



RECORDS RETENTION SCHEDULE & DESTRUCTION AUTHORIZATION

RECORDS MANAGEMENT PROGRAM

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Email: records.management@kingcounty.gov
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1. AGENCY DEPARTMENT/DIVISION/SECTION Department of Public Defense/Client Case Files	2. DEPARTMENT-DIVISION-SECTION [DDS] DPD-ACAD-(ALL) All Sections [200201] DPD-NDD-(ALL) All Sections [200301] DPD-SCRAPD-(ALL) All Sections [200401] DPD-TDAD-(ALL) All Sections [200501]	3. TOTAL NUMBER OF PAGES 8	4. DATE LAST MODIFIED February 20, 2019	5. STATUS Final	6. VERSION 1
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6. SCOPE AND DISCLAIMER

This retention schedule can only be used by the agency listed in section 1. It supersedes any other versions of retention schedules used by the agency and is effective as of the date listed in section 11 on the last page. This schedule is a comprehensive listing of all public records held by the agency and authorizes the destruction or archival transfer of those records as indicated. For guidance about records not listed, please contact the Records Management Program.

Records covered by this records retention schedule must be retained for the required retention periods as described. Records designated as Permanent or Archival must not be destroyed. Records designated as Potentially Archival must be appraised by the King County Archivist before disposition. This records retention schedule is subject to revision due to changes to local, state or federal regulations.

Approved documentation is required before any records listed on this records retention schedule can be dispositioned (destroyed or transferred to the King County Archives). Records filed to and managed within the County’s Records Management System will be dispositioned from within the system and documentation will be maintained by the Records Management Program. Disposition of records managed outside of the Records Management System must be documented on forms provided by the Records Management Program. Transitory records may be destroyed within the normal course of agency business without the use of any destruction forms.

In June 2013, it was determined that public defender client case files should not be considered “public records”, since they are not created or received in the transaction of public business as defined by RCW 40.14.010¹. While the records in this schedule are not subject to disclosure under RCW 42.56, it was determined by the Department of Public Defense that the records should still be managed in accordance with all relevant records management guidelines in King County code and policy that do not relate to disclosure. Hence, the retention of these records is going through the standard approval process per agreement made by the King County Public Records Committee on August 7, 2012.

Glossary

Cutoff: the trigger date on which the retention period *begins*. Until this occurs, the records are still considered active.

Retention: the length of time the records must be retained *after* the cutoff date

Disposition Action: the action that should be taken with the records after they have met their retention period

ESSENTIAL: records identified by the State as being essential to the operation of business and needed to continue operations in the event of an emergency.

¹ <https://www.sos.wa.gov/assets/archives/recordsmanagement/advice-sheet-what-to-do-with-public-defender-case-files-and-indigence-determination-records-august-2015.pdf>

7. LIST OF RECORDS SERIES						
7a. ITEM NO.	7b. TITLE/DESCRIPTION	7c. RETENTION	7d. DISPOSITON AND REMARKS	7e. OFFICE OF PRIMARY COPY	7f. CATEGORY	7g. RULE (DISPOSITION AUTHORITY NUMBER(S))
1.	<p><u>Client Case Files for Family Defense</u> Records document provision of legal representation and services to income eligible defendants involved in dependency actions or facing contempt of court charges for failure to pay child support. Specific records may include:</p> <ul style="list-style-type: none"> • Client Property such as records, photographs, print outs from social media sites, videos, medical information and other items provided by the client. • Court Records such as copies of transcripts, motions, discovery, pleadings, subpoenas, orders, Court Appointed Special Advocate reports, Department of Children, Youth and Family reports, etc. • Attorney Work Product such as case related communications and records related to case preparation; communications with clients, service providers, social workers, and Court Appointed Special Advocates; notes regarding impression of witnesses or defense strategy; legal analysis and research; results of investigations; etc. • Financial Screening records used to determine indigent status such as financial and banking records, employment and housing information, personal references, etc. • Child Protective Services records including case notes, visitation reports, medical records, and mental health and treatment records. <p>Records are related to dependency and child support cases.</p>	<p>Cutoff: Case Closed</p