significance (T.C.A. § 18-1-202(a)). |
| 05-105 Naturalization Records —Records of proceedings in the naturalization of aliens including certificates of arrival, declarations of intention, petitions, affidavits of witness who has known the petitioner for at least five years, oaths of allegiance, and orders of the court, conferring rights and privileges of citizenship upon petitioner. | Permanent record. (These records are not usually found today in Chancery Court records.) | Important for historical purposes and for establishing citizenship. Has long term significance to the parties. |
| 05-106 Non-support Files —Trial papers incident to action showing name of defendant, date of trial, bill of costs, and warrants issued. | Retain 10 years, then destroy. | T.C.A. § 18-1-202(a). |
| 05-107 Plan and Plat Records —Drawings and blueprints of forms, subdivisions, cemeteries, city lots, and street improvements, showing name of subject, date of drawing, boundaries, scale used, location, name of engineer making survey, name of draftsman, and certificate of registration. | Permanent record. | Contains information that affects land title. |
| 05-108 Publication Books — Book used by the clerk and master to record his issuances of all orders or publications. | Retain 10 years after, then destroy. | T.C.A. § 18-1-202(a). |
| 05-109 Witness Books —Record of witnesses appearing in court cases, showing date of court term, style of case, names of witnesses for complainant, names of witnesses for respondent, number of days attended, miles traveled, amount due, and date of payment. | Retain 10 years after last entry, then destroy. | T.C.A. § 18-1-202(a). |

OBSOLETE RECORDS OF THE CLERK AND MASTER’S OFFICE

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| 05-110 Enrollment Books —Recorded copies of original process incident to civil cases, showing names of plaintiff and defendant, cause of action, dates of trial and disposal of case, nature and text of process filed, and date recorded; may include bills and petitions, answers and pleas, and depositions. This is an obsolete record. | | Keep as a permanent record. No longer generated, but still must be retained. |
|--|--|--|

OBSOLETE RECORDS OF THE CLERK AND MASTER’S OFFICE

| | |
|---|---|
| <p>05-111 Fee Reports—Reports of fees collected by the clerk and master showing date of report, date of collection, from whom received, purpose of payment, date of report, and signature of clerk and master. This record is now obsolete.</p> | <p>Retain 10 years after clerk’s tenure is broken, then destroy.</p> |
| <p>05-112 Judgment Books—Record of judgments rendered by the court, showing book and page numbers of rule docket in which case is recorded, number and style, names of plaintiff and defendant, judgment rendered, and amount of costs. This is an obsolete record.</p> | <p>Permanent record. No longer generated, but must be maintained.</p> |
| <p>05-113 Retired Cases Dockets—Record of cases disposed of or retired by the court, showing case number, date retired, names of complainant, respondent, and attorneys; also date of filing, rule docket and page number of recordation, dates and text of orders of the court; and volume and page number of recordation in minute book.</p> | <p>Obsolete record no longer in use. Retain 10 years after last entry, then destroy.</p> |
| <p>05-114 Subpoena and Commission Dockets—Record of subpoenas and commissions issued authorizing persons to take depositions, showing date of entry, style of case, nature of action, kind of writ, how served, and disposition of the case.</p> | <p>Obsolete record no longer generated. Return 10 years after last entry, then destroy.</p> |

County Clerk Records Retention Schedule

Reference Number: CTAS-2050

County Clerk Records. The records included in this schedule are only those specific to the office of the county clerk. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules in this manual. As various types of taxes and registers have come and gone over the decades and as the duties of the county clerk changed, many functions and records of this office in particular have become obsolete. Included in this table is a listing of “obsolete” records. Your office should no longer be generating these records. They are still included in the disposition schedule so that anyone discovering those materials in older records of the office will know how to deal with them. As a repository of many basic county records, the office of the county clerk maintains a large number of records that have historical significance and must be kept permanently. When using this table, keep in mind that to a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record, or the frequency of its occurrence. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|--|
| <p>02-001 Accounting Records— Monthly statements from banks in which county clerk’s funds are deposited, showing dates of statements, names of banks, dates and amounts of deposits, dates and amounts of withdrawals, and balances.</p> | <p>Retain five years, then destroy.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |
| <p>02-002 Animal Pedigrees, Record of—Animal pedigrees filed with and registered by the clerk showing name, kind of animal, name of owner, pertinent information, certificate of registration showing date of registration, and signature of clerk.</p> | <p>Permanent record. (Note however, that few offices are doing this.)</p> | <p>Necessary for checking lineage of animals.</p> |
| <p>02-003 Appropriation Dockets—Record of appropriations made by the county legislative</p> | <p>Retain five years after last entry, then destroy.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--|---|
| <p>body for maintenance of county offices and institutions, and for payment of claims against the county, showing date of session, date claim filed, to whom payable, nature of claim or purpose of appropriation, and amount.</p> | <p>Preserve permanently one copy of all audits.</p> | <p>Keep for historical purposes</p> |
| <p>02-004 Audit Reports—Audit reports of the office of county mayor, county judge, trustee, county clerk, register, circuit court clerk, clerk and master, sheriff, school superintendent, highway commissioner, and other county offices. Audit reports show name of office, name of fund or account, account of all receipts and disbursements, date of audit, and signature of auditor.</p> | <p>Preserve permanently one copy of all audits.</p> | <p>Keep for historical purposes</p> |
| <p>02-005 Automobile Dealer License Books—Recorded copies of original licenses issued automobile dealers by the state, showing name and address of firm, date, fee, date recorded, and clerk's signature.</p> | <p>Retain five years after all licenses in book have expired, then destroy.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |
| <p>02-006 Aye and Nay Dockets—Record of members of the quarterly court and county legislative body present at each session and their votes on matters of business presented showing dates of sessions, names of magistrates or county commissioners, nature of matter presented, and nature of vote.</p> | <p>Permanent record, except in those counties where all records are in minutes, if so, then destroy after three years.</p> | <p>Keep for historical purposes</p> |
| <p>02-007 Beer Permits—Duplicate of permits issued to persons selling legalized beverages (beer), showing name of licensee, business address, date issued, permit number and signature of commissioners approving the issuance of the license.</p> | <p>Retain five years after permit is terminated, then destroy.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |
| <p>02-008 Beer Tax Reports and Receipts—Reports from wholesale beer distributors showing brands of beer, number of units sold, unit prices and tax remitted. Receipts from trustee from money submitted by county clerk may also be in file.</p> | <p>Retain five years after creation, then destroy.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |
| <p>02-009 Beverage Bonds—Original bonds, loose and bound, made by persons applying for license to sell beer and other legalized beverages, showing names of principal and sureties, amount of bond, location of business, state registration number, county permit number, date of bond, approval of the clerk, and signatures of principal, sureties, and clerk.</p> | <p>Retain individual bonds three years after expiration, replacement or release of the bond, or termination of the business, then destroy, provided all liabilities are liquidated. These provisions should apply to all bonds in beverage bond books before disposal of the book.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |
| <p>02-010 Birth, Record of—Record of births reported showing date of birth, name of child, sex, color, names of parents, place of birth, and district number. The earliest of these records, reported by justices of the peace, may also show nativity of parents, occupation of father, residence of parents, and date recorded by the clerk.</p> | <p>Preserve permanently volumes containing entries prior to 1914; destroy volumes with all entries after 1914.</p> | <p>Keep for historical purposes except, where as indicated, the record is kept by another office.</p> |

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|--|
| <p>02-011 Board of Equalization, Certification of Assessments—Certificate required by T.C.A. Section 67-5-1410 wherein members of county board of equalization certify that all appeals of the assessments and classifications of property have been examined and changes made which are proper, just and equitable and are prescribed by law.</p> | <p>Retain for five years, then destroy.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>02-012 Brands and Cattle Marks, Register of — Record of cattle marks and brands showing names of owners of cattle and description of brands.</p> | <p>Permanent record.</p> | <p>Keep for historical purposes.</p> |
| <p>02-013 Business License—Original applications for licenses to engage in business showing name of applicant, kind of license, duration of license, date filed, and signature of applicant; shows signature of affiant, date of affidavit, and acknowledgment of notary public.</p> | <p>Retain five years after creation, then destroy.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>02-014 Cash Books, Daily—Record of revenue collected daily from all sources, shows date of collections, name of payor, purpose of payment and amount collected.</p> | <p>Retain five years after last entry, then destroy.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>02-015 Cash Journals—Summary of all cash receipts and disbursements by the clerk as a state revenue agent and as clerk of the probate and quarterly courts. Record of collections may show date, name of payor, purpose of payment, amount, account credited, and amount deposited. Disbursement record shows date, name of payee, purpose of payment, amount, bank withdrawals, and balances.</p> | <p>Retain 10 years, then eligible for destruction.</p> | <p>Comptroller’s office considers this record important for demonstrating patterns in investigations of mis-appropriation of funds (T.C.A. § 10-7-404(a)).</p> |
| <p>02-016 Cemetery Company Reports—Annual reports made to the clerk by cemetery companies showing names of corporation, dates of incorporation, district in which located, names of lot owners, price of lot, amount paid, amount of funds set aside for improvements, names of banks in which funds are deposited, date of reports, signature of secretary and treasurer of incorporation, and acknowledgment of notary public. These reports are required to be made to the Department of Insurance where they are permanent records.</p> | <p>For reports are for years prior to 1968, maintain as a permanent record. After 1968, records filed and maintained elsewhere. Any reports for years after 1968 may be destroyed.</p> | <p>Record has historical significance.</p> |
| <p>02-017 Charters of Incorporation, Registers of — Register of incorporation charters granted by the state showing part or all of the following: names of incorporators, name of corporation, location, nature of business, amount of capital stock, power and limitations of charter, date executed, date recorded. Since 1929, these charters have been filed with the register and the secretary of state.</p> | <p>Preserve permanently any charters issued before 1929. All charters after that date are filed elsewhere. Any records of those charters still found in the office of the county clerk may be destroyed.</p> | <p>Keep for historical purposes except, where as indicated, the record is kept by another office.</p> |
| <p>02-018 Checks and Check Stubs</p> | <p>Retain five years, then destroy.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>02-019 Contractor License Books—Recorded copies of certificates of license issued to general contractors by the State Board for Licensing General Contractors showing certificate number,</p> | <p>Retain five years after all licenses in the book have expired, then destroy.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|---|
| name of contractor, names of chairman and secretary of the State Board, date certificate issued, date recorded, and signature of the clerk. | | |
| 02-020 County Legislative Body Minutes— Recorded minutes of the proceedings of the county legislative body, the quarterly sessions of county court, including various and sundry items such as fixing the tax levy, adoption of a budget, receiving financial reports from county officials and institutions, appropriation of funds for the maintenance and operations of county offices and institutions, and other items of a similar nature. | Permanent record. | Actions recorded in minutes are effective until superceded or rescinded. Also kept for historical purposes. |
| 02-021 County Legislative Body Rough Minutes and Roll Calls— Rough original copies of county legislative body minutes described in previous item. Includes audio tapes. | Retain until minutes are approved by county legislative body, then destroy in compliance with rules of the Public Records Commission. | Working paper. Destroy in compliance with T.C.A. § 10-7-406(b). |
| 02-022 Deaths, Record of— Record of deaths reported showing date of death, name, sex, and color of deceased, marital status, cause of death, nativity, occupation, names and residence of parents, relationship of parents, if any, and date reported. | Preserve permanently original volumes containing entries prior to 1914; destroy other volumes. | Keep for historical purposes except, where as indicated, the record is kept by another office. |
| 02-023 Distress Warrants— Original warrants issued against persons exercising certain privileges without paying the privilege tax, showing name and address of person of whom warrant is issued, date of issue, amount of tax due, fees, and penalties. | If court action results, retain until final settlement of case, then destroy; if no court action, retain five years, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 02-024 Distress Warrant Stubs— Stubs from which original warrants were detached, giving a complete record of each warrant with name, address, and business of all parties concerned. | Retain five years after issuance of last warrant, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 02-025 Drainage District Minutes— A record of all proceedings in drainage cases, including all orders made by the court, copies of original petitions, and all bonds required to be given, showing dates of petitions, names of petitioners, location and description of property to be affected, and benefits sought, date and amount of bond, and names of principal bondsmen. | Permanent record. | Actions recorded in minutes are effective until superceded or rescinded. Also kept for historical purposes. |
| 02-026 Drainage District Papers— miscellaneous reports of engineers, juries of view, and commissioners. Also may include correspondence, invoices, warrants, vouchers, and bids. | Retain 20 years after termination of drainage district, then destroy. | Files are used for determining prescriptive property rights. |
| 02-027 Election Records— Duplicate copies of poll books which are a record of individuals who voted in a particular election. Usually in the form of a book in manual counties; in the form of a computer print-out in computerized counties. | If manual poll book, keep for four years, if computer printout, keep for 6 years. | T.C.A. § 2-9-107. |
| 02-028 Hunting and Fishing License Reports— Duplicates of reports made to the state showing certain information found on licenses issued. | Retain five years, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| <p>02-029 Inheritance Tax Books—Record of matters pertaining to the collection of state tax on inheritances including recorded copy of commission issued to appraiser authorizing him to evaluate estate for assessment of tax; shows names of estate and appraiser, date issued, names of legatees, report of appraiser submitting itemized statement of all real and personal property involved, showing the appraised value of each item and date of report. Also record of total amount of tax collected, compensation of appraiser, clerk's fees, balance due the state, copies of receipts given by the clerk to persons paying tax, receipts from state for remittances of the clerk on such collections.</p> | Permanent records. | Record has historical significance. Most are filed elsewhere now. |
| <p>02-030 Insurance Company Licenses (Certificates of Authority)—Copies of licenses issued by the State Department of Insurance and Banking authorizing duly qualified corporations to do business in this state, showing name and location of corporation, statement regarding amount of paid-up cash, capital and improved securities on deposit, authorization, seal, signature of the Commissioner of Insurance and Banking, certification that the foregoing is a true and correct copy of the license, and date filed with the clerk.</p> | Retain five years after license has expired, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| <p>02-031 Jury Service List—List made by clerk of court when jury is discharged, showing name of juror, date issued, days of service, term of court, and amount claimed. This may be simply a listing of jurors' names, dates served, and amount due each juror. This list is to be delivered to the county clerk.</p> | Retain five years, then destroy. | T.C.A. § 18-6-105. Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| <p>02-032 Marriage Applications, Notices, and Affidavits—Applications for marriage licenses showing date of application, names, ages, and addresses of contracting parties, names and addresses of female's parents, guardian, or next of kin, affidavit as to truthfulness of statements, signature of male applicant, and acknowledgment of the clerk; also copies of notice of filing application which the clerk mails to the parents, guardian, or next of kin of female applicant; affidavit as to girl's age showing name of affiant, relation to female applicant, name and correct age of said applicant, date of affidavit, signature of affiant, and acknowledgment of the clerk, justice of the peace, or notary public.</p> | Retain 10 years, then destroy. | Keep in case a controversy arises. |
| <p>02-033 Marriage Bonds and Oath—Original bonds executed by applicants for marriage licenses showing names of principal (groom) and sureties, amount of bond, names of contracting parties, condition of the obligation, date bond executed, and signatures of principal</p> | Maintain five years in office, then transfer to library or archives for historical preservation at the discretion of the public records commission. | Keep in office case a controversy arises. Retained for longer period for historical purposes. May have significant historical or genealogical value because of |

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--|--|
| and sureties; oath states that both contracting parties are over 18 years of age, showing signature of affiant, date, and acknowledgment of the clerk. | | the names of bondsmen. |
| 02-034 Marriage Files —Files may contain statements of permission, blood test reports, and returned licenses showing names of contracting parties, date issued, signature of the clerk, date ceremony was performed, name of officiant, date of return, and date recorded in marriage record. | Retain statements of permission 10 years, then destroy. Retain returned licenses permanently. Blood test reports are obsolete and may be destroyed. | Retention period based on estimated need or interest of parties to the marriage and historical significance. |
| 02-035 Marriage, Record of —Record of marriage licenses issued and returned showing number of license, date and place of marriage, names of contracting parties, color, age, birthplace, and residence of each; occupation of groom, name and official status of person performing ceremony, names and addresses of at least two witnesses, and date recorded. | Permanent record. | Keep for historical purposes. |
| 02-036 Military Service, Register of —Register of servicemen from county who served in World War I, showing name and address, date and place of birth, color, name and address of wife, branch of service, date and point of enlistment, date sworn in, company or vessel assigned to, and name of nearest relative to be notified in case of accident or death. | Permanent record. | Keep for historical significance. |
| 02-037 Miscellaneous Bonds —May include bonds made by loan companies, pawn shops, bus companies, etc., showing names of principal and sureties, amount of bond, date executed, condition of the obligation, and signatures of principal and sureties. | Retain individual bonds three years after expiration, replacement, or release of the bond, or termination of the business, then destroy, provided all liabilities are liquidated. These provisions should apply to all bonds in bound volume before volume is destroyed. | Keep in case claims or controversies arise relative to these bonds. |
| 02-038 Motor Vehicle License Reports —Reports to the state of vehicle licenses issued and showing for each issue the information given in the Motor Vehicle Registration Certificate listed below. | Retain five years from date of creation, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 02-039 Motor Vehicle License Sales Report Audits | Retain five years from date of creation, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 02-040 Motor Vehicle Registration Certificates — Copies of motor vehicle registration certificates showing make and class of car, license number, fees, motor number, year model, body type, evidence of title, previous year license number, owner's name and address, and signature of the clerk. | Retain five years from date of creation, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 02-041 Motor Vehicle Title Applications — Copies of motor vehicle title applications showing title number, manufacturer's identification number, make, year, model, body type, date purchased, whether new or used, | Retain five years from date of creation, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--|---|
| <p>number of cylinders, name and address of applicant, former title or registration number, state, license number, county number, lien information, signature of owner, fees, date of application, and acknowledgment of the clerk.</p> | | |
| <p>02-042 Motor Vehicle Title Application Reports— Copies of reports to the state showing, for each vehicle application, the information in the Motor Vehicle Title Application listed above.</p> | <p>Retain five years from date of creation, then destroy.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>02-043 Motor Vehicle Transfer Certificates— Copies of motor vehicle transfer certificates showing make and type of vehicle, horsepower, model, motor number, name and address of owner, to whom transferred, amount of fee collected and remitted to the state, date of transfer, date of report, and signature of the clerk.</p> | <p>Retain five years from date of creation, then destroy.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>02-044 Motor Vehicle Transfer Reports—Copies of reports to the state showing, for each vehicle transfer, the information given on the Motor Vehicle Transfer Certificate.</p> | <p>Retain five years from date of creation, then destroy.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>02-045 Notaries Public, Affidavits of</p> | <p>Prior to 1858, preserve permanently; after 1858 the state has record of all commissions. Counties should retain those records until expiration of commission, then destroy.</p> | <p>Current records kept for period based on term of commission of notary. Older records kept for historical purposes.</p> |
| <p>02-046 Notaries Public, Record of Commissions—Recorded copies of commissions granted to notaries public showing name of notary, date of appointment, name of governor issuing commission, date of issuance, signatures of governor and secretary of state, date, and certification of county court clerk.</p> | <p>Prior to 1858, preserve permanently. After 1858, state has record of all notary commissions; retain until expiration of last recorded commission, then destroy.</p> | <p>Keep for historical purposes.</p> |
| <p>02-047 Notaries Public, Registers of—List of notaries public showing dates elected and qualified and expiration of term.</p> | <p>Preserve registers with entries prior to 1858 permanently; destroy registers with all entries after 1858 after expiration of latest recorded commission.</p> | <p>Keep for historical purposes.</p> |
| <p>02-048 Official Bonds and Oaths—Loose and bound original and recorded copies of the bonds and oaths of all officials required to file official bonds and/or oaths with the county clerk. Originals of many of the official bonds of county officials and constables have been deposited with the state comptroller of the treasury since 1957. Bonds generally show name of principal and sureties, amount of bond, date executed, condition of the obligation, date acknowledged and approved, signatures of principal, sureties and attorney-in-fact for bonding company, if any.</p> | <p>Maintain for 10 years after term covered by bond.</p> | <p>Keep in case of claims or controversies arise relative to these bonds.</p> |
| <p>02-049 Pauper’s Oaths to do Business</p> | <p>If license is granted, retain</p> | <p>Keep for audit purposes</p> |

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| Without License —Affidavits of ex-servicemen made for the purpose of obtaining free ad valorem or privilege license, showing duration of service, nature of disability, if any, amounts of affidavit, signature of affiant, and clerk's acknowledgment. | until expiration of license and 10 years thereafter, then destroy; if license not granted, retain one year, then destroy. | (T.C.A. § 10-7-404(a)). |
| 02-050 Pawnbroker's Licenses, Applications for and Related Records —Record of application for pawnbroker's license, related affidavits and certificates, copies of bonds or insurance policies. | Retain five years after licenses is terminated, then destroy. | Permits do not expire after a certain term. Keep record for audit purposes and to maintain accurate record of licensed pawnbrokers. |
| 02-051 Personnel Policies —County-wide personnel policies and policies of county offices that are required by T.C.A. § 5-23-101, et seq are required to be filed with the county clerk's office. | Retain permanently. | T.C.A. § 5-23-101, <i>et seq.</i> |
| 02-052 Powers of Attorney, Record of —Record of legal appointment of persons to act as agents for individuals or estates in such matters as signing documents, giving receipts, making sales, and collecting and disbursing funds; shows names of appointee and person making the appointment, date of appointment, notarization, date of recording, and signature of the clerk. | Permanent record. Note, however, that these instruments are now recorded in Register's office. The clerk will only have old records. | Record may be significant for estates and land titles. May also have historical significance. |
| 02-053 Privilege License Books (See also Business Tax Records)—Duplicates of licenses issued to individuals or firms exercising taxable privileges, showing date issued, license number, name of licensee, amount of tax collected, privilege authorized to exercise, and clerk's signature. | Retain until last license in book expires and five years thereafter, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). Note: There may be a confidentiality issue for certain items depending on the nature of the record. |
| 02-054 Probate Deed Books —Record of deeds probated, showing names of parties, date of deed, date filed, amount of consideration, number of acres, location by civil districts, kind of deed, before whom acknowledged, state tax, and clerk's fee. May be called "Acknowledgment of Deeds Book." | Permanent record. | Has bearing on land title. |
| 02-055 Probate Court Records Generally | See listing under clerks of court and clerks and masters Bonds and coupons may be destroyed after the audit is complete for the fiscal year during which the bonds were duly paid and canceled. | Follow procedures in T.C.A. § 9-21-123. |
| 02-056 Railroad Bonds, Record of —Record of bonds issued to railroads by counties showing bond number, date issued, amount of bond, coupons paid and canceled by years, and remarks. | Destroy applications and licenses five years after expiration, or five years after expiration of all records in bound volumes; retain bonds five years after expiration, replacement, or release, then destroy after last bond in volume has expired. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 02-057 Real Estate Applications, Licenses, and Bonds —Real estate agents' and salesmen's applications showing name of agent or salesman, purpose of application, residence and business address of applicant; copies of licenses showing number, name of agent or salesman, names of chairman and secretary of State Board, date license issued, date recorded, and signature of the clerk; bonds showing names of sureties, date and amount of bond, condition of the obligation, and signatures of principal and | | |

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--|--|
| <p>sureties. May be loose records or bound. 02-058 Reports of County Officials, Institutions, Commissions and Committees—Reports submitted to the quarterly court containing data on finances, work performed, plans, personnel, etc. Some reports submitted annually at the end of the fiscal year. These reports should be recorded in the county legislative body's minutes.</p> | <p>If reports are not recorded, preserve permanently one copy of annual reports, or if there is no annual report, preserve permanently one copy of all monthly, quarterly, or semiannual reports.</p> | <p>The county clerk's office serves as a repository of these reports which serve as a historical record of the operation of the various offices, institutions, commissions and committees of the county.</p> |
| <p>02-059 Revenue Dockets—General ledger accounts of all revenue collected by the clerk as a state registrations' agent and as clerk of the quarterly and probate courts, showing date of transaction, name of firm or individual, nature of transaction, duration of license, distribution of tax to state and county funds, total amount of tax paid, and clerk's fee.</p> | <p>Retain 10 years after Clerk's tenure is broken, then destroy. NOTE: amount of tax paid should be kept confidential.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>02-060 Road Appointment (Commissioner's Books)— Record of appointments of road overseers, showing road district number, name of road, road terminals, width and other specifications, name of overseer, date of appointment, page number of recording in minute book, names of road hands assigned, and remarks; may also contain settlements of clerk and treasurer of the road commission in each road district with county court clerk showing date of settlement, amount received from county, disbursements for labor, material, repairs, and purchases of new tools and equipment. These books may also be called "Settlements with Overseers."</p> | <p>Permanent record. No longer being created.</p> | <p>Keep for historical purposes.</p> |
| <p>02-061 Road Contracts and Bonds—Contracts entered into between the road commissioners and county judge and road contractors for the upkeep of roads in the several districts. May include bonds of contractors guaranteeing compliance with terms of contract, showing names of principal and sureties, description and terminals of road section involved, date of bond, and signatures of principal and sureties.</p> | <p>Retain contracts until expiration of guarantees, then destroy. If no guarantees are involved, destroy seven years after completion of contract. Retain bonds seven years after release, replacement, or expiration.</p> | <p>Based on statute of limitations for breach of contract actions plus one year (T.C.A. § 28-3-109).</p> |
| <p>02-062 Road Orders, Record of—A record of court orders in connection with road work. Orders of the court include the appointment of road over-seers and juries of view which serve in condemnation proceedings; also authorizations for changes in road classifications.</p> | <p>Permanent record.</p> | <p>Keep for historical purposes and useful in establishing county land rights under condemnation proceedings.</p> |
| <p>02-063 School Census Records (May be called "Report of Common School Commission")— Record may show certification of election of school commissioners, names of commissioners, date elected, lists of the scholastic population of each civil district, and the total amount of funds payable to each district by the trustee.</p> | <p>Permanent record.</p> | <p>Keep for historical purposes.</p> |

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|---|
| 02-064 Tax Lists —Tax lists of captains' companies and civil districts, showing name of property owner, number of slaves owned, value of slaves, personal property owned, value of personal property, and district name or number. | Permanent record. | Keep older records for historical purposes. |
| 02-065 Title Pledge Lender's Licenses, Applications for and Related Records —Record of application for title pledge lender's license, related affidavits and certificates, copies of insurance policies. | Retain five years after permit is terminated, then destroy. | Permits do not expire after a certain term. Keep record for audit purposes and to maintain accurate record of licensed pawnbrokers. |
| 02-066 Voters, Register of (Reconstruction Period) —A register of persons qualified to vote under a Reconstruction measure of 1865 which disfranchised all but unconditional Unionists, showing oath taken, list of qualified voters, and a statement as to whether they voted. | Permanent record. | Keep for historical purposes. |
| 02-067 Vouchers —Authority to issue warrants for payment of invoices which may be attached. | Retain five years, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 02-068 Voucher Stubs —Stubs of vouchers issued showing date issued, amount, payee, and for what purpose. | Retain five years, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 02-069 Warrants —Canceled warrants showing date issued, warrant number, amount of warrant, name of payee, and purpose of payment. | Retain five years, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 02-070 Warrants, Registers of —Record of warrants issued showing warrant number, name of payee, purpose of payment, date issued, and amount of warrant. | Retain five years after last entry, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 02-071 Wheel Tax Receipts —Receipts on tax imposed on privilege of operation of a motor vehicle in the jurisdiction. | Retain five years, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |

REGISTERS OF PROFESSIONALS

| | | |
|--|-------------------|-------------------------------|
| 02-072 Chiropractors, Register of —Recorded copies of certificates of license issued to chiropractors, showing number of certificate, name of chiropractor, date of approval, date of certificate, signatures of president, secretary, and members of examining board; it shows date recorded and signature of the clerk. | Permanent record. | Keep for historical purposes. |
| 02-073 Dentists, Register of —Register of dental certificates issued by the State Board of Dental Examiners showing name of dentist, date issued, signatures of president and secretary of examining board, date of registration, and signature of the clerk. | Permanent record. | Keep for historical purposes. |
| 02-074 Nurses, Register of —Recorded copies of license certificates issued to graduate nurses, | Permanent record. | Keep for historical purposes. |

Retention Schedule for County Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|-------------------|-------------------------------|
| <p>showing name of nurse, certificate number, date issued, names of the president and secretary of State Nursing Board, date recorded, and signature of the clerk.</p> | | |
| <p>02-075 Optometrists, Register of—Recorded copies of license certificates issued to optometrists, showing number of certificate, name of optometrist, date of approval, date of certificate, signatures of president, secretary and members of examining board, date recorded, and signature of the clerk.</p> | Permanent record. | Keep for historical purposes. |
| <p>02-076 Osteopaths, Register of— Recorded copies of licenses issued to osteopaths showing time, date, training and address.</p> | Permanent record. | Keep for historical purposes. |
| <p>02-077 Physicians', Register of—Recorded copies of license certificates issued to physicians, showing license number, names of physician and college from which graduated, date of diploma, date license issued, names of president, secretary and members of State Board; amount of license fee, clerk's fee, date recorded, and signature of the clerk. These registers may only show the name of physician, date of certificate, graduation date and school name, if a graduate, or date of commencing practice if non-graduate, and remarks.</p> | Permanent record. | Keep for historical purposes. |
| <p>02-078 Veterinarians, Register of—Recorded copies of certificates of license issued to veterinarians, showing name and age of licensee; name of college from which graduated, date certification issued, names of president, vice president, and secretary and treasurer of the examining board; also shows date recorded.</p> | Permanent record. | Keep for historical purposes. |

OBSOLETE RECORDS OF THE COUNTY CLERK

| | | |
|--|--|---|
| <p>02-079 Assignments—Assignments or inventories of property of bankrupt firms or individuals and bond of trustees named in assignments.</p> | | Permanent record and must be retained, but this record is now obsolete. |
| <p>02-080 Commitment Records—Loose file original records of commitments of persons to state hospitals, homes, and schools showing name of person, place of birth, age, color, sex, date of commitment, length of residence in county, name and address of nearest relative or guardian, and remarks. These records are recorded in the court minutes.</p> | | Destroy (obsolete). |
| <p>02-081 Dog Registers—Record of collection of registration fees on dogs showing name and address of owner, amount of fee, name and description of dog, date of registration, tag number, and signature of clerk. This is an obsolete record.</p> | | Destroy (obsolete). |
| <p>02-082 Jail Accounts—Reports by the sheriff to the county judge on amount due for boarding prisoners, showing name of sheriff, month for which board is due, name of prisoner, offense charged, number of days boarded, rate per day, number of turnkeys, total amount due, final disposition of case, signatures of sheriff and officer before whom acknowledged, and date of report.</p> | | Destroy (obsolete). |
| <p>02-083 Liquor Shipments, Record of—Statements from express companies on shipments of liquor received from other states, showing</p> | | Destroy (obsolete). |

OBSOLETE RECORDS OF THE COUNTY CLERK

date received, date shipped, destination, kind of liquor, quantity, name and address of shipper, waybill number, name and address of consignee, and to whom delivered.

02-084 Merchant’s Bonds and Oaths—Loose file and bound original bonds and oaths of merchants who have applied for license to engage in a business, showing names of principal and sureties, amount and date of bond, condition of the obligation, signatures of principal and sureties, and approval of the clerk. Oath shows greatest cash value of stock during the year, smallest cash value during the same period, aggregate amount of stock in hand during the year, amount of insurance on stock, amount of capital employed for the purpose of trading, dates covered, date submitted, signature of merchant, and acknowledgment of the clerk. Also an obsolete record, but may have historical significance for identifying merchants and businesses operating in the county in the past. There is no need to maintain in the office, but record should be transferred to a library or archives at the discretion of the public records commission instead of being destroyed.

02-085 Merchant’s Statements, Record of—Recorded copies of statements of merchants or corporations made under oath upon expiration of license, showing largest and smallest amounts of capital invested during the period covered, date of period covered, date sworn and subscribed to before the clerk, and signatures of clerk and affiant; also statement of additional taxes due, if any; shows purpose of assessment, kind of tax, amount, clerk’s fee, total tax, clerk’s receipt for payment showing date for same and signature of clerk or deputy. See Merchant’s Bonds and Oaths, above.

02-086 Motor Vehicle Dealer’s Sales Reports—Dealer’s weekly reports on sales of motor vehicles showing date of sale, make of vehicle, motor number, license number, whether new or used, name and address of purchaser, date of report, name of company, and signature of person making report. These are probably, in most cases, obsolete records. Destroy (obsolete).

02-087 Motor Vehicle Identification Certificates, Register of—Register of identification certificates issued to automobile owners showing identification number, license number, make of car, motor number, serial number, year model, capacity, type, horsepower, number of cylinders, date certificate issued, name and address of owner, and signatures of applicant and clerk. Retain two years after last entry, then destroy.

02-088 Motor Vehicle Identification Certificates Holder Reports— obsolete record. Destroy (obsolete).

02-089 Operator’s License Renewal Reports—Duplicates of reports submitted to the state showing for each license renewed, accounting number, name of licensee, address, license number, and tax remitted; also clerk’s name, date, town, and county. Destroy (obsolete).

02-090 Privilege License Monthly Reports—Copies of reports to the state showing, for each license sold, the information given in privilege license books. Destroy (obsolete).

02-091 Privilege License Registers—A register of licenses issued to individuals or firms exercising taxable privileges, showing name of individual or firm, amount of bond required, date license issued, expiration date, amount of fee, and type of privilege. Also an obsolete record, but may have historical significance for identifying merchants and businesses operating in the county in the past. There is no need to maintain in the office, but record should be transferred to a library or archives at the discretion of the public records commission instead of being destroyed.

02-092 Railroad Assessments—Assessments for railroads made by the state, a copy of which is sent to each county through which various railroads have rights-of-way. Destroy (obsolete).

02-093 Railroad Taxes Collected, Record of—Records of a special tax collection showing date of collection, period for which payment of tax is made, names of railroad and authorized agent, and amount of collection. These taxes were used to retire bonds issued to railroads by the county. Destroy (obsolete).

OBSOLETE RECORDS OF THE COUNTY CLERK

- 02-094 Realty Transfer Tax Collections, Record of**—Record of collection of state tax on real estate transfers, in cases where deed was acknowledged other than by county court clerk, showing date, amount of tax collected, valuation of property, names of grantor and grantee, amount of tax, and date of acknowledgment; may be called abstracts or conveyances. Destroy (obsolete).
- 02-095 Road Hand and Tax Books**—Record of property owners electing to serve as road hands as an alternative to payment of the road tax, showing name of property owner and amount of assessment. Destroy (obsolete).
- 02-096 Tippler’s Bonds and Oaths**—Loose file and bound original bonds and oaths of persons engaged in the sale of spirituous and alcoholic liquors. Destroy (obsolete).

Also an obsolete record, but may have historical significance for identifying merchants and businesses operating in the county in the past. There is no need to maintain in the office, but record should be transferred to a library or archives at the discretion of the public records commission instead of being destroyed.
- 02-097 Tippler’s Licenses**—Stubs of licenses issued to retain liquor dealers, showing name and location of business, total amount paid, license, fees, and date of expiration. Destroy (obsolete).
- 02-098 Tippler’s Revenue Books**—Record of state tax paid by tippler, showing name, address, date of expiration, and date of bond. Destroy (obsolete).

County Election Commission Records Retention Schedule

Reference Number: CTAS-2057

County Election Commission Records. The records included in this schedule are only those specific to the office of the County Election Commission. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules in this manual. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record, or the frequency of its occurrence. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record. Contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

Retention Schedule for County Election Commission

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| 09-001 Absentee ballots, application for —Record of voter applications for absentee ballots. | If federal election, keep 22 months then destroy. For other elections, retain six months after election then destroy. | 42 U.S.C.A. § 1974 <i>et. seq.</i> T.C.A. § 2-8-108. |
| 09-002 Absentee Voters, list of | Retain four years after election, then destroy. | Retention period based on standard election cycle. |
| 09-003 Audit of Election Results | Retain four years after election, then destroy. | Retention period based on standard election cycle. |
| 09-004 Ballots (paper) | If federal election, keep 22 months then destroy. For other elections, retain six months after election then destroy. | 42 U.S.C.A. § 1974 <i>et. seq.</i> T.C.A. § 2-8-108. |
| 09-005 Ballots (sample) | Retain four years after election, then destroy. | Retain in order to assist in developing ballot materials |

Retention Schedule for County Election Commission

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|--|
| 09-006 Candidate Lists —Lists of candidates participating in the election. | Retain four years after election, then destroy. | for next election cycle. Retention period based on standard election cycle. |
| 09-007 Certificate of Election —Copies of original certificate provided to elected officials. | Retain four years after election, then destroy. | Retention period based on standard election cycle. |
| 09-008 Certification of Political Party Nominees —Lists of nominees qualified for placement on the ballot by certification of their names by their political party. | Retain four years after election, then destroy. | Retention period based on standard election cycle. |
| 09-009 Death Notices —Monthly report from the state election coordinator notifying the County Election Commission of all person of voting age who dies with an address in their county. | Retain two years then destroy. | Keep for similar amount of time as purged registration records. |
| 09-010 Election Commission Correspondence, General | Retain four years, then destroy. | Keep for term of office of members of the election commission. |
| 09-011 Election Commission correspondence, Policy and Procedures —Any records of election commission correspondence that involve policy decision or procedural actions. | Permanent record. | Can be important information in the case of litigation or disciplinary action. |
| 09-012 Election Commission, Meeting Agenda and Election Notices — | Permanent record. | May be of historical significance. |
| Records of the agenda of election commission meetings and election notices. | | |
| 09-013 Election Commission Minutes — | Permanent record. | T.C.A. § 2-1-113. |
| Recorded minutes of the proceedings of election commission meetings. | | |
| 09-014 Election Results | Permanent record. | Has historical significance. |
| 09-015 Financial Disclosure Statements and Supplemental Reports —Statements supplied by the candidates indicating campaign incomes and expenditures. | Retain five years from date of receipt, then destroy. Retain supplemental reports five years after receipt, then destroy. | T.C.A. § 2-10-103. |
| 09-016 Financial Records —Financial records of an individual election, which would include expenses in operating an election poll, ballot and election printing, voting machine expenses, payment to poll workers, and other miscellaneous items. | Retain five years from date of creation, then destroy unless part of an ongoing audit or investigation. | These records are necessary for audit and review purposes (T.C.A. § 10-7-404). |
| 09-017 Financial Records, Budget — | Retain five years from date of creation unless part of an ongoing audit or investigation. | These records are necessary for audit and review purposes (T.C.A. § 10-7-404). |
| Copy of annual budget of election commission. | | |

Retention Schedule for County Election Commission

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|---|
| 09-018 Legal Records —Judicial opinions, court cases, litigation files, etc. | Permanent record. | May have administrative or historical significance. |
| 09-019 Official Statement of Results | Retain four years after election, then destroy. | Retention period based on standard election cycle. |
| 09-020 Personnel Records | See retention schedule 16 in this manual. Manual poll books are sent to the secretary of state to be stored for nine years with a duplicated filed with the county clerk to be stored for four years. Computer printouts are also sent to the secretary of state for nine years with a duplicate going to the county clerk for six yrs. See also Voter Signature List. | See retention schedule 16. |
| 09-021 Poll Books (Duplicate) — Record of individuals who voted in a particular election. Usually in the form of a book in manual counties; in the form of a computer print-out in computerized counties. | Retain four years after election, then destroy. | T.C.A. § 2-9-107. |
| 09-022 Poll Worker Records — Record of individuals who worked at the polls during a given election. | Retain four years after election, then destroy. | Retention period based on standard election cycle. May aid in finding workers again. |
| 09-023 Precinct Maps — Geographical descriptions of polling units. | Permanent record. | Possible historical significance. |
| 09-024 Public Notices —Copies of all public notices published by the election commission. | Retain four years after election, then destroy. | Retention period based on standard election cycle. May be useful in future elections. |
| 09-025 Purchasing Records | See retention schedule 15 in this manual. | See retention schedule 15. |
| 09-026 Purged Voter Cards —File of records regarding voter registrations that have been removed from the permanent registration file for reasons provided in election statutes. | Retain two years, then destroy. Individual election commissions may choose to maintain these records permanently on microfilm or in electronic format. | T.C.A. § 2-2-134. |
| 09-027 Qualifying Petitions — Petitions that candidates file with the election commission in order to qualify to be placed on the ballot. | If federal election, keep 22 months then destroy. For other elections, retain six months after election then destroy. | Keep for same period as records regarding ballots. 42 U.S.C.A. § 1974 <i>et. seq.</i> T.C.A. § 2-8-108. |
| 09-028 Reapportionment Records | Keep until next reapportionment, then destroy. | May have legal significance until completion of next reapportionment. May assist in next reapportionment. |
| 09-029 Register of Poll Watchers — Register of individuals appointed by candidates, political parties, or organized citizens groups to observe and guard against electoral abuse. | Retain four years, after election, then destroy. | Kept for standard election cycle. |
| 09-030 Staff Reports —Reports including statistical info and activity reports. | Retain four years, after election, then destroy. | Kept for standard election cycle. |
| 09-031 Tabulation of Election Results | Permanent record. | Has historical significance. |
| 09-032 Voter Registration by Mail, List —List of voters who have registered by mail. | Working paper. Maintained until posted in permanent file, then destroy in accordance with rules of the Public Records Commission. | T.C.A. § 2-2-116. T.C.A. § 10-7-406(b). |
| 09-033 Voter Registration | Maintain records in inactive status until | T.C.A. § 2-2-106. |

Retention Schedule for County Election Commission

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| Records, Inactive Tiles —Voter registration records for voters who have been sent a confirmation notice pursuant to T.C.A. § 2-2-106. | information is received confirming that a registration should be re-activated or purged or until the passage of the second regular November election following the mailing of the confirmation notice. | |
| 09-034 Voter Registration Records, Verification/ Confirmation Programs — Any records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of voter registration files. Include lists of the names and addresses of all persons to whom confirmation or verification notices are sent and information concerning whether or not each person has responded to the notice. | Keep for two years, then destroy. | 42 U.S.C.A. § 1973gg-6. |
| 09-035 Voter Signature List 09-036 Voting Machines, Records of —Records of purchase, maintenance, and disposition of voting machines. | Keep for six years, then destroy. | T.C.A. § 2-8-107. |
| 09-037 Voting Machine Keys, Record of | Retain for five years after disposition of machine, then destroy. | Keep for administrative purposes and for audit and review purposes(T.C.A. § 10-7-404). |
| | Retain six months after election. | Keep with ballot items (T.C.A. § 2-7-137). |

County Mayor Records

Reference Number: CTAS-2051

County Mayor Records. The records included in this schedule are only those specific to the office of the county mayor. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules elsewhere in this manual. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record, or the frequency of its occurrence. Since the County Mayor may supervise different departments from county to county, you may find some records of interest to the county mayor in the retention schedule for Accounting, Purchasing and Miscellaneous Records. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

Retention Schedule for the Office of the County Mayor

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|--|
| 03-001 Accounts Paid Files and Ledgers — Paid invoices filed by vendor showing company, date, amount, date paid, and warrant number. Ledgers show name of vendor, amount of each invoice, amount paid on each account, and amount | Retain five years after creation, then destroy. | Keep for audit and review purposes (T.C.A. § 10-7-404(a)). |

Retention Schedule for the Office of the County Mayor

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| <p>outstanding.</p> <p>03-002 Audits, Annual—Audit reports of the offices of county judge, county mayor, trustee, county clerk, register of deeds, circuit court clerk, clerk and master, sheriff, school superintendent, highway chief administrative officer and other offices. Audit reports show name of offices, name of fund or account, account of all receipts and disburse-ments, date of audit, and signature of auditor.</p> | <p>Preserve one copy of all audits at least 25 years.</p> | <p>Keep for historical purposes and audit and review purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>03-003 Bids (On Equipment and Supplies)—Shows bidder's name, complete description of item(s), delivery date, amount of bid, and correspondence with bidder.</p> | <p>Successful bids—retain seven years after contract expires, then destroy.</p> <p>Unsuccessful bids—retain one year after audit, then destroy. Unless under the 1957 Purchasing act in which case they should be kept five years.</p> | <p>Based on statute of limitations for breach of contract actions plus one year (T.C.A. § 28-3-109). Keep record of unsuccessful bids in case of challenge to bid process (T.C.A. § 5-14-108(g)).</p> |
| <p>03-004 Bills of Costs—Certified bills of costs in criminal cases submitted for payment by the circuit court clerk, showing names of plaintiff and defendant, offense charged, date of initial action, items of cost, amount of each, date process issued, signature of officer issuing warrant, date filed with circuit court clerk for trial, clerk's certification, date judgment paid, and number of warrant issued in payment.</p> | <p>Retain five years after close of case, then destroy.</p> | <p>Keep for audit and review purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>03-005 Bonded Indebtedness, Record of — Register book or other accounting showing bond issue, date, and amount set up by year; as bonds and coupons are returned, these are shown in the book.</p> | <p>Permanent record.</p> | <p>Important record of county debt and borrowing.</p> |
| <p>03-006 Bonds and Coupons</p> | <p>Bonds and coupons may be destroyed after the audit is complete for the fiscal year during which the bonds were duly paid and canceled.</p> | <p>Based on procedures established in T.C.A. § 9-21-123.</p> |
| <p>03-007 Budget Records and Reports— These pertain to the general fund and highway fund, debt service fund, and general purpose school fund and all other county funds. They show anticipated revenues, anticipated expenditures for the year, and fund balance at the end of the year.</p> | <p>Annual budget preserved permanently in county legislative body minutes. Retain other budget records and reports five years, then destroy.</p> | <p>Temporary record. Keep for audit purposes (T.C.A. § 10-7-404(a)).</p> |
| <p>03-008 Contracts—Contracts between county and contractors for construction work, showing name of contractor, date, building specifications, and amount of consideration.</p> | <p>Retain seven years or until expiration of guarantees, then destroy. If no guarantees are involved, destroy seven years after completion of contract.</p> | <p>Based on statute of limitations for breach of contracts (T.C.A. § 28-3-109).</p> |
| <p>03-009 Easements, Highway Right-of-way— Shows signature of property owner, date, width of easement,</p> | <p>To be recorded as a permanent record in register's office. Other copies may be destroyed.</p> | <p>Additional copies are temporary records. Recorded copy is necessary</p> |

Retention Schedule for the Office of the County Mayor

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|--|
| and name of road. | | to preserve county property rights. |
| 03-010 Federal Occupational Health and Safety Administration Reports —Annual reports of accidents, inspection, etc. | See listing for OSHA records under the separate retention schedule in this manual for employment records. | |
| 03-011 Federal Revenue Sharing Records — Actual use reports, notices of public hearings, calculation form (SRS9), basic grant records, etc. | Retain five years after creation of record, then destroy. | Keep for audit and review purposes (T.C.A. § 10-7-404(a)). |
| 03-012 General Ledger Accounts | See retention schedule 15 for General Accounting and Purchasing Records. | |
| 03-013 Highway Commission Minutes (If County Mayor serves as Chairman) — Minutes of monthly and other meetings showing actions on any improvements, rebuilding of roads and bridges, awarding bids on equipment for the highway department, and setting salaries for department personnel. | Permanent record. | Actions recorded in minutes are effective until superceded or rescinded. Also keep for historical purposes. |
| 03-014 Insurance Policies —Policies insuring county and/or its departments against risk of loss. | Retain seven years after expiration or replacement by new policy, then destroy, provided all claims on the policy have been settled. | Based on statute of limitations for breach of contract actions (T.C.A. § 28-3-109). |
| 03-015 Invoices | Refer to Accounts Paid Files and Ledgers, above. | |
| 03-016 Mutual Aid Records —Records regarding requests for assistance during emergencies or disasters or responses to requests for assistance, including invoices for reimbursement as required by T.C.A. § 58-5-105 and 58-8-111 | Retain five years after occurrence. | Keep in case of tort liability or worker’s comp cases arise and for audit purposes. Also kept in case event is eligible for FEMA reimbursement. |
| 03-017 Payroll Records | See separate retention schedule elsewhere in this manual. | |
| 03-018 Receipt Books — Shows name, reason for payment, date, and account from which money came. | Retain five years after issuance of last receipt, then destroy. | Keep for audit and review purposes (T.C.A. § 10-7-404(a)). |
| 03-019 Receivable Warrant Books —Stubs or duplicates of warrants issued for money received by the county, showing date, warrant number, amount, from whom received, and to whom distributed. | Retain five years after last entry, then destroy. | Keep for audit and review purposes (T.C.A. § 10-7-404(a)). |
| 03-020 Relief Orders —Record of orders given by the Relief Committee to needy persons and families to be honored by merchants for merchandise and charged to the county. | Destroy annually after audit. (This record series is obsolete in many counties). | Temporary record. Of no use after audit is completed. |
| 03-021 Reports of County Officials — Monthly, quarterly, and annual reports submitted by the various county officials showing revenue and fees collected, reports on persons to whom payments are due for services rendered as jurors, and as court officers; also reports of highway department chief administrative officer and other officials when required by law. These | Retain original reports three years, then destroy. If reports are not recorded, preserve permanently one copy of annual reports, or if there is no annual report preserve permanently one copy of all monthly, quarterly, or semiannual reports. | Useful in preparation of budgets for subsequent years. A copy should be retained in county clerk’s office with legislative body minutes to cover any historical concerns. So long as that is preserved, this record may be destroyed |

Retention Schedule for the Office of the County Mayor

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| reports should be recorded in the minutes of the county legislative body. | | when no longer useful. |
| 03-022 Trustee’s Cash Reconciliation Report —Shows balances at beginning of month, outstanding warrants, cash balances, warrants issued during month, warrants paid, trustee's cash, and outstanding warrants at end of the month. | Retain one year after audit, then destroy. | Keep for audit and review purposes (T.C.A. § 10-7-404(a)). |
| 03-023 Vouchers | Refer to Accounts Paid Files and | Ledgers, above. |
| 03-024 Warrants —Canceled warrants showing date issued, warrant number, amount of warrant, name of payee, and purpose of payment. | Retain five years, then destroy. | Keep for audit and review purposes (T.C.A. § 10-7-404(a)). |
| 03-025 Warrant Duplicate Records (Carbon Copies) —Stubs, carbon copies, or other duplicates of warrants issued by the county mayor in payment of general county expenses showing date issued, warrant number, amount of payment, name of payee, and account chargeable. | Retain five years, then destroy. | Keep for audit and review purposes (T.C.A. § 10-7-404(a)). |
| 03-026 Warrant Registers (Refer to General Ledger Accounts, above) —A record of warrants issued by the county mayor or county judge in payment of general county expenses showing warrant number, name of payee, purpose of payment, date issued, amount of warrant, and amount chargeable. | Retain for 20 years, then destroy. | Keep for audit and review purposes (T.C.A. § 10-7-404(a)). |

Department of Education Records

Reference Number: CTAS-2055

Department of Education Records. The records included in this schedule are only those specific to the office of the Department of Education. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules elsewhere in this manual. Included in this table is a listing of “obsolete” records. Your office should no longer be generating these records. They are still included in the disposition schedule so that anyone discovering those materials in older records of the office will know how to deal with them. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record or the frequency of its occurrence. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

Retention Schedule for the Department of Education

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|----------------------------------|--|
| 08-001 Accountability for 200 Days —Record details use of 200 required school days and in-service training. | Retain five years, then destroy. | Audit standard authorized by the Dept. of Educ. Admin. Rule 0520-1-2-.13 |

Retention Schedule for the Department of Education

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|---|
| <p>08-002 Annual Report of Professional Personnel— Report made to the Tennessee Department of Education listing alphabetically all teachers and other professional personnel in the county school system. This report shows for each professional the name of the school assigned, grades taught, whether full-time or part-time, and the number of months paid. The report also shows the number of principals, the number of teachers or other professionals in the school, kind of certificates or permits, expiration date, and data on training, experience, salary, and such other information as required by the Tennessee Department of Education.</p> | <p>Retain at least 10 years, before eligible for destruction. Note: This record may be useful as a back-up to payroll records for determining retirement status. Consider keeping this record 40 years if there is any question of availability or accuracy of payroll records.</p> | <p>T.C.A. § 49-6-3004. Audit standard authorized by the Dept. of Educ. Admin. Rule 0520-1-2-.13.</p> |
| <p>08-003 Attendance Agreements of Out-of-District and Out-of-State Students—Agreements from the superintendent of education regarding students attending schools out of the district and/or state in which the student resides.</p> | <p>Retain five years, then destroy.</p> | <p>Audit standard authorized by the Dept. of Education’s <i>Student Membership and Attendance Accountability Procedures Manual</i>, October 1999.</p> |
| <p>08-004 Audits of Internal School Activity Funds— Audit report of activity funds handled by individual schools.</p> | <p>Retain five years, then destroy.</p> | <p>Audit standard authorized by the Dept. of Education’s <i>Internal School Uniform Accounting Policy Manual</i> July 1, 2001.</p> |
| <p>08-005 Audits of Local School Departments— Audits of funds administered by superintendent of education showing date of audit, balances under previous audits, receipts and disbursements, balances carried forward, and total figures.</p> | <p>Retain five years, then destroy.</p> | <p>State Dept. of Education recommendation.</p> |
| <p>08-006 Budget, Annual Operating— Annual approved budget document conforming to standards of the Tennessee Department of Education. Document shows anticipated revenues from all sources and estimated expenditures for the fiscal year.</p> | <p>Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete.</p> | <p>State Dept. of Education recommendation.</p> |
| <p>08-007 Building Plans—Blueprints and specifications for buildings in the county school system.</p> | <p>Retain for the life of the building (plus additional time if litigation could arise from a building’s early demise), then destroy.</p> | <p>Necessary for maintenance and operation of physical plant.</p> |
| <p>08-008 Bus Operator’s Bonds (Blanket Bonds)— Yearly bonds, executed by school bus drivers acting as independent contractors, to insure faithful performance of the driver as specified in contract with the county department of education.</p> | <p>Retain three years after release, replacement, or expiration of the bond, or three years after termination of contract, then destroy.</p> | <p>T.C.A. § 41-6-2107 Keep for reasonable period of time for claims to be made against bond.</p> |
| <p>08-009 Career Ladder—Certification Recommendation Form—Record advances licensed personnel through credentializing system.</p> | <p>Permanent record.</p> | <p>Admin. Rule 0520-2-2-.07.</p> |
| <p>08-010 Career Ladder—Local Evaluation Report Form for Probationary, Apprentice, and Career Level I Teachers—Reports results of local evaluation of teachers.</p> | <p>Permanent record</p> | <p>Admin. Rule 0520-2-2-.07.</p> |

Retention Schedule for the Department of Education

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--|--|
| 08-011 Certificates of Certificated Personnel —Permanent certificates issued to employed teachers and other certificated personnel by the Tennessee Department of Education. | Retain until employment of the person is terminated, then return to the person or to the next of kin if the person is deceased. | Necessary record for length of employment. |
| 08-012 Contracts, Construction —Contracts between the county education departments and contractors for construction work, showing name of contractor, date, building specifications, and amount of consideration. | Retain seven years or until expiration of guarantees, then destroy. If no guarantees are involved, destroy seven years after completion of contract. | Based on statute of limitations for actions for breach of contract (T.C.A. § 28-3-109). |
| 08-013 Contracts, Employee —Contracts between board of education and all employees. | Retain until seven years after termination of employment, then destroy. | Based on statute of limitations for actions for breach of contract. |
| 08-014 Contracts, Personal Service of Independent Contractor —Contracts between the county board of education and operators of school buses and other independent contractors. | Retain seven years after termination of contract, then destroy. | T.C.A. § 28-3-109 Based on statute of limitations for actions for breach of contract (T.C.A. § 28-3-109). |
| 08-015 Cumulative Pupil Record —Record of each pupil in the school system, showing the pupil's name, address, parents' names and occupations, complete school record, achievement test results, health record, school activities and counselors' notes, and other information deemed appropriate by the Tennessee Department of Education. | Permanent record. | Historical document. Proof of education. |
| 08-016 Deeds —Original deeds to school property, showing date, description, and location of property, consideration, and signature of grantor. | Permanent record. | Establishes property rights in perpetuity. |
| 08-017 Eighth Grade Graduates Report —Duplicates of reports to the Tennessee Department of Education eligible to receive diplomas, showing year of graduation, name of school, name of student, and date of report. This record is no longer required. | Preserve permanently if information is not available in cumulative pupil record; otherwise, destroy. | Historical document. Proof of education. |
| 08-018 Federal Title Projects Records —Record of federal "title" projects of all types, including funds received and disbursed. | Current year records plus the previous three years of records must be maintained. Other records to facilitate an effective audit, whether in process or not, must be maintained. <i>(An example of this would be IASA, Title I projects which are written for five years. Toward the end of the five-year cycle, records should not be destroyed to that an effective audit can be conducted.)</i> | Audit standard authorized by the Dept. of Educ. Admin. Rule 0520-1-2-.13. |
| 08-019 Financial Report, Annual Public School —An annual report of the department's | Retain five years, unless there is an active audit | State Dept. of Education recommendation. |

Retention Schedule for the Department of Education

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| financial condition made to the Tennessee Commissioner of Education. | or investigation, in which case, the records must be retained until the audit or investigation is complete. | |
| 08-020 Fire Safety Inspection and Similar Reports — Duplicates of reports made by the Tennessee Department of Insurance, Division of Fire Prevention, showing date, name of inspector, name and location of school condition, etc. | Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete. | Audit standard authorized by the Dept. of Education’s <i>Internal School Uniform Accounting Policy Manual</i> July 1, 2001. |
| 08-021 General Ledger Accounts —Record of all receipts and disbursements for the department, showing date of entry, amount, source of receipt or purpose of payment, amount of debit or credit, and name of account credited or charged. | Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete. | State Dept. of Education recommendation. |
| 08-022 High School Diploma Certification and Roster of Graduates —List of graduating seniors and preparation of diplomas. | Permanent record. | Important historical value and useful for proof of graduation. |
| 08-023 HomeSchool Registration Form — Application for conducting a home school. Approved home schools must also include test results for students at grades 2, 5, 7, and 9. Requests for waivers included in records as appropriate. | Permanent record. | T.C.A. § 49-6-3050(b)(1). |
| 08-024 Immunization Records —Original record of immunizations must remain with each pupil’s active cumulative folder. Original accompanies pupil’s cumulative folder when transferring to another school. A copy of the immunization record should be kept with the pupil’s inactive cumulative record. | Permanent record. | Important health record for establishing proof of immunization (T.C.A. § 49-6-5002). |
| 08-025 Insurance Policies —Policies of all types insuring the department against various risks of loss. | Retain seven years after expiration or replacement by a new policy, then destroy if all claims on the policy have been settled. | Based on statute of limitations for breach of contract actions (T.C.A. § 28-9-103). |
| 08-026 Inventories —Comprehensive inventory of all school assets. | Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete. | State Dept. of Education recommendation. |
| 08-027 Invoices (Also Purchase Orders, Requisitions, Etc.) —Original invoices, purchase orders, and requisitions used in purchasing goods for the department of education. | Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete. | State Dept. of Education recommendation. |

Retention Schedule for the Department of Education

Description of Record

Retention Period

**Legal Authority/
Rationale**

08-028 Legal Opinions and Court Decisions— Records, including correspondence, stating or referencing court decision or legal opinions dealing with or affecting the department.

Retain 20 years or until record no longer relevant, whichever is later, then destroy.

Court opinions can have continuing impact on operations.

08-029 Membership/Attendance Reports

1. Superintendent’s Membership/Attendance Report (SMAR)—district-wide report of membership and attendance in academic, vocational, special education, and adult education for each 20 day reporting period of the school year.
2. Superintendent’s Annual Membership/ Attendance Report (SAMAR)—district-wide year-end cumulative report of membership and attendance in academic, vocational, special education, and adult education.
3. School-level Monthly Attendance Report— report of membership and attendance in academic, vocational, special education, and adult education at the school-level.
4. Transportation Report Generated by the Membership/Attendance Information System — School-level report generated by the automated membership/attendance information system that provides statistical data on students transported.
5. Attendance records (teachers attendance records, sign-in/out rosters, absentee lists)—Records of original entry that document student attendance on a daily basis.
6. Average Daily Membership Special Education Options by Primary and Secondary Report — report generated by the D&A Census Program showing average daily membership of students receiving Special Education services for each 20-day reporting period of the school year.
7. File dump from the membership/attendance information system—An electronic file dump from the membership/attendance information system data file, including demographic and event data for each student.

Retain five years, then destroy.

Retain five years, then destroy.

Retain five years, then destroy.

Retain five years, then destroy.

Retain five years, then destroy.

Retain five years, then destroy.

Audit standard authorized by the Dept. of Education’s *Student Membership and Attendance Accountability Procedures Manual* October 1999.

Permanent record.

08-030 Minutes, Board of Education—Record of regular and called meetings of the county board of education, showing place of meeting , date, members present, record of proceedings and action taken, date of final approval and signature of chairman and secretary.

Permanent record.

Actions recorded in minutes are effective until superceded or rescinded. Also kept for historical purposes.

08-031 Monthly Trustee’s Report—Monthly record of funds collected, showing amounts distributed to the county school system, any city school system in the county, and to any special school district in the county.

Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until

State Dept. of Education recommendation.

Retention Schedule for the Department of Education

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|---|
| 08-032 Petitions —Petitions submitted to the county superintendent or the board of education requesting that the superintendent or the board take certain actions. | the audit or investigation is complete. Remain until acted upon by the board of education and if attached to minutes, then destroy; otherwise, retain three years from the submittal date, then destroy. | Keep for reasonable time in case there are inquiries regarding the petition. |
| 08-033 Preliminary Report—Grades PK-12 School Report - Report made to the Tennessee Department of Education showing the school’s name, the number of full-time and part-time teachers, the number of boys and girls in each grade for each school, and such other information as the state requires for school approval decisions. | Retain three years, then destroy. | Audit standard authorized by the State Dept. of Educ. Admin. Rule 0520-1-2-.13. |
| 08-034 Preliminary Report—Summer School — Same as above but for summer school. | Retain three years, then destroy. | Audit standard authorized by the State Dept. of Educ. Admin. Rule 0520-1-2-.13. |
| 08-035 Preliminary Staff Report — Report prepared by each teacher in the local school district and sent to the TN Dept. of Education. The report shows the teacher’s classroom assignments period by period. | Retain three years, then destroy. | Keep for reasonable review period. |
| 08-036 Receipts — Receipts issued by the superintendent for funds received. | Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete. Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete. | State Dept. of Education recommendation. |
| 08-037 Reconciliation of Fund Cash to Trustee — Reconciliation of individual fund balances of the county education department to the county trustee’s cash balance in the county school fund. | Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete. | State Dept. of Education recommendation. |
| 08-038 Report of School System/School Compliance —Local school district report to the TN Dept. of Education certifying that the school district/school is in compliance with laws, rules, regulations, and minimum standards governing K-12 education. | Retain five years, then destroy. | Audit standard authorized by the Dept. of Educ. Admin. Rule 0520-1-2-.13. |
| 08-039 Requisition for Equivalency High School Diplomas —Record of students passing GED examination and earning equivalent diplomas. | Permanent record. | Historical record. Proof of education. |
| 08-040 School Food Service Reports —Record of all pertinent information required by the Tennessee Department of Education dealing with school food service. | Retain all items except payroll records for the current year plus the three previous years unless there is an active audit or investigation, in which case, the records must be retained until | <i>Records Management/ Retention School Food Service Reports</i> Tenn. School Nutrition Program September 2004. |

Retention Schedule for the Department of Education

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|--|
| 08-041 Special Education Census — Detail count of all students with disabilities with option(s) of service. This record is the basis for state and/or federal funding. | the audit or investigation is completed. Retain three years. | Admin. Rule 0520-1-2-.09. T.C.A. § 49-10-302(c)(2). 34 C.F.R. 76.730. |
| 08-042 Special Education—Certification of Services and Listing of Inappropriately Served and of Suspected Students with Disabilities —Court report required of number of students with disabilities in special categories. | Permanent record. | Keep in compliance with court order. |
| 08-043 Special Education Record —A cumulative record which contains all specific information relating to the referring process, assessment, placement, and option of service for each special education child. | Retain three years after student exits the local education agency. | Admin. Rule 0520-1-3-.09. T.C.A. § 49-10-302(c)(2). 34 C.F.R. 300-573. 34 C.F.R. 80.42. |
| 08-044 Statistical Report, Annual —Report submitted to the Tennessee Department of Education by the superintendent showing for each school system the grades in the schools, total enrollment, number of students previously enrolled elsewhere, net enrollment (boys and girls), total number of days present, number of days in the school session, average daily attendance, and other statistical information. | Retain three years, then destroy. | Keep as supporting documentation for annual report required by T.C.A. § 49-1-211. |
| 08-045 Superintendent’s Report of Suspensions and Expulsions —End of year report containing statistical data on suspensions and expulsion as required by the Tennessee Department of Education. | Retain three years, then destroy. | Keep as supporting documentation for annual report required by T.C.A. § 49-1-211. |
| 08-046 System-wide Personnel Compliance Sheet —Report shows the system-wide personnel name and teacher number for those positions for which there is a state employment standard. | Retain three years, then destroy. | Keep as supporting documentation for annual report required by T.C.A. § 49-1-211. |
| <p>08-047 Textbook Reports</p> <p>a. Certification of Adoption by Local Board of Education.</p> <p>Official list of adopted textbooks.</p> <p>b. Certification of Compliance.</p> <p>Assurance that local system has furnished required textbooks to students, signed by the superintendent.</p> <p>c. Plan for Estimating School System Expenditures for Library and Instructional Material and Supplies and School Health Services.</p> <p>Report details estimated expenditures for funds allocated for the items noted above.</p> | Retain six years, then destroy. | Keep for maximum length of contract with publisher (T.C.A. § 49-6-2203). |
| 08-048 Transportation Report, Annual Pupil —Report to the Tennessee Department of Education giving information on the age, size, condition, etc. of school buses; average daily transported; and miles traveled. | Retain five years or until all audit exceptions have been resolved. | Admin. Rule 0520-1-5-.01. |
| 08-049 Vehicle Maintenance Records —Record of repairs, service, etc. related to county owned vehicles. | Retain five years or life of vehicle, whichever is longer. | Keep for management purposes. |

Retention Schedule for the Department of Education

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--|---|
| 08-050 Vocational Education Final Expenditure Report —Reports final expenditures for federal reporting and any carry-over funds to be allocated. | Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete. | State Dept. of Education recommendation. |
| 08-051 Vocational Education—Mgt. Info. Svs. (Mis) Enrollment Form —Record provides statistical data on students and class enrollment necessary for funding purposes. | Retain three years or until monitored, then destroy. | Audit standard authorized by the Dept. of Educ. Admin. Rule 0520-1-2-.13. |
| 08-052 Vocational—Technical Education (Adult) Statistical Report —Reports class titles, student demographic information, total hours, and funding sources for adult vocational education classes provided by local school districts. | Retain three years, then destroy. | Audit standard authorized by the Dept. of Educ. Admin. Rule 0520-1-2-.13. |
| 08-053 Warrants — Canceled warrants and duplicates of warrants issued in payment of county education department expenses. | Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete. | State Dept. of Education recommendation. |
| 08-054 Warrant Register | Retain five years, unless there is an active audit or investigation, in which case, the records must be retained until the audit or investigation is complete. | State Dept. of Education recommendation. |
| Obsolete Records | | |
| These are records that may have been required of this office at some point in the past. There is no current requirement for producing the record. They are included in this schedule so that you may know what to do with them if you discover old examples of these records in your office. Unless they are listed as a permanent record, it is most likely that any items in these record series can be destroyed. The original retention schedule for the record is listed. | | |
| 08-055 Census Records —Census of all school age children in the county, showing name, age, and address of child; district number, names of parents, grade in school, and name of school attended. This record is no longer required. A similar record series should be maintained permanently in the County Clerk’s office. | | Retain five years, then destroy; however, if these records were created prior to 1950, they should be considered for historical retention if no other similar record is being maintained by another office. |
| 08-056 Final BEP Accountability Summary —Report showing how the local school district has spent improvement funds received from the state through the Basic Education Program (BEP). | | Retain five years, then destroy. |
| 08-057 In-school Suspension and/or Alternative School Records —Special grant records for in-school suspension and/or alternative school programs required for funding. Obsolete record. | | Destroy. Obsolete record. Formerly kept five years. |
| 08-058 Orders and Assignments by Teachers —Orders and assignments made to the county superintendent by teachers or other employees authorizing the deduction from pay of a certain amount to be paid to a bank or other financial institution according to an agreement between the teacher | | This record is obsolete under existing garnishment laws. See retention schedule for employment records in |

Retention Schedule for the Department of Education

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|------------------|--|
| or other employee and the financial institution This record is probably obsolete. | | this manual for more info. |
| 08-059 Out of District Attendance Reports —Reports from the superintendent on students attending schools outside of the school jurisdiction where they reside. Obsolete record. | | Destroy. Obsolete record. Formerly kept three years. |
| 08-060 Principal’s Monthly Attendance Report —Report to the county department of education giving complete account of attendance, transfers, re-entries, and absences. Obsolete record. | | Destroy. Obsolete record. Formerly kept three years. |
| 08-061 Quarterly Financial Report to County Legislative Body —Statements prepared for county legislative body each quarter of the year showing amounts in the various budget categories and the amounts expended under each category of the county education department’s budget. Obsolete record. | | Destroy. Obsolete record. Formerly kept five years. |
| 08-062 Requests for Holding in Abeyance —Requests to the Tennessee Commissioner of Education for waiver of certain minimum requirements for approval of certain schools. Obsolete record. | | Destroy. Obsolete record. Formerly kept five years. |
| 08-063 School Plant Report, Annual —Report made to the Tennessee Department of Education giving information on the age, size, facilities, condition, etc. of school buildings. Obsolete record. | | Destroy. Obsolete record. Formerly kept 10 years. |
| 08-064 School Registers —A daily record showing name, grade, age and address of each pupil, name of parent(s) or guardian(s), schools attended, and record of attendance. School registers may be computerized or on paper. Obsolete record. | | Permanent record. This record is no longer created, but old copies should be kept permanently. |
| 08-065 Tennessee Foundation Report —Report of attendance in academic, vocational, and special education. This report is the basis for state funding for elementary and secondary education based on the average of the highest two of the first three months of school attendance. Obsolete record. | | Destroy. Obsolete record. Formerly kept five years. (TN Dept. of Education keeps this record on microfiche). |
| 08-066 Vocation Education—Program Enrollment and Information Sheet (Vocation Centers Only) —Record provides statistical data on class enrollment necessary for special funding. | | Destroy. Obsolete record. Formerly kept three years, or until monitored. |

Employment Records

Reference Number: CTAS-2063

Employment Records. Included in this schedule are all those records that an office may keep related to employment. This schedule applies to all county offices, except where a specific exception is listed in the retention schedule for that office. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record or the frequency of its occurrence. There are many different listings in this schedule that contain the same information. Generally, the information does not have to be kept in those separate formats, it simply has to be present somewhere in the records of the office. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual. Most of the legal requirements for employment record retention come from federal laws and regulations which are cited under the legal authority for the individual record.

DO NOT PANIC ! If you read through this schedule and it appears that there are far more records required than you have, that may not be the case. The presentation of this retention schedule is somewhat different than the other schedules in this manual. The records series listed in this schedule are arranged to a certain degree according to the laws that require the record. When accessing a personnel file, you may look at the same information for a number of different purposes. For that reason, this listing is organized more on the basis of the purpose for keeping the information in a file than on a description of

the file itself. Many of the listings in this schedule will be satisfied by a single record in your office. For example, there are several listings for payroll records. There are payroll records kept for Age Discrimination Act purposes, payroll records for FLSA purposes, payroll records for Title VII purposes, etc. You do not have to keep separate payroll records for these different purposes. Keep one set of records for the longest period required by any of those acts.

Retention Schedule for Employment Records—All Offices

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|---|---|
| 16-001 Advertisements Regarding Job Openings, Promotions, Training Programs or Overtime Work | Retain five years. | 28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 124 S.Ct. 1836(May 3, 2004). |
| 16-002 Age Records | Retain three years | Fair Labor Standards Act 29 CFR 516; Age Discrimination in Employment Act 29 CFR 1627.3. |
| 16-003 Americans with Disability Act—Employer Records | Retain two years. | Same retention requirements as the Civil Rights Act of 1964 as Amended, Title VII of the Civil Rights Act 29 CFR 1602.31. |
| 16-004 Applications, resumes or other replies to job advertisements, including temporary positions | Retain five years from date record was made or human resources action is taken, whichever is later. | 28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 124 S.Ct. 1836(May 3, 2004). |
| 16-005 Bloodborne Pathogens/Infectious Material Standard —Protects employees who may be occupationally exposed to blood or other infections materials. | See below for individual items. | |
| • Written exposure control plan. | Not specified—keep current and available to workers. | Occupational Safety and Health Act; 29 CFR |
| • Medical records. | Term of employment+30yrs. | 1910.1020 and 1910.1030. |
| • Training records. | Three years. | |
| • Employee exposure records. | Retain 30 years. | |
| 16-006 Citizenship or Authorization to Work — Immigration and Naturalization Services Form I-9 (employment eligibility verification form) for all employees hired after November 6, 1986. | Three years from date or hire or one year after separation, whichever is later. (Minimum of three years.) | Immigration Reform Control Act 8 CFR 274A.2. |
| 16-007 Contracts, Employment —Contracts between city and employees or independent contractors. | Retain seven years after termination of employment or contract. | Based on statute of limitations for breach of contract plus one year. T.C.A. § 28-3-109. 28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 124 S.Ct. 1836(May 3, 2004). |
| 16-008 Demotion records | Five years. | Age Discrimination in Employment Act 29 CFR 1627.3(b)(3). |
| 16-009 Discrimination or Enforcement Charges —Personnel records relevant to charge of discrimination or enforcement against employer, including records relating to | Until final disposition of charge or action. | Title VI of the Civil Rights Act 29 CFR 1602.31. |

Retention Schedule for Employment Records—All Offices

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| charging party and to all other employees holding positions similar or sought after, such as application forms or performance documentation. | | Executive Order 11246. |
| 16-010 Drug Testing Records —(As required by United States Department of Transportation). | See below for the different types of records. Five years. | |
| <u>Category One Records</u> | | |
| Breath alcohol test with results of .02 or higher; positive controlled substance tests; documentation of refusals to test; calibration documentation; evaluation and referrals; copy of calendar year summary— | Two Years. | Omnibus Transportation Employee Testing Act of 1991; Federal Highway Administration Department of Transportation Motor Carrier Safety Regulations 49 CFR 382.401. |
| <u>Category Two Records</u> | | |
| Information on the alcohol and controlled substances collection process— | One Year. | |
| <u>Category Three Records</u> | | |
| Negative and canceled controlled test results; alcohol test results of less than .02 concentration— | Two years after the individual receiving training ceases to perform those functions. | |
| <u>Category Four Records</u> | | |
| Information on education and training. | Retain two years from the date of the making of the record or the personnel action involved, whichever occurs later. | 29 CFR 1602.31. |
| 16-011 EEOC Information —Records kept by local governments. Any political subdivision with 15 or more employees must keep records and information which are necessary for the completion of Report EEO-4 (Local Government Information Reports) regardless of whether or not the jurisdiction is required to file a report. | | Age Discrimination in Employment Act 29 CFR 1627.3; Fair Labor Standards Act 29 CFR 516.5 Retention period of 70 years is due to retirement concerns and is based on approximate lifespan of employee. May destroy earlier if employee and any potential claimants are deceased. Title VII of the Civil Rights Act |
| 16-012 Employee Earnings Records —Record of annual earning for employees. The portion of the record that needs to be kept for the life of the employee needs only to be a statement of annual earnings as a backup for retirement or social security purposes. | Keep office record for three years. After this time, microfilm or archive record and keep for 70 years. | (29 CFR 1602.32). |
| 16-013 Employer Information Report —For political jurisdictions with 100 or more employees, and other jurisdictions with 15 or | Retain a copy of the most recent version of the report must at the central office for | |

Retention Schedule for Employment Records—All Offices

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| more employees from whom the Commission requests an EEO-4 report, a copy EEO-4 Form (Employer Information Report) must be kept. | three years. | |
| 16-014 Employment Tax Records | Four years after due date | Internal Revenue Code (26 CFR 31.6001-1). |
| 16-015 Family and Medical Leave Act (FMLA) Records —Employer Records Regarding Leave Under FMLA for all employees. For more information regarding what records must be kept, see 29 CFR 825.500 or the CTAS publication <i>The Family and Medical Leave Act—A Guide for Local Governments</i> . | Three years. | Family and Medical Leave Act 29 CFR 825.500. |
| 16-016 Garnishment Documents | Federal garnishment laws are enforced under the FLSA. Keep for three year period. | Fair Labor Standards Act 29 CFR 516.5. |
| 16-017 Group Health Insurance Coverage After Certain Qualifying Events —Employers need records showing covered employees and their spouses and dependents: | | |
| <ul style="list-style-type: none"> • Have received written notice of continuing group health insurance and COBRA rights • Whether the employee, spouse, and dependents elected or rejected coverage. | Retain seven years. | Internal Revenue Code 26 CFR 54.4980B. |
| 16-018 Hazard Communications (Hazardous Materials Exposure Records) —Records of any personal or environmental monitoring of exposure to hazardous materials. Records of “significant adverse reactions” to health or the environment that may indicate “long-lasting or irreversible damage,” “partial or complete impairment of bodily functions,” “impairment of normal activities which is experienced each time an individual is exposed.” Records must contain original allegation; abstract of allegation including name and address of site that received allegation, date allegation received, implicated substance, description of alleged health effects, results of any self-initiated investigation of allegation and copies of any other required reports relating to allegation. | Thirty years for records of significant adverse reactions to employee’s health; five years for all other allegations, including environmental charges; 30 years for employee health-related allegations arising from any employment related exposure. | 40 CFR 717.15. |
| 16-019 Hiring Records | Retain five years from date records are made or personnel action is taken, whichever is later. | 28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 124 S.Ct. 1836(May 3, 2004). |
| 16-020 Insurance/Retirement Plans | | |
| <ul style="list-style-type: none"> • Benefit plan descriptions • Supporting documentation for all required plan descriptions and any reports required to be filed under ERISA including vouchers, worksheets, receipts, and applicable resolutions. | Keep while plan or system is in effect, plus one year after termination of the plan. | Age Discrimination in Employment Act 29 CFR 1627.3(b)(2). |
| | Retain not less than six years after filing date of documents. | Employee Retirement Income Security Act 29 CFR 2520.101-1 through 2520.104(b)-30). |

Retention Schedule for Employment Records—All Offices

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| 16-021 Layoff Selection | Retain five years from date record made or personnel action taken. | 28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> , 124 S.Ct.1836 (May 3, 2004). |
| 16-022 Material Safety Data Sheets (MSDS) | No specific time—must be maintained in a current fashion. | Occupational Safety and Health Act 29 CFR 1910.1020(d)(1)(ii)(B). |
| <ul style="list-style-type: none"> Employers must have MSDS on file for each hazardous chemical they use and ensure copies are readily accessible to employees in their work area. Employer must keep records of chemicals used, where they were used, when they were used and for how long. | Retain 30 years. | Occupational Safety and Health Act 29 CFR 1910.1020(d)(1)(ii)(B). |
| 16-023 Military Leave Records | Retain seven years. | Uniform Services Employment and Re-Employment Rights Act 5 CFR 1208 Note: retention period not specified by regulations. The service limit on the time an employee may spend in active duty and still be eligible for re-employment can be up to five years. |
| 16-024 Occupational Injuries and Illness Records | Retain five years following the end of the year to which records relate. | Occupational Safety and Health Act 29 CFR 1904. |
| <ul style="list-style-type: none"> <i>Log and Summary of Work Related Injuries and Illnesses—OSHA Form 300.</i> | Retain five years following the end of the year to which records relate. | |
| <ul style="list-style-type: none"> <i>Summary of Work Related Injuries and Illnesses—OSHA Form 300A</i> <i>Injury and Illness Incident Report OSHA Form 301 (effective January 1, 2002)</i> | Retain five years. | |
| <p>These forms and reports provide details on each recordable injury and illness. These records are required whether or not there are injuries.</p> | | |
| 16-025 Older Workers Benefit Protection Act—Employer Records —Same employer record retention requirements as under the ADEA. | Retain three years. | Age Discrimination in Employment Act 29 CFR 1627.3, 29 CFR 1601.30 Retaining waivers will assure that record is available for defense of litigation in discrimination actions. |
| Waivers of ADEA rights. | Retaining waivers as a permanent record is recommended. | 28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> 124 S.Ct. 1836 (May 3, 2004). |
| 16-026 Payroll Records—Additions or Deductions from Records Paid —All records used by the employer in determining additions to or deductions from wages paid. | Retain five years. | 28 U.S.C. § 1658; <i>Jones v.</i> |
| 16-027 Payroll Records for Age | Retain five years. | 28 U.S.C. § 1658; <i>Jones v.</i> |

Retention Schedule for Employment Records—All Offices

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|---|
| <p>Discrimination in Employment Act Purposes—Payroll or other records containing each employee’s name, address, date of birth, occupation, rate of pay and compensation earned per week.</p> | | <p><i>R.R. Donnelley & Sons Co.</i> 124 S.Ct. 1836 (May 3, 2004).</p> |
| <p>16-028 Payroll Records for FLSA-Exempt and Non-exempt Employees— Basic time and wage records for employee: name in full of employee; identifying number or symbol, if such is used on payroll records; home address, including zip code; date of birth, if under 19 years of age; sex and occupation; time of day and day of week on which employee’s work week begins, if this varies between employees—otherwise a single notation for the entire establishment will suffice; total wages paid each pay period; dates of payment and pay period covered; hours worked; rate of pay; records of overtime and comp time hours worked and premiums paid; records of any additions to or deductions from wages.</p> | <p>Retain five years.</p> | <p>28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> 124 S.Ct. 1836 (May 3, 2004).</p> |
| <p>16-029 Payroll Records for Title VII Purposes—Records regarding promotion, demotion, rates of pay or other terms of compensation.</p> | <p>Retain five years.</p> | <p>28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> 124 S.Ct. 1836 (May 3, 2004).</p> |
| <p>16-030 Payroll Records—Records regarding basis for determining wage levels—These are additional records, outside of the scope of those records which must be kept under the FLSA, which an employer may keep in the regular course of business operations which relate to the payment of wages, wage rates, job evaluations, job descriptions, merit systems, seniority systems, collective bargaining agreements, description of practices, etc.</p> | <p>Any such records which explain the basis for payment of any wage differential to employees of the opposite sex in the same establishment must be kept for two years.</p> | <p>Equal Pay Act 29 CFR 1620.32</p> |
| <p>16-031 Personnel Files—File for each employee tracking pay, benefits, performance evaluations, personnel actions and employee’s hiring and termination.</p> | <p>Retain for seven years after termination. Note: Retain medical records separately in confidential file for 30 years after termination including exposure records.</p> | <p>Based on five year statute of limitations for personnel actions plus two years and OSHA; 20 CFR 1910.1020(d)(1).</p> |
| <p>16-032 Personnel Policies—Policies of the office regarding leave, benefits, procedures, etc. Certain policies are required by law under T.C.A. § 5-23-101, <i>et. seq.</i> Additional policies would be optional.</p> | <p>Retain current copy of any effective policies of the office. For policies required under T.C.A. § 5-23-101, a copy of all policies is filed permanently with the county clerk, so it is not necessary to keep copies of policies that are no longer effective. For any optional policies that are no longer effective, kept seven years after the policy is terminated..</p> | <p>T.C.A. § 5-23-101, <i>et. seq.</i> Statute of Limitations, T.C.A. § 28-3-109.</p> |
| <p>16-033 Physical/Medical Records—Results</p> | <p>One year, but see next entry.</p> | <p>Age discrimination in</p> |

Retention Schedule for Employment Records—All Offices

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| of physical examinations considered in connection with personnel action. | | Employment Act 29 CFR 1627.3 |
| 16-034 Physical/Medical Records Under FMLA —Records and documents including an FMLA leave request relating to medical certifications, re-certification or medical histories of employees, or employee’s family members. These records must be maintained in separate files/records and be treated as confidential medical records. | Three years. | Family Medical Leave Act 29 CFR 825.500 |
| 16-035 Physical/Medical Records under OSHA —Complete and accurate records of all medical examinations required by OSHA. | Duration of employment, plus 30 years unless a specific OSHA standard provides a different time period. | Occupational Safety and Health Act 29 CFR 1910.1020. |
| 16-036 Promotion Records or Notices | Retain five years. | 28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> 124 S.Ct. 1836 (May 3, 2004). |
| 16-037 Seniority or Merit Rating Systems | Retain five years. | 28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> 124 S.Ct. 1836 (May 3, 2004). |
| 16-038 Termination Records | Retain five years. | 28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> 124 S.Ct. 1836 (May 3, 2004). |
| 16-039 Transfer Records | Retain five years. | 28 U.S.C. § 1658; <i>Jones v. R.R. Donnelley & Sons Co.</i> 124 S.Ct. 1836 (May 3, 2004). |
| 16-040 Travel Authorizations | Retain five years after creation of record. | Kept for audit purposes. |
| 16-041 W-2s and 941s —Copies of standard IRS forms for annual wage and tax statements, W-2 and 941. | Retain seven years. | Keep in case of tax fraud investigation by the IRS. |
| 16-042 W-4s —Withholding allowance certificates | Retain five years after superseded or upon separation of employee. | Keep for audit purposes. |
| 16-043 Wage Rate Tables —All tables or schedules (from their last effective date) of the employer which provide rates used in computing straight-time earnings, wages, or salary or overtime pay computation. | Three years. | Fair Labor Standards Act 29 CFR 516.6 requires two year retention, but the Department of Labor can request records going back three years. |

Fire Department Records

Reference Number: CTAS-2065

Fire Department Records. The records included in this schedule are only those specific to county fire departments and related offices. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules elsewhere in this manual. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that

record's existence to include it in future revisions of this manual.

Retention Schedule for the County Fire Department

| Description of Record | Retention Period | Legal Authority/Rationale |
|---|---|--|
| 18-001. Arson Investigation Reports | Retain 30 years or until the convicted perpetrator is released from prison, whichever is longer. | Keep for use if there is a new trial. |
| 18-002. Bloodborne Pathogens/ Infectious Material Standard | | |
| Protects employees who may be occupationally exposed to blood or other infectious materials. | | |
| •Written exposure plan. | No retention period specified. Must be available to workers and kept current. | Occupational Safety and Health Act 29 CFR 1910.1030(c). |
| •Medical records. | *Retain for duration of employment plus 30 years. | Occupational Safety and Health Act 29 CFR 1910.1020 and 1910.1030(h). |
| •Training records. | *Retain three years. | Occupational Safety and Health Act 29 CFR 1910.1030(h). |
| •Employee exposure records. | *Retain 30 years. | Occupational Safety and Health Act 29 CFR 1910.1020 and 1919.1030(h). |
| 18-003. Burn Permits —Record of permission granted for open burning within the city limits. | Retain two years unless issued in conjunction with a building permit, in which case, retain until certificate of occupancy granted. | General recommendation is based on statute of limitations for malicious burning plus one year. Recommendation for burn permits issued with building permits based on the increased likelihood of a lawsuit against the city before certificate of occupancy is granted. Keep to track history of property, loss claims, repeats. Retention term based on statutes of limitations for foreseeable causes of action. |
| 18-004. Fire Incident Reports | Retain five years. | |
| 18-005. Fire Safety Inspection and Similar Reports —Reports made by the Tennessee Department of Insurance, Division of Fire Prevention, or local fire department showing date, name of inspector, location inspected, etc. | Retain current inspection report until a new inspection report is received, as a minimum. Retaining three years is recommended. | Keep for enforcement purposes. Keeping one generation back allows the department to show a history of inspection (T.C.A. § 68-120-101(b)(3)(A)). |
| 18-006. Firefighter Annual Certification of Fitness to Perform Job Functions | *Retain until next certification completed to comply with OSHA. | Required by OSHA. 29 CFR 1910.156(b)(2) and 29 CFR 1910.135(m). Department of Labor can request information |

Retention Schedule for the County Fire Department

| Description of Record | Retention Period | Legal Authority/Rationale |
|--|--|--|
| | Retaining three years is recommended. | going three years back. Retention allows the fire department to show a history of testing and compliance. |
| 18-007. Firefighter Annual Facemask Fit Test Records | *Retain until next certification completed to comply with OSHA. Retaining three years is recommended. | Required by OSHA. 29 CFR 1910.156(f) and 29 CFR 1910.135(m). Department of Labor can request information going three years back. Retention allows the fire department to show a history of testing and compliance. |
| 18-008. Material Safety Data Sheets (MSDS) •Employers must have MSDS on file for each hazardous chemical they use and ensure copies are readily accessible to employees in their work area. •Employer must keep records of chemicals used, where they were used, when they were used and for how long. | No specific time— must be maintained in a current fashion. *Retain for 30 years. | Occupational Safety and Health Act 29 CFR 1910.1020(d)(1)(ii) (B). Occupational Safety and Health Act 29 CFR 1910.1020(d)(1)(ii) (B). |
| 18-009. Physical/Medical Records —Complete and accurate records of all medical examinations required by OSHA law. | *Retain for duration of employment plus 30 years unless specific OSHA standard provides a different time period. | Occupational Safety and Health Act 29 CFR 1910.1020(d). |
| 18-010. Radio and Telephone Logs — dispatching and telephone communications with outside agencies. | Retain five years. | Keep for use in defense of lawsuits. Retention term based on statutes of limitations for foreseeable causes of action. |
| 18-011. Time Worked Records —All basic time and earnings cards or sheets and work production sheets of individuals where all or part of the employee’s earnings are determined. | *Retain two years. | Fair Labor Standards Act 29 CFR 516.6. |
| 18-012. Training Records | Retain for duration of employment plus three years. | Equal Pay Act 29 CFR 1620.32. |
| 18-013. Vehicle and Equipment Maintenance Records | Retain five years or life of vehicle or equipment, whichever is longer. | Proof of training for ISO and OSHA. Determination of replacement, proof of maintenance. |

General Sessions Court Records

Reference Number: CTAS-2053

General Sessions Court Records. The records included in this schedule are those for the offices of the General Sessions Courts. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules in this manual. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record or the frequency of its occurrence. This is particularly true of court records which may vary according to local rule and practice and especially confusing concerning the varying forms of docket books that courts may have utilized over the years. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office.

It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record's existence to include it in future revisions of this manual.

Notes regarding General Sessions Court:

The General Sessions Court is not usually a court of record (exceptions to this will be discussed below). Since it is not a court of record, the statutes found in Title 18 regarding retention of court records do not apply. The most important record for functional and historical purposes is the docket. For that reason, these are kept permanently. For other records, a period of 10 years has been designated as a reasonable period of time to allow parties who may need to revisit or research actions that were taken in General Sessions Court to have an opportunity to examine records. When General Sessions Courts function as a juvenile court, they ARE serving as a court of record. See the retention schedules elsewhere in this manual for Juvenile Records. Additionally, some General Sessions Courts were designated as courts of record by the private acts which created them. In those cases, the clerk should consult the retention schedules for courts of record to determine the proper retention period for a record.

Retention Schedule for General Sessions Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| <p>06-001 Forcible Entry and Detainer Process— Leading process in action to recover possession of land and tenements.</p> | Retain 10 years, then destroy. | Keep for 10 years to allow parties to research actions in sessions court. |
| <p>06-002 General Sessions Docket Book, Civil—Dockets showing date of trial, case number, names of plaintiff and defendant, decision of the court, amount of judgment, and bill of costs.</p> | Permanent record. | Keep permanently as a basic record of the actions of the court. |
| <p>06-003 General Sessions Docket Book, Criminal (State)—Dockets showing date of trial, case number, name of defendant, action of the court, name of returning officer, and list of witnesses claiming fees.</p> | Permanent record. | Keep permanently as a basic record of the actions of the court. |
| <p>06-004 Reports (General Session)—Duplicates of monthly reports to the county and the state of all revenue collected by the clerk, showing dates of quarter, from whom received or source of collection, costs, fees and mileage of witnesses, and fees, commissions and emoluments of the sheriff, his deputies, constables, game wardens, state highway patrolmen, and other officers for services to the court, the fines and forfeitures adjudged by the court, and all other funds coming into the hands of the clerk and judge.</p> | Retain 10 years after Clerk's tenure is broken, then destroy. | T.C.A. § 10-7-404(a). Keep for audit purposes. |
| <p>06-005 Warrants—Writs issued in both civil and criminal cases requiring an officer of the law to arrest the person named therein and bring him before the court to answer charges of some offense which he is alleged to have committed.</p> | Retain 10 years after case settlement, then destroy. | Keep for 10 years to allow parties to research actions in sessions court. |
| <p>06-006 Warrants and Orders, Miscellaneous—These include all other warrants and orders not specifically listed in the General Sessions Court schedule.</p> | Retain 10 years, then destroy. | Keep for 10 years to allow parties to research actions in sessions court. |
| OBSOLETE RECORDS | | |
| <p>06-007 Justice of the Peace Civil Dockets—Dockets showing date of trial, case number, names of plaintiff and defendant, decision of the court, amount of judgment, and bill of costs. These records are now obsolete.</p> | No longer generated but keep any existing records permanently. | Similar to execution docket (T.C.A. § 18-1-202(a)). |

Retention Schedule for General Sessions Court Clerks

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|--|
| 06-008 Justice of the Peace Criminal Dockets —Dockets showing date of trial, case number, name of defendant, action of the court, name of returning officer, and list of witnesses claiming fees. These records are now obsolete. | No longer generated but keep any existing records permanently. | Similar to appearance docket (T.C.A. § 18-1-202(a)). |

Highway Department Records

Reference Number: CTAS-2058

Highway Department. The records included in this schedule are only those specific to the office of the Highway Department. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules elsewhere in this manual. Included in this table is a listing of “obsolete” records. Your office should no longer be generating these records. They are still included in the disposition schedule so that anyone discovering those materials in older records of the office will know how to deal with them. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record, or the frequency of its occurrence. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record. Contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

Retention Schedule for the Office of the County Highway Department

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|--|
| 10-001 Annual Work Program for State Aid —Plans made annually projecting roads, projects, etc. | Retain one year after audit, then destroy. | T.C.A. §§ 54-4-403, 54-7-111. |
| 10-002 Bids —All bids for goods or services, including any advertisements. | Successful bids—retain seven years after contract expires, then destroy. Unsuccessful bids— retain one year after audit, then destroy. | Based on statute of limitations for legal action for breach of contract plus one year. (T.C.A. § 28-3-109). |
| 10-003 Bridge Project Files, Federal, State and Local — Project files, including contracts and invoices. | Retain seven years, then destroy. | Based on statute of limitations for legal actions for breach of contract plus one year (T.C.A. § 28-3-109). |
| 10-004 County Road List —Record of all roads under the control of the county (T.C.A. § 54-10-103) and any associated maps. | Permanent record. | Necessary for operation of the office and to protect Highway Department from allegations of working on private property. |
| 10-005 Deeds of Rights of Way, Easements, Etc. —Instruments of conveyance of interests in real property to the county so that the county may establish a roadway. | Permanent record. | Important for establishing property rights of the county. |
| 10-006 Equipment Inventory — Record of all equipment of the highway dept. showing the manufacturer’s serial number and other descriptions. | Retain five years from date of creation. | Keep for audit and review purposes (T.C.A. §§ 54-7-112, 10-7-404(a)). |

Retention Schedule for the Office of the County Highway Department

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| <p>10-007 Fence Row Agreement— Documentation of agreements between a landowner and the county granting permission for the highway department to push out a fence row.</p> | Retain five years from date of creation. | Keep in case any liability or litigation arises from the action. |
| <p>10-008 Grant Documentation and Files— Records and materials regarding grants applied for and/or money received through state and federal grants. These records may include info regarding monies received and expended under the litter grant program.</p> | Retain seven years, then destroy. | Based on statute of limitations for legal actions for breach of contract plus one year (T.C.A. § 28-3-109). |
| 10-009 Insurance Policies | Retain seven years after expiration, then destroy. | Based on statute of limitations for contracts plus one year (T.C.A. § 28-3-109). |
| 10-010 Invoices (not part of a bridge or road project file) | Retain five years, then destroy. | Keep for audit and review purposes. |
| 10-011 Mining Report— Copies of quarterly report to U.S. Bureau of Mines containing information on the quantity of stone mined and the use made of the stone. | Retain five years, then destroy. | Keep for audit and review purposes. |
| 10-012 Minutes of Bid Openings— Record of bid openings showing item vendor, bid price and whether bid was successful. | Retain five years (unless part of highway commission minutes), then destroy. | Necessary in case of challenge to bid award. |
| 10-013 Minutes of Highway Commission Meetings | Permanent record. | Actions taken in meetings will be effective until superceded or rescinded. Record also has historical significance. |
| 10-014 OSHA Records and other Records on Injuries | See schedule for employment records in retention schedule 16. | |
| 10-015 Outstanding Warrants, List of | Retain one year after audit, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 10-016 Personnel Records | See schedule for employment records in retention schedule 16. | |
| 10-017 Reports to County Legislative Body | Retain three years, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 10-018 Road Project Files— Project files, including contracts and invoices. | Retain seven years after completion of project, then destroy. | Based on statute of limitations for legal actions for breach of contract plus one year (T.C.A. § 28-3-109). |
| 10-019 Settlement | | |
| Agreements— Instruments evidencing the settlement of claims against the county highway department. | Retain seven years, then destroy. | Based on statute of limitations for legal actions for breach of contract plus one year (T.C.A. § 28-3-109). |
| 10-020 Sign Inventory— List of all traffic signs and traffic signals in the county. | Retain a current copy at all times. | Necessary to track inventory and maintenance of signs. |
| 10-021 Vehicle Maintenance Records— Record of repairs, service, etc. related to county owned vehicles. | Retain five years or life of vehicle, whichever is longer. | Keep for management purposes. |
| 10-022 Warrants (copies) and/or Warrant Book Stubs— Copies of warrants and/or stubs showing date warrant was | Retain five years, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404). |

Retention Schedule for the Office of the County Highway Department

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--------------------|---|
| issued, amount, payee and purpose of warrant. | | |
| 10-023 Work Orders —For repair and maintenance of roads, traffic signs, traffic signals and utilities. | Retain five years. | Possible evidence in lawsuit arising from road and bridge maintenance issues. |
| Obsolete Records | | |
| 10-024 Gasoline Report to State (copy) —Monthly report of number of gallons of gasoline purchased for use by the county highway department. | | Destroy. This record is obsolete. There is no need to retain it. |

Juvenile Court Records Retention Schedule

Reference Number: CTAS-2055

Juvenile Court Records. The records included in this schedule are those specific to the Juvenile Court. For more general court records, see the retention schedules for the Circuit, Criminal or General Sessions Courts. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules in this manual. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record, or the frequency of its occurrence. This is particularly true of court records which may vary according to local rule and practice and especially confusing concerning the varying forms of docket books that courts may have utilized over the years. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

There are a number of special considerations that should be kept in mind with records of juvenile proceedings. First of all, a juvenile court is a court of record, even when a general sessions court is exercising juvenile jurisdiction (T.C.A. § 37-1-159). It is important that a good record is maintained for the purpose of appeals (T.C.A. § 37-1-159), for transfer of the case to the county of the child’s residence (T.C.A. § 37-1-112), and for hearings to determine whether a juvenile charged with delinquency should be transferred to the jurisdiction of the criminal court to be tried as an adult (T.C.A. § 37-1-134).

The second important point to keep in mind is that many juvenile records are confidential under the law. Except for juvenile traffic offenses, files and records of the court in proceedings under Title 37, Chapter 1, Part 1 are open to inspection by certain parties. Those parties are, the judges, officers and professional staff of the court exercising juvenile jurisdiction; the parties to a proceeding and their counsel and representatives; public or private agencies or institutions providing supervision or having custody of the child under order of the court; a court and its probation and other officials or professional staff and the attorney for the defendant for use in preparing a pre-sentence report in a criminal cases for defendants who were previously a party to a proceeding in juvenile court; and, with the permission of the court, any other person or agency or institution having a legitimate interest in the proceeding or in the work of the court (T.C.A. § 37-1-153). Under certain circumstances, the records may be open to public inspection. See T.C.A. § 37-1-153(b) for details. Inspection of the law enforcement records regarding the child is similarly restricted (T.C.A. §§ 37-1-154–155).

This listing of juvenile records is short and is only intended to include those records that are specific to the juvenile court and do not appear in other court retention schedules. Where juvenile records mirror those in civil or criminal courts, consult the appropriate retention schedule for the proper period to retain the record.

Retention Schedule for Juvenile Court Records

| Description of Record | Retention Period | Legal Authority/Rationale |
|---------------------------------------|---------------------|------------------------------|
| 07-001 Investigative Files and | Keep 10 years after | T.C.A. § 18-1-202(a)(1)-(2). |

Retention Schedule for Juvenile Court Records

| Description of Record | Retention Period | Legal Authority/Rationale |
|---|--|--|
| Reports —Written reports from probation officers, professional court employees or consultants; any materials on file with the courts from a social services agency; and any similar reports or records for delinquency, unruly child, or dependency and neglect cases. Note: This record series may be kept in the Juvenile Court Services Office or some other appropriate office instead of with the court itself. | disposition of case or for delinquent and unruly cases keep 10 years after child reaches age of eighteen (18). | |
| 07-002 Judge and Referee Orders —Orders and opinions making determinations of status or disposition of child. | Permanent record.* | T.C.A. § 18-1-202(a). |
| 07-003 Juvenile Court Docket —Record of first appearance of all causes in court, showing date filed, names of attorneys, action taken, etc. | Permanent record.* | Similar to appearance docket. T.C.A. § 18-1-202(a). |
| 07-004 Juvenile Court Minutes | Permanent record.* | T.C.A. § 18-1-202(a). |
| 07-005 Petitions —Original pleading initiating delinquency, unruly child, or dependency and neglect cases. | Permanent record.* | In the nature of original process. T.C.A. § 18-1-202(a). |
| 07-006 Rule Dockets and Indexes —A record of original processes issued and filed incident to cases tried in court, showing number of case, date and hour filed, names of petitioner, defendant, and solicitors; also date and nature of process, date process served, note of officer's return, and rules and orders of the court. | Permanent record.* | T.C.A. § 18-1-202(a). |

* In 2019 the general assembly amended T.C.A. § 18-1-202 to provide that the clerks of the juvenile courts are empowered and authorized under the direction and order of the judges of their respective courts to dispose of original pleadings, process, opinions, records, dockets, books, ledgers, and all other documents in delinquent and unruly juvenile court cases after a period of ten (10) years following the juvenile reaching eighteen (18) years of age. Prior to ordering the clerk to dispose of original documents, the court must notify the district attorney general of the proposed order and provide the district attorney general reasonable time to file a notice of opposition to the proposed order.

Planning and Zoning Records Retention Schedule

Reference Number: CTAS-2067

Planning and Zoning Records. The records included in this schedule are only those specific to the county office that oversees planning and zoning. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules elsewhere in this manual. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

Retention Schedule for Planning and Zoning Records

| Description of Record | Retention Period | Legal Authority/Rationale |
|--|--|--|
| 19-001. Board of Zoning Appeals Action —Application or documentation for hearing and decision before Board of Zoning Appeals. | Application—one year after application Disapproval—one year after action. | Statute of limitations. Variance runs with land. Decisions related to uses on appeal or special exceptions |

Retention Schedule for Planning and Zoning Records

| Description of Record | Retention Period | Legal Authority/Rationale |
|--|--|--|
| | Approved Action— permanent. | continue as long as the use continues. |
| 19-002. Building Inspection and Similar Reports —Reports building inspection and codes enforcement activities showing date, name of inspector, location inspected, etc. | Retain 5 years after issuance of certificate of occupancy or final inspection. | For each jurisdiction adopting and enforcing its own codes, records are audited by the State Fire Marshall’s Office at least once every three years (T.C.A. § 68-120-101(b)). NOTE: Notify property assessor of completion before record is destroyed. |
| 19-003. Comprehensive Growth Plan —Plans required in accordance with the TN Growth Planning Law (Public Chapter 1101) that indicate Urban Growth Boundaries, Planned Growth Areas and Rural Areas, plus any supporting documentation, side agreements, minutes of the coordinating committee, etc. | Permanent record. | Documents must be retained to provide evidence of their existence and proof of their lawful enactment. Superseded documents have historical and legal value. |
| 19-004. Minutes of Commissions and Boards — Recorded minutes of the Planning Commission and Board of Zoning Appeals. All recorded actions of Planning Commission and Board of Zoning Appeals, including records of members present and their votes on matters presented, the nature and results of votes. | Permanent record. | Actions recorded in minutes are effective until superseded or rescinded. Keep for historical purposes. |
| 19-005. Plan and Plat Records —Drawings and blueprints of farms, subdivisions, cemeteries, city lots, and street improvements, showing name of subject, date of drawing, boundaries, scale used, location, name of engineer making survey, name of draftsman, and certificate of registration. | Permanent record. | Could have bearing on land title. |
| 19-006. Regional Plan or Major Road Plan — Plan developed by the Planning Commission to designate major infrastructure and promote orderly and coordinated economic growth and development for the region. | Permanent record. | Documents must be retained to provide evidence of their existence and proof of their lawful enactment. Superseded documents have historical and legal value. Keep for historical purposes. |
| 19-007. Reports/Recommendations of the Planning Commission to the Governing Body — All transmittals to governing body with recommendations regarding zoning, annexations, etc. | Permanent record. | [Note: If reports are included and incorporated into the minutes of the Board, there is not a need to keep additional copies separate from the minutes.] |
| 19-008. Request for Zoning Change —Request for permanent change to zoning map. | Retain for five years. | Appeals. |
| 19-009. Studies and Reports of the Planning Commission —All studies and reports, including infrastructure studies, future facilities plans, etc. | Permanent record. | Keep for historical purposes. |
| 19-0010. Subdivision Regulations | Permanent record. | Documents must be retained to provide evidence of their existence and proof of their lawful enactment. Superseded documents have historical and legal value. |

Retention Schedule for Planning and Zoning Records

| Description of Record | Retention Period | Legal Authority/Rationale |
|---|-------------------|--|
| 19-011. Zoning Map and Ordinance | Permanent record. | Documents must be retained to provide evidence of their existence and proof of their lawful enactment. Superseded documents have historical and legal value. |

Register of Deeds Records

Reference Number: CTAS-2059

Register of Deeds Records. The records included in this schedule are only those specific to the office of the county register of deeds. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules in this manual. Included in this table is a listing of "obsolete" records. Your office should no longer be generating these records. They are still included in the disposition schedule so that anyone discovering those materials in older records of the office will know how to deal with them. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record, or the frequency of its occurrence. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record's existence to include it in future revisions of this manual.

Retention Schedule for Register of Deeds

| Description of Record | Retention Period | Legal Authority/Rationale |
|--|---|---|
| 11-001 Affidavit Releases —Recorded affidavits effecting the release of notes or other instruments which cannot be produced by the holder thereof, showing name of owner or holder of instrument, nature of instrument, extent of release, reason why instrument cannot be produced, names of affiant and official acknowledging affidavit, and register's certificate of registration. | Keep recorded copy permanently. Additional copies are merely working papers and may be destroyed when no longer needed in accordance with rules of the Public Records Commission. | T.C.A. § 66-25-207. T.C.A. § 10-7-406(b). Note: after 1990 these procedures only apply to Warren County by narrow population class. |
| 11-002 Articles of Association —Articles filed with the register of deeds office evidencing the conversion of a partnership to a limited liability partnership. Originals are filed with the secretary of state. | Permanent record. | Provides local source for vital partnership records (T.C.A. § 48-204-101). |
| 11-003 Articles of Conversion —Articles filed with the register of deeds office evidencing the conversion of a partnership to a limited liability company or partnership. Originals are filed with the secretary of state. | Permanent record. | Provides local source for vital partnership records (T.C.A. § 48-204-101). |
| 11-004 Bills of Sale (May be recorded in deed books) —A record of items and land sold and purchased giving names of parties, description of property sold, and terms of sale. | Permanent record. | Eligible for recordation under T.C.A. § 66-24-101(1). This record affects land title. |
| 11-005 Bonds of County Officials, Register of | Permanent record. | T.C.A. § 8-19-102. |
| 11-006 Bond to Discharge Lien — Original bond, or copy of bond, filed by land owner to discharge lien and clear land titles from | Permanent record. | T.C.A. § 66-11-142 Record has affect on land title. |

Retention Schedule for Register of Deeds

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|-------------------|---|
| <p>mechanics and materialmans liens. 11-007 Certificate of Limited Partnership— Document filed to evidence creation of limited partnership. Similar to articles of incorporation. Also filed with Secretary of State.</p> | Permanent record. | Provides local source for vital limited partnership records. |
| <p>11-008 Certificate of Merger— Document filed to evidence merger of partnerships. Also filed with secretary of state.</p> | Permanent record. | Provides local source for vital partnership records. T.C.A. § 61-2-211. |
| <p>11-009 Charters, Record of—Recorded copies of incorporation charters granted by the state showing names of incorporators, name of corporation, location, nature of business, amount of capital stock, power and limitations of charter, date executed, acknowledgment before notary public, date recorded, register's certificate of recordation, and certification of Secretary of State that charter has been granted. These charters have been filed with the register of deeds and the secretary of state since 1929.</p> | Permanent record. | Provides local source for vital corporate records, both profit and non-profit. |
| <p>11-010 Contracts (Personal Property)—Recorded contracts showing names of contracting parties, amount of consideration, terms of agreement, and register's certificate of registration.</p> | Permanent record. | Eligible for recordation under T.C.A. § 66-24-101(1). |
| <p>11-011 Deed Indexes, Direct and Indirect</p> | Permanent record. | Necessary for use of other records. |
| <p>11-012 Deeds, Record of—Recorded copies of absolute conveyances of real property, showing names of grantor and grantee, date of instrument, location and description of property, consideration, terms of payments, acknowledgment before notary public, and the register's certificate of recordation.</p> | Permanent record. | Eligible for recordation under T.C.A. § 66-24-101(4). Kept permanently pursuant to T.C.A. § 8-13-108(a)(4). |
| <p>11-013 Deeds of Trust, Record of—Deeds conveying title to real estate to secure performance of contract with power to sell in case of default, showing names of parties, terms of contract, location, description, and valuation of property.</p> | Permanent record. | Eligible for recordation under T.C.A. § 66-24-101(8). Kept permanently pursuant to T.C.A. § 8-13-108(a)(4). |
| <p>11-014 Dormant Mineral Interest Book— Includes declarations of interest and statements of claim. Declarations of mineral interests are instruments transferring by grant, assignment, or reservation or otherwise, an interest of any kind in coal, oil, gas and other minerals. Statements of claim are documents or instruments filed by the owner of an interest to make claim to that interest.</p> | Permanent record. | T.C.A. § 66-5-108. Affects property rights not only for leases, but transfers of mineral interests. Preservation of some of these records are necessary for preserving mineral rights. |
| <p>11-015 Farm Names, Register of</p> | Permanent record. | This is an historical record. Maintain it if it is present in the office. T.C.A. § 67-5-1008. |
| <p>11-016 Greenbelt Applications—Applications for special tax treatment afforded certain agricultural, forest and open space land which have been approved by the assessor of property or county or state boards of equalization.</p> | Permanent record. | Can have long term implications regarding roll-back taxes. Keep since there is no way to know when it has been re-certified. |

Retention Schedule for Register of Deeds

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| <p>11-017 Greenbelt Certifications of Agricultural Use—Certifications by owner that property will produce a certain level of gross agricultural income.</p> | <p>Retain for seven years, then destroy.</p> | <p>T.C.A. § 67-5-1005. Re-certification necessary at least every 6 years.</p> |
| <p>11-018 Judgment Enrollment Records—Recorded copies of abstracts of judgments, bills, and attachments from court cases involving real estate. Judgments show names of plaintiff and defendant, case number, name of court, date and amount of judgment, and date of registration. Bills show names of plaintiff and defendant, date of filing, name of court, date of levy, description of property, case number, and date recorded. Attachments show date registered, names of plaintiff and defendant, name of court, case number, date attachment issued, date of levy, and description of property.</p> | <p>Permanent record.</p> | <p>Could affect land title and property rights.</p> |
| <p>11-019 Land Entries—Initial applications for public land.</p> | <p>Permanent record.</p> | <p>Keep for historical purposes.</p> |
| <p>11-020 Land Grants—Recorded copies of absolute conveyances of real property from public to private ownership, showing names of grantor and grantee, date of instrument, location and description of property, consideration, terms of payment, and certificate of recordation.</p> | <p>Permanent record.</p> | <p>Keep for historical purposes.</p> |
| <p>11-021 Land Sold for Taxes, Record of—Record of court land sales, showing name of the court, style of case, location and description of property, by what process land was sold, and date of sale.</p> | <p>Permanent record.</p> | <p>Record affects land title.</p> |
| <p>11-022 Leases—Copies of leases or rental contracts on real estate filed for recording, showing names of lessor and lessee, description of property, terms of the contract, date of execution, and signatures of parties involved.</p> | <p>Permanent record.</p> | <p>Eligible for recordation under T.C.A. § 66-24-101(15). Difficult to separate from other permanent records.</p> |
| <p>11-023 Liens, Mechanic—Notices of lawsuits to be filed in one year from date.</p> | <p>Permanent record.</p> | <p>Impractical to ascertain expiration of lien to know when record could be destroyed.</p> |
| <p>11-024 Liens, Mechanic and Materialmans—Contract wherein lien is established in writing providing notice of existence of such a lien. Writing sets forth contract price and describes the real estate to be affected with reasonable certainty. In lieu of registration of contract, lienor may file a sworn statement. Pre-dates notices of completion that were not discharged.</p> | <p>Permanent record.</p> | <p>Impractical to ascertain expiration of lien to know when record could be destroyed.</p> |
| <p>11-025 Liens, Notice of Lawsuit—Notices of lawsuits to be filed to enforce liens.</p> | <p>Permanent record.</p> | <p>T.C.A. § 66-21-201 authorizes recording.</p> |
| <p>11-026 Liens, Tax—Record of tax lien notices filed against property owners, including violators of the internal revenue law, showing name and address of property owner, date of filing, amount of assessment and penalty, and discharge notice date.</p> | <p>Permanent record.</p> | <p>Impractical to ascertain expiration of lien to know when record could be destroyed.</p> |
| <p>11-027 Maps and Map Books—County and civil district maps as well as single parcel maps (not part of subdivision).</p> | <p>Permanent record.</p> | <p>Keep for historical purposes.</p> |

Retention Schedule for Register of Deeds

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|---|
| <p>11-028 Military Discharges, Record of—Recorded copies of discharges from military service, showing name of veteran, date of discharge, reason for discharge, place of birth, age and occupation at time of enlistment, commanding officer's oath, physical description, enlistment record, and register's certificate of registration. DD2-14.</p> | <p>Permanent record unless a proper petition to remove is filed. This is voluntary for the individual to record, but it is recommended. Also available through the VA, but easier to get locally.</p> | <p>Eligible for recordation under T.C.A. § 66-24-101(20). May be removed or redacted pursuant to T.C.A. § 10-7-513 Important historical record.</p> |
| <p>11-029 Mortgages, Real Estate, Index to</p> | <p>Permanent record.</p> | <p>Necessary for use of recorded documents.</p> |
| <p>11-030 Mortgages, Real Estate, Record of (Trust Deeds)—Recorded copies of conditional conveyances of real property, showing names of grantor and grantee, dates instrument executed and recorded, location and description of property, consideration, terms of payment, provisions in case of non-payment, acknowledgment before notary public, and register's certificate of recordation.</p> | <p>Permanent record.</p> | <p>Eligible for recordation under T.C.A. § 66-24-101(8). Keep permanently pursuant to T.C.A. § 8-13-108(a)(4).</p> |
| <p>11-031 Notebooks—Register's record of instruments received for recording in his or her office, showing date and hour of reception, names of grantor and grantee, name of county, number of acres, and fees received.</p> | <p>Permanent record.</p> | <p>T.C.A. § 8-13-108(a)(3).</p> |
| <p>11-032 Notice and Terminations of Lis Pendens— An abstract of filing a lien lis pendens on real estate, certified by the clerk, containing the names of the parties to such suit, a description of the real estate affected, its ownership, and a brief statement of the nature and amount of the lien sought to be fixed. Termination orders or notices of termination should also be noted or recorded in the lien book.</p> | <p>Keep five years after termination of lien, then destroy if kept in a format that allows destruction.</p> | <p>T.C.A. § 20-3-101 and following.</p> |
| <p>11-033 Notice of Completion—Notice filed by owner or purchaser or contractor of improved real property that the improvement is complete. Notice contains the name of the owner of the land, name of contractor, location and description of the property, the date of completion of the structure improvement or demolition, a statement that a settlement of claims of parties entitled to benefits will take place after ten days, name and address of party to whom notice of claims may be sent, and acknowledgment by the person filing the notice, or by his agent or attorney.</p> | <p>If maintained in a separate book and all records within the books are at least 10 years old, then records are eligible for destruction.</p> | <p>T.C.A. § 66-11-205. Affects property rights regarding improvements.</p> |
| <p>11-034 Oil and Gas Leases—Recorded copies of leases on mineral resources, showing names of lessor and lessee, consideration, location and description of property, terms of the agreement, acknowledgment before a notary public, and the register's certificate of recordation.</p> | <p>Essentially a permanent record.</p> | <p>T.C.A. § 66-24-101.</p> |
| <p>11-035 Options to Purchase Land—Recorded copies of purchase options showing amount of consideration, parties to the contract, period of time for which option is extended, terms of agreement, description of property, date instrument executed, and register's certificate of registration.</p> | <p>Retain five years after the option or the last extension has expired, then destroy.</p> | <p>Leases were often for extremely long periods of time (e.g. 99 years or longer). Retention based on useful life of contract.</p> |

Retention Schedule for Register of Deeds

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|--|
| <p>11-036 Plats, Plat Books, and Indexes—Drawings and blueprints of farms, subdivisions, plants, and electric lines, showing name of subject, date drawn, boundaries, scale used, location, name of engineer making survey, name of draftsman, and register's certificate of registration.</p> | Permanent record. | Eligible for recordation (T.C.A. §§ 13-3-402, 13-4-302, 66-24-116). |
| <p>11-037 Powers of Attorney, Record of—A record of appointment or authorization for another party to act in an individual's behalf.</p> | Permanent record. | Record has long term significance for the parties. |
| <p>11-038 Releases of Mortgages, Liens and Deeds of Trust on land, Record of— Record of releases made as notes are paid, showing names of parties, dates, amount of fee, and book and page number where original instrument is recorded. These are non-U.C.C. documents.</p> | Permanent record. | Record affects land title. |
| <p>11-039 Reports of Register to County Mayor and/or County Commission—Reports containing data on revenue received, expenditures, work performed, plans, personnel, etc.</p> | Retain five years after creation of document, then destroy. Should be read into minutes of county commission and made a permanent record there. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| <p>11-040 Reports of State Transfer and Mortgage Taxes to Dept. of Revenue—Monthly report of Register detailing state mortgage and transfer taxes.</p> | Retain five years, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| <p>11-041 Surveyor's Books—Survey showing civil district in which property is located surveyor's description, date survey made, and name of surveyor.</p> | Permanent record. | Establishes parcel boundaries. Important document for property owners. T.C.A. § 66-24-116. |
| <p>11-042 Underground Utilities, Notice of—Notices filed by individuals, corporations or governments that operate underground utilities in the county, including a list of towns or cities where the facilities are located and the name, title, address and telephone number of the operator's representative.</p> | Permanent record. | T.C.A. § 65-31-105. Eligible for recordation. |
| <p>11-043 Uniform Commercial Code Instruments— Financing statements, amendments, continuations, releases, terminations, etc.</p> | 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. | T.C.A. § 47-9-404(2). Necessary for access to U.C.C. filings. |
| <p>11-044 U.C.C. Instruments, Index for</p> | Permanent record. | |

Retention Schedule for Register of Deeds

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|-------------------------------|
| OBSOLETE RECORDS | | |
| 11-045 Bankruptcies, Record of — Recorded copies of petitions in bankruptcy, decrees of adjudication of bankruptcy, and court orders approving trustee's bonds. | Retain 60 years, then destroy. Not usually filed in the Register's office any longer. Kept for probable lifetime of the debtor. Eligible for recordation under T.C.A. § 66-24-101(21). | |
| 11-046 Chattel Mortgage Indexes | Obsolete record. See Chattel Mortgages, Record of, listed below for retention. | |
| 11-047 Chattel Mortgages, Record of —Recorded copies of mortgages given to secure loans on personal property, showing names of mortgages and mortgagees, location and description of chattels, amount of consideration involved, course of action in case any part of agreement is broken, date instrument executed, acknowledgment before notary public, and register's certificate of registration. This record is basically obsolete. It is a pre-U.C.C. filing. Most records would be before early 1960s. | Obsolete record. Most likely this record is combined with trust deeds in a book, and kept together as a permanent record. Has much the same historical value as trust deeds. Whereas trust deeds recorded mortgages on real estate, chattel mortgages recorded liens on tools, equipment, livestock and other forms of personal property. Both kinds of instruments began with and are reflective of the onset of sharecropping tenancy following the Civil War. Even if kept separately from trust deeds, retain permanently for historical purposes. | |
| 11-048 Register's Dockets (Bills of Sales) — Record of sales of slaves, land, and deeds of gift, showing date instrument executed, amount involved, description of the property, names of interested parties, power of attorney, date of filing, name of person to whom power is conveyed, conditions of the grant, and signature of person making the conveyance. | Permanent record, but no longer generated by the off. Obsolete. Has historical value. These records pre-date modern system of recordation. Can affect property rights. | |
| 11-049 Tobacco Loan Books —A record of loans made on crops showing amount of money borrowed, crop acreage and location, due date, and notary statement. | Obsolete, now covered by the U.C.C. Previously destroyed ten years after last entry in book. Check for historical significance and destroy. | |

Sheriff's Records Retention Schedule

Reference Number: CTAS-2060

Sheriff's Records. The records included in this schedule are only those specific to the office of the county sheriff. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules elsewhere in this manual. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record or the frequency of its occurrence. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record's existence to include it in future revisions of this manual.

Retention Schedule for the Office of the Sheriff

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|----------------------------------|---|
| 12-001 Accident Reports —Motor vehicle accident reports giving location of accident, persons and vehicles involved, time of accident, injured, witnesses, diagram of | Retain four years, then destroy. | Record may be used in litigation. Period based on three year statute of limitations for actions for |

Retention Schedule for the Office of the Sheriff

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|---|
| accident, and condition of persons involved. | | injuries to personal property plus one year for overlap (T.C.A. § 28-3-105). |
| 12-002 Armory Records —Records regarding acquisitions, requisitions, check-ins, etc. | Retain for 10 years. | Keep in case of potential liability. |
| 12-003 Arrest Records (and Case Files) — Includes offense and incident reports. Information in records of arrest such as name, alias, address, date and time of offense, date of birth, age, place of birth, description, place of arrest, charge, disposition at time of arrest, warrant number, name of court, accomplices, vehicle information, arresting officer, remarks, signature of arresting officer. Includes arrest report and indexes citation in lieu of arrest form. | If the subject is found "not guilty," then original arrest records should be retained until the records are microfilmed. If subject is convicted, retain original until the exhaustion of all appeals or termination of probation or sentence; further, the originals are not to be destroyed thereafter until microfilmed. Destroy Originals or microfilm copies of arrest records on verification of death or its reasonable presumption (i.e. 100 years after birth of subject). Arrest index card should remain active until the death of the subject. | Retention period necessary for continuing investigative purposes and based on life of individual. |
| 12-004 Board Bills —Bills for boarding prisoners, showing date of commitment, name of prisoner, number of days for which board is charged, and rate per day. | Retain five years, then destroy. | Kept for audit purposes (T.C.A. § 10-7-404(a)). |
| 12-005 Case Files —Copies of all pertinent records of whatever nature relevant to a particular case under or pending investigation, accumulated in a single file by the investigator or agency to facilitate the investigation or prosecution of offenders. May include copies of complaint report; offense report; supplementary report; missing person/runaway report; arrest report; citation-in-lieu of arrest; property receipt; vehicle tow slip; statement form; accident report; other relevant reports; relevant photo or drawing. | Retention same as Arrest Record, above, except Missing Person/Runaway Records are not to be destroyed if needed by juvenile authorities and destruction should not violate National Crime Information Center (NCIC) requirements. | See Arrest Record, above. |
| 12-006 Cash Journal —Summary of all receipts and disbursements in the department. See also Receipt for Property Returned to Inmates Upon Release, below. | Retain 10 years, then eligible for destruction. | Comptroller’s office considers this record important for demonstrating patterns in investigations of mis-appropriation of funds (T.C.A. § 10-7-404(a)). |
| 12-007 Complaint/Incident Reports (Citizen) —Show name and address of person reporting offense, file and case number, place of occurrence, investigating officer, time, date, how report was made, and officer assigned to the case. May include dispatcher cards regarding calls. This includes Complaint, Incident, Offense, Supplementary, Missing Person, and Runaway Reports (individual and collective). | If record is unrelated to a felony or other case under investigation, retain original five years if microfilmed. Original or microfilm may be destroyed upon verification of death or its reasonable presumption (i.e. 100 years after birth of subject). If record is related to a felony or other case under investigation, | Retention period based on life of suspect. |

Retention Schedule for the Office of the Sheriff

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| 12-008 Fingerprinting Records | follow schedule for Arrest Records (Case Files), above. Death of subject or reasonable presumption of death, i.e. 100 years. Note: See T.C.A. § 37-1-155 regarding treatment of fingerprint records of juveniles. | Retention period based on life of subject. |
| 12-009 Identification Files —Records kept for identification purposes including fingerprints, photographs, measurements, descriptions, outline pictures, and other available information. | Death of subject or reasonable presumption of death, i.e. 100 years. | Retention period based on life of subject. |
| 12-010 Inmate Census Records —Records and documentation on number of inmates in detention facilities and movement and transportation of inmates. Includes sign-out logs, official census, count reports, booking logs, etc. Does not include Inmate/Prisoner Register listed below. | Keep for five years, then destroy. | Records are used for development of board bill and other reports. Keep for audit purposes on recommendation of comptroller (T.C.A. § 10-7-404(a)). |
| 12-011 Inmate Conduct Records —Incident and disciplinary reports, logs, hearing summaries, appellate board findings, reports on use of force/restraint, and related records. | Retain 10 years, then destroy. | Retention period based on maximum period of time record may be needed in case of litigation discovery requests. |
| 12-012 Inmate Financial Records —Financial record of prisoners committed to the workhouse, showing name of prisoner, date and length of commitment, amounts received, itemization of costs, balance, amount and date of final disposition of account, and remarks. Note: This does not include receipts for property returned at time of release. See separate listing for that record series, below. | Retain five years, then destroy. | Retention period based on likely period of time for grievance and reasonable period for operational use of the record. |
| 12-013 Inmate Grievance Records —Records regarding inmates grievances. Includes actual grievance, replies and responses to grievance and any investigative files. See also Internal Investigations below for related record. | Retain 10 years, then destroy. | Retention period based on maximum period of time record may be needed in case of litigation discovery requests. |
| 12-014 Inmate Medical Records —Medical files maintained on prisoners showing inmate’s physical condition on admission, during confinement, and at discharge. The record shall indicate all medical orders issued by the jail physician and/or any other medical personnel who are responsible for rendering medical services. Keep in a separate file from other inmate records. See also Psychological Evaluations of Inmates, below. | Retain for a period of 10 years after the prisoner’s release, then eligible for destruction. | Retention period based on standard for medical records found in T.C.A. § 68-11-305 and requirement in Tennessee Corrections Institute Rule 1400-1-.13(21). |
| 12-015 Inmate Registers (Jail Registers) — Record of all prisoners committed to the county jail, showing name of prisoner, offense charged, by whom | Permanent record. | See Tennessee Corrections Institute Rule 1400-1-.14. |

Retention Schedule for the Office of the Sheriff

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--|--|
| charge brought, record of process, date of commitment, and date released; may also show age, sex, complexion, color of hair, and color of eyes of prisoner. | | |
| 12-016 Inmate Visitation Records— Records documenting persons making visits to specific inmates or to the jail facility. Includes visitation logs and other similar records. | Retain three years. | Keep for operational purposes in case an incident arises. |
| 12-017(a) Internal Investigation Records— Records of investigations resulting from a complaint against an employee of the Sheriff’s department. Includes notification of complaint, investigative files, any associated medical records, and any written decisions, orders, or disciplinary actions. | Keep for term of employment of officer or 10 years, whichever is longer. | Record retains significance in personnel decisions, promotion, dismissal, etc. and for defense of litigation. |
| 12-017(b) Jail Shift Reports — Reports that record routine information, emergency situations, and unusual incidents. | Permanent record. | See Tennessee Corrections Institute Rule 1400-1-.07. |
| 12-018 Judgment Orders (a.k.a. Statement of Sentence) and Release Orders— A certified statement of the sentence of each prisoner in workhouse specifying the name of the convict, date of the sentence, crime for which committed, the term of imprisonment, the amount of fines and costs, record of the convict's identifying information. Release orders are non-judicial orders which may authorize release. | Retain for five years, then destroy. | Records used for classification purposes and for work release evaluations and in developing board bills, cost determinations, etc. |
| 12-019 Missing Person/Runaway Records | Refer to schedule for Arrest Record (Case files) above. | See Arrest Record, above. |
| 12-020 Mittimus (Committal Records)— Commitments to jail, showing name of person committed, offense charged, name of prosecutor, amount of bail, date, and signature of judicial officer. | Retain five years, then destroy. | Record may be used as back-up documentation for board bill and cost summaries. |
| 12-021 Pawnbroker’s Records of Transactions— Copy of record of pawn transactions forwarded by the pawn broker to the sheriff pursuant to T.C.A. § 45-6-210. | Retain four years, then destroy. | Retention based on statute of limitations for most theft prosecutions (T.C.A. §§ 40-2-101 and 40-35-110). |
| 12-022 Personnel Records | See separate retention schedule for employment records in this manual. | for employment records in |
| 12-023 Processes— Record of warrants, capias, summonses, and other papers served. | Retain three years after last entry, then destroy. | Kept for audit purposes. Non-financial (T.C.A. § 10-7-404(a)). |
| --- Unserved Misdemeanor Warrants | Five years. | T.C.A. § 40-6-206. |
| 12-024 Psychological Evaluations of Inmates, Records of— Any records regarding abnormal behavior of inmates, staff response to behavior, judicial orders | Retain 10 years, then eligible for destruction. | Psychological records are kept longer than medical records because of a stronger relationship to |

Retention Schedule for the Office of the Sheriff

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|--|--|
| for screening and treatment, referrals to psychological services, orders for placements in mental health facilities, etc. See also Prisoner Medical Records. | | inmate conduct records which have a 10- year retention schedule. |
| 12-025 Radio Logs —A record of radio calls giving time called, car or station calling, car or station called, car location, nature of call, and acknowledgment. | Retain three years, then destroy unless pending legal action. | Retention period based on likely time of complaint or legal action. |
| 12-026 Receipt Books (General) —Duplicate receipts, showing from whom received, reason for payment, amount received, and date. Note: See separate schedule for Receipt for Property Returned to Inmates, below. | Retain five years after issuance of last receipt, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 12-027 Receipt for Property Returned to Inmates on Release —Receipt required to be signed by inmates upon release from detention facilities for property, valuables and cash returned at the time of release. All items shall be inventoried on the receipt and witnessed by the releasing officer. | Permanent record. | See Tennessee Corrections Institute Rule 1400-1-.14. |
| 12-028 Reports of Jail Inspections —Files regarding inspections of detention facilities. Includes any inspection made to monitor conditions of safety, security and sanitation in detention facilities and maintenance work orders. | Retain three years, then destroy. | Based on American Correctional Association accreditation/re-accreditation cycle. |
| 12-029 Report of Trusties —Report on trusties and other prisoners receiving sentence reduction credit, showing name of trusty, dates, and time labored. | Retain 10 years, then destroy. | Used in determination of release in case of transfers, etc. |
| 12-030 Sheriff’s Sales, Records of —Records relating to sales and auctions conducted by the sheriff for forfeited property, property seized under execution, and any other property the sheriff is authorized or directed to sell. | Retain records of sales of personal property five years, then destroy. Retain records of real property sales permanently. | For personnel property sales, retention period based on recommendations of comptroller’s as authorized by T.C.A. § 10-7-404(a). Records of real property sales may impact land title and property rights indefinitely and should be retained as long as possible in case questions of ownership arise. Records useful in determining employment and promotion decisions and for continuing education program. Also vital record in defending lawsuits against department alleging improper actions of employees. |
| 12-031 Training Records —Records of participation in training programs, sign-in sheets, lesson plans, videotapes, certifications, etc. | Keep records regarding training for 10 years or for career of officer where information is kept in personnel file. If the training is required by OSHA, retain 30 years. | Records useful in determining employment and promotion decisions and for continuing education program. Also vital record in defending lawsuits against department alleging improper actions of employees. |
| 12-032 Vehicle Maintenance Records —Record of repairs, service, etc. related to county owned vehicles. | Retain five years or life of vehicle, whichever is longer. | Keep for management purposes. |
| 12-033 Vouchers —Copies of vouchers presented by the sheriff for the payment of expenses incurred in operating the | Retain five years, then destroy. | Keep for audit purposes based on the comptrollers recommendations (T.C.A. § |

Retention Schedule for the Office of the Sheriff

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|--|
| workhouse, patrol, salaries, etc. | | 10-7-404(a)). Actions recorded in minutes are effective until superceded or rescinded. Also keep for historical purposes. |
| 12-034 Workhouse Commission Minutes — Record of business transacted at meetings of the workhouse commission. | Permanent record. | |
| 12-035 Workhouse Docket 12-036 Workhouse Expenses, Record of — An account of all supplies, implements, tools, etc., purchased for the workhouse and a separate account for supplies. | See schedule for Prisoner Registers, above. Retain five years, then destroy. | Keep for audit purposes based on the comptrollers recommendations (T.C.A. § 10-7-404(a)). |
| 12-037 Work Release Financial Records — Records documenting receipt and disbursement of funds associated with the Work Release program. | Retain 10 years, then eligible for destruction. | Retention period based on 10 year statute of limitations for actions on sheriff’s bonds and actions for misappropriation of funds (T.C.A. § 28-3-110). |

OBSOLETE RECORDS

| | |
|---|--|
| 12-038 Weapons, Permits to Purchase — Letters or forms giving persons permission to purchase weapons. Records of weapons permitting, registry of weapon owners, etc. | Sheriff’s no longer permit handgun owners. Federal statutes prohibit maintaining registries of gun owners. 18 U.S.C.A. § 922(s)(6)(B)(i). All records related to these activities should be destroyed. |
|---|--|

Solid Waste Departments and Landfill Records Retention Schedule

Reference Number: CTAS-2061

Solid Waste Departments and Landfill Records. The records included in this schedule are only those specific to the county office that oversees solid waste and/or landfills. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules elsewhere in this manual. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record’s existence to include it in future revisions of this manual.

Retention Schedule for the County Solid Waste Department

| Description of Record | Retention Period | Legal Authority/Rationale |
|--|---|---|
| A. PLANNING RECORDS | | |
| 13-001 Annual Solid Waste Progress Report by the Region —Required report to the commissioner of environment and conservation reporting on collection, recycling, transportation, disposal, public costs and any other information which the board, by rule, may deem relevant to solid waste planning and management. | Retain 10 years, then eligible for destruction. | T.C.A. § 68-211-871(a). Keep for planning purposes based on 10-year Municipal Solid Waste Region Plan. |
| 13-002 Creation and Formation of Solid Waste Region, Records of —Resolutions and approved agreements of the county legislative body establishing a municipal solid waste region. A copy of this record is filed by county clerk with | Keep until dissolution of the solid waste region. | T.C.A. § 68-211-813(a)(1). Record authorizes existence of the region and establishes agreements between local governments. |

Retention Schedule for the County Solid Waste Department

| Description of Record | Retention Period | Legal Authority/Rationale |
|--|--|--|
| the State Department of Environment and Conservation. | | |
| 13-003 Ten Year Municipal Solid Waste Region Plan —Plan every region is required to develop and submit to the Department of Environment and Conservation for approval. Plans must include at least the minimum information required by T.C.A. § 68-211-815. | Keep current plan and one previous generation. | T.C.A. § 68-211-814. Older plans are useful in the planning process. |
| 13-004 Updates to Municipal Solid Waste Plan — Updates to the ten year plan required by T.C.A. § 68-211-814 to occur at least every five years after the plan’s initial approval to reflect subsequent developments in the region. | Keep all updates for current plan and one previous generation. | T.C.A. § 68-211-814. Older updates are useful in the planning process. |
| B. RECYCLING RECORDS | | |
| 13-005 Annual Report of Materials Collected at Recycling Center by Operator —Copy of annual report of recovered materials processed at the facility, by type of material, sent to the Department of Environment and Conservation. | Retain 10 years, then eligible for destruction. | T.C.A. § 68-211-871(e). Retention period based on planning cycle of the 10-year regional plan. |
| C. LANDFILL RECORDS | | |
| 13-006 Amount of Solid Waste (in Tons) Received at Municipal Solid Waste Facilities, Records of — Records for current month shall be maintained at the facility and open for inspection by the Department of Environment and Conservation. All other records shall be maintained at suitable office space in order to protect them from damage or loss. | Retain three years, then eligible for destruction. Note that if the records relate to financial transactions (such as receipts or receipt books) the retention period should be five years to comply with audit requirements. See entry 15-019. | T.C.A. § 68-211-871(e). Retention period established by TN Rule 1200-1-7-.08(3). |
| 13-007 Approved Permit Applications for Solid Waste Disposal Facilities —Records of all data and supplemental information used to complete permit applications. Includes copy of the permit and the approved Part I and Part II application. Maintain at the facility or another location with the approval of the department. | Retain throughout active life of the facility and through the post-closure care period. | TN Rules 1200-1-7-.02(2)(a)4. & 1200-1-7-.02(4)(a)7. Keep to show compliance with regulations in order to defend against superfund liability. |
| 13-008 Closure/Post-Closure Landfill Plan — Plan identifying the steps necessary to completely or partially close the facility at any point during its intended operating life and to completely close the facility at the end of its intended operating life, identifying the activities which will be carried on after closure and the frequency of these activities. | Retain up-to-date plan throughout the active life of the facility and through the post-closure care period. | TN Rule 1200-1-7-.03(2)(c)2.(iii). Keep to show compliance with regulations in order to defend against superfund liability. |
| 13-009 Gas Migration Control Standard — Records of monitoring to insure compliance with gas migration control standards. Monitoring must occur at least quarterly and must conform to standards for Monitoring Records listed below. | Retain throughout the active life of the facility and through the post-closure care period. | TN Rule 1200-1-7-.04(5)(a)4. Keep to show compliance with regulations in order to defend against superfund liability. |
| 13-010 Groundwater Sampling Records — Records of all ground water sampling activities conducted, sample analysis results and associated ground water surface elevation. Keep at the facility or another approved location. | Retain throughout the active life of the facility and through the post-closure care period. | TN Rule 1200-1-7-.04(7)(a)4.(vii). Keep to show compliance with regulations in order to defend against superfund liability. |
| 13-011 Monitoring Records —Records of | Retain throughout the | TN Rule 1200-1-7-.02(4)(a)(9). |

Retention Schedule for the County Solid Waste Department

| Description of Record | Retention Period | Legal Authority/Rationale |
|--|---|--|
| monitoring of facility including date, place and time of sampling or measurements; individual performing measurements; date of analysis; individual performing the analysis; analytical techniques used; and, the results of the analysis. | active life of the facility and through the post-closure care period. | Keep to show compliance with regulations in order to defend against superfund liability. |
| 13-012 Permit-By-Rule Authorizations and Records —Copy of authorization from Department of Environment and Conservation to operate as a permit by rule facility and additional related records required by the department. | Retain throughout active life of the facility and through the post-closure care period. | TN Rule 1200-1-7-.02(1)(c)1. Keep to show compliance with regulations in order to defend against superfund liability. |
| 13-013 Random Inspection Records —Records of random inspections made of daily incoming loads for detecting and preventing the disposal of regulated hazardous waste, unauthorized special waste and PCBs. | Retain throughout the active life of the facility and through the post-closure care period. | TN Rule 1200-1-7-.04(2)(s)3. Keep to show compliance with regulations in order to defend against superfund liability. |
| 13-014 Special Waste Approvals and Records — Copies of approvals from the Department of Environment and Conservation authorizing a facility to accept special wastes and records of receipt and management of certain special wastes. | Retain throughout active life of the facility and through the post-closure care period. | TN Rule 1200-1-7-.01-(4)(d)2. Keep to show compliance with regulations in order to defend against superfund liability. |

Trustee's Records

Reference Number: CTAS-2062

Trustee's Records. The records included in this schedule are only those specific to the office of the County Trustee. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules in this manual. Included in this table is a listing of "obsolete" records. Your office should no longer be generating these records. They are still included in the disposition schedule so that anyone discovering those materials in older records of the office will know how to deal with them. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record, or the frequency of its occurrence. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record's existence to include it in future revisions of this manual.

Retention Schedule for the County Trustee

| Description of Record | Retention Period | Legal Authority/Rationale |
|--|---|---|
| 14-001 Bank Deposit Books —Bank books showing name and location of bank, and amounts and dates of deposits. | Retain five years after last entry, then destroy. | Keep for audit purposes T.C.A. § 10-7-404(a). |
| 14-002 Bank Deposit Slips —Slips showing name and location of bank, and amounts and dates of deposits. | Retain five years after last entry, then destroy. | Keep for audit purposes T.C.A. § 10-7-404(a). |
| 14-003 Bank Statements —Statements showing name and location of bank, and amounts and dates of deposits, amounts and dates of check withdrawals, and running balance. | Retain five years after last entry, then destroy. | Keep for audit purposes T.C.A. § 10-7-404(a). |
| 14-004 Canceled Checks —Canceled checks | Retain five years after last | Keep for audit purposes |

Retention Schedule for the County Trustee

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|---|---|
| <p>showing date check issued, name of bank on which drawn, check number, to whom payable, purpose of payment, amount of check, and date canceled. (See warrants if using that system).</p> | <p>entry, then destroy.</p> | <p>T.C.A. § 10-7-404(a). Note: Your county may not get these back from the bank.</p> |
| <p>14-005 Cash Books—Record of trustee’s daily receipts showing name of fund, date, and amounts received. In computerized counties, these records would not be kept in books. Maintain same retention period for electronic files with this information.</p> | <p>Retain five years after last entry, then destroy.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |
| <p>14-006 Cash Journals—Record of all receipts and disbursements of the Trustee as distributed to various county accounts, showing date of entry, amount, source of receipt or purpose of payment, amount of debit or credit, and name of account credited or charged.</p> | <p>For cash journals after 1930, keep for 10 years, then destroy. If older than 1930, the record has historical value and should be kept permanently.</p> | <p>Comptroller’s office considers this record important for demonstrating patterns in investigations of mis-appropriation of funds. T.C.A. § 10-7-404(a). Prior to the advent of general budgetary practices, the Trustee’s Cash Journal would be the best record for tracking the total revenue stream of the county and have historical value. For this reason, records prior to 1930 should be kept permanently.</p> |
| <p>14-007 Check Books—Books containing stubs of checks issued by the Trustee showing check number, date issued, name of payee, amount, and purpose of payment. (See warrants if using that system).</p> | <p>Retain five years after date of last check, then destroy.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |
| <p>14-008 Delinquent Real Estate Tax Reports (a.k.a. Errors and Double Assessment Report)— Duplicates of annual reports to the county legislative body by the trustee of all delinquent taxpayers and double assessments in the county. Report is required by T.C.A. § 67-5-1903(a)(1).</p> | <p>Retain five years after date of creation, then destroy.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |
| <p>14-009 Delinquent Tax Receipt Books— Duplicates of receipts issued for payment of delinquent realty, and personalty taxes, showing receipt number, date issued, name of taxpayer, amount, year of assessment, signature of Trustee, etc. May not be kept in a book. This record is obsolete if computerized and in compliance with EDP standards.</p> | <p>Retain five years after issuance of last receipt in book or five years after creation of receipt if not in book or information is stored electronically.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |
| <p>14-010 Dog Tax Books—Record of dog taxes collected, showing name of owner, name and description of dog, amount of tax, date of payment, and tag number. Prior to 1921 these collections were used to reimburse sheep owners for losses due to damage and killing of sheep by dogs; distribution is shown on this record.</p> | <p>Retain until audit is complete, then destroy. Few counties do this, but technically it is still in the law and may be ongoing in certain counties.</p> | <p>T.C.A. § 68-8-104.</p> |
| <p>14-011 General (Miscellaneous) Receipt Ledgers—Record of funds received on general accounts, including such payments as poll tax,</p> | <p>Retain five years after last entry, then destroy. If stored electronically, keep 5</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |

Retention Schedule for the County Trustee

| Description of Record | Retention Period | Legal Authority/ Rationale |
|---|--|---|
| <p>state and county taxes, interest, fees, and penalties on delinquent taxes, showing date of payment, name of payor, amount, fund credited, and balance. This information is included in the journal package of most software in computerized counties. If stored electronically in compliance with EDP standards, paper copy is not necessary.</p> | <p>years after date of creation of record, then destroy.</p> | |
| <p>14-012 Investment Ledgers—Surplus cash investments, rate of interest, date and amount collected.</p> | <p>Retain 10 years, then destroy.</p> | <p>Keep for audit purposes and to address arbitrage concerns.</p> |
| <p>14-013 Miscellaneous Receipts from Other Offices Receiving Money, Records of—Records of receipts collected by other county offices and department. Examples: fees collected by the ambulance service, out of county tuition collected by the school board, probation fees, building permits, etc.</p> | <p>Retain five years after creation, then destroy.</p> | <p>Keep for audit purposes T.C.A. § 10-7-404(a).</p> |
| <p>14-014 Pickup Tax Books—Record of taxes levied and collected by the trustee after the assessor failed to make an assessment, the error being caught by the trustee. This record shows name of property owner, civil district number, amount of assessment, whether on poll, personalty, or realty, taxes due, and date paid. This record series includes information about back assessments, re-assessments and errors.</p> | <p>Permanent record.</p> | <p>Analogous to Tax Books. Keep for historical purposes.</p> |
| <p>14-015 Property Tax Relief Report—Record of property taxes paid by the state on behalf of elderly low income homeowners, disabled homeowners and disabled veterans.</p> | <p>Retain until audited and updated version received, then destroy in accordance with rules of the Public Records Commission.</p> | <p>In the nature of a working paper (T.C.A. § 10-7-406(b)).</p> |
| <p>14-016 Receipt Books—Duplicate receipts for revenue collected, showing from whom received, date receipt given, receipt number, amount and purpose of payment, account credited, and signature of Trustee or deputy. Receipts may be or may have been issued for funds received from other county offices for payment of transfer tax, delinquent taxes, poll tax, state funds, utilities tax, etc. Receipts may be loose rather than in books. This record series is associated with the General (Miscellaneous) Receipt Ledgers.</p> | <p>Retain five years after last entry, then destroy. If stored electronically, destroy file five years after date of creation. Additional copies of the receipts that aren't needed for any purpose would be considered working papers that could be destroyed as soon as it is determined they are superfluous.</p> | <p>Keep for audit purposes (T.C.A. § 10-7-404(a)), (T.C.A. § 10-7-406(b)).</p> |
| <p>14-017 Reports, Daily (Cash Reconciliation)— Trustee's daily record showing receipts, names of accounts paying, disbursements, and balance.</p> | <p>Retain until after audit, then destroy in accordance with rules of the Public Records Commission.</p> | <p>Working paper (T.C.A. § 10-7-406(b)).</p> |
| <p>14-018 Reports of Trustee to County Legislative Body and County Mayor (Duplicate copy)— Report gives information on different accounts, balances on last report, receipts, disbursements, commissions, transfers, balances on this report, totals, bank balances of county accounts in different banks, and classification of receipts (sources received from - state, local, etc.).</p> | <p>Retain one year, then destroy in compliance with rules of the Public Records Commission.</p> | <p>Working paper used by general fund bookkeeper to reconcile accounts with the Trustee's records (T.C.A. § 10-7-406(b), (T.C.A. § 5-8-505).</p> |

Retention Schedule for the County Trustee

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|----------------------------------|---|
| 14-019 Sales Tax Reports —Report from the state showing total tax collection less cost of state collection. Report shows amounts distributed to county and to incorporated towns. | Retain 10 years, then destroy. | This record series is kept longer than the usual audit standard in case of a dispute regarding city/county distribution of revenues. |
| 14-020 Special District Supplemental Tax Books —Record of supplemental taxes, showing name of property owner, location and description of property, assessed valuation, total amount of taxes, interest, penalty, and cost of collection. Would include any extra district taxes such as fire taxes, special school district taxes, etc. | Permanent record. | Analogous to other tax ledgers. |
| 14-021 Tax Books (a.k.a. Tax Lists, Tax Roll, Roll Books) —Record of taxable property by civil districts, showing owner's name, location and description of property, number and value of town lots, number of acres of farm land, value of land, value of personal property, state and county taxes, total of all taxes, and date paid. | Permanent record. | Keep for historical purposes. Additional, old records may be used as evidence in suits to quiet land title. |
| 14-022 Tax Cases Sent to Clerk and Master, Record of —Record of delinquent land tax cases filed in Chancery Court (sometimes Circuit Court) showing property owner's name, district or ward, property boundaries, acres, valuation, total tax due, and remarks. | Retain 15 years, then destroy. | Statute of limitations on property tax actions is 10 years (T.C.A. § 67-5-1806). Additional time is given for cases that may be delayed due to bankruptcy. |
| 14-023 Tax Collector's or Tax Deputies Report to Trustee —Report of tax collector's receipts to Trustee, showing date, from whom received, and for what purpose. This record is obsolete in many counties. This report of collections is authorized by T.C.A. § 67-5-2009. | Retain 15 years, then destroy. | Statute of limitations on property tax actions is 10 years (T.C.A. § 67-5-1806). Additional time is given for cases that may be delayed due to bankruptcy. |
| 14-024 Warrants —Canceled warrants showing date issued, warrant number, amount of warrant, name of payee, and purpose of payment. (See also checks if using the checking system) | Retain five years, then destroy. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| 14-025 Warrant Registers —Record of all warrants paid by the Trustee and charged to county, highway, school, and other funds, showing warrant number, amount, account charged, date issued, to whom, and purpose of payment. Some counties may have separate warrant registers for different funds. (See also checks if using the checking system). | Permanent record. | Keep for audit purposes (T.C.A. § 10-7-404(a)). |
| OBSOLETE RECORDS | | |
| 14-026 Delinquent Poll Tax Books —Record of poll tax assessments that have become delinquent against persons who own no real property, showing district number, name of taxpayer, amount of tax, interest, and fees, year of assessment, and total amount collected. This is an obsolete record. | | Obsolete record no longer generated or necessary for operation of the office. However, in periods where there is no federal census, poll tax records are invaluable for locating individuals and can have great historical value. Retain as a permanent record. |
| 14-027 Fee Books —Daily record of fees collected, showing date, tax book | | Destroy (obsolete record). |

Retention Schedule for the County Trustee

| Description of Record | Retention Period | Legal Authority/ Rationale |
|--|------------------|---|
| collections, tax book fees, collections from other sources, and "turn in" fees. This record is now obsolete. | | |
| 14-028 Highway Account Books —An itemized account of the receipt and disbursement of highway funds, showing date, source, and amount of revenue received; date, amount, and purpose of disbursement; and total. May also be called District Road Account Book and Road Journal. This record is now obsolete. | | Permanent record. No longer being generated in the offices, but old records should be retained for historical purposes. |
| 14-029 Poll Tax Books —Record of poll tax assessments against persons who own no property, showing name and sex of taxpayer, receipt number, district number, amount of tax, and date paid. This is an obsolete record. | | Destroy (obsolete record), if kept separately from Tax Books. |
| 14-030 Receivable Warrant Registers —Register of warrants showing date, warrant number, name of recipient, reason for issuance, and amount of warrant. This record is obsolete. | | Retain five years after last entry, then destroy (obsolete record). |
| 14-031 Road Improvement Assessment Books —Lists tracts of land and amounts of assessments; used by Trustee for collection of special assessments levied. This is an obsolete record. | | Permanent record. No longer being generated, but keep for historical purposes. |
| 14-032 Road Overseer Settlement Books —Record of settlements with overseers of county roads showing number of civil district, number of road, amount paid, purpose, name of overseer, and date of payment. This is an obsolete record. | | Permanent record. No longer being generated, but keep for historical purposes. |
| 14-033 Road Warrant Books —Record of warrants, issued on road funds showing to whom issued, date issued, amount, and date canceled. May also show amount due each civil district, amount of warrants paid, and balance due. This is an obsolete record. | | Permanent record. No longer being generated, but keep for historical purposes. |
| 14-034 School Fund Books (Receipts and Disbursements) —An itemized account of the Trustee's receipts and disbursements of school funds, showing date, amount, and source of collections; date, warrant number, amount, and purpose of disbursements. Early volumes may be arranged by civil district. This is an obsolete record. | | Destroy (obsolete record). |
| 14-035 School Receipt Register Books —Register of receipts for school funds showing date and type of warrants - school bond warrants, public school warrants, general purpose warrants - warrant number, and amount of warrant. Obsolete record. | | Destroy (obsolete record). |
| 14-036 School Receipts, Reports of —Trustee's report of receipts for public school funds showing receipts from all sources, distribution of funds, and signature of trustee; made monthly and annually. This is an obsolete record. | | Destroy (obsolete record). |
| 14-037 Tax Exemptions for Fox Scalps, Record of —Record shows name of owner, date, number of fox scalps produced, and certification of exemption in detail. This is an obsolete record. | | Destroy (obsolete record). |

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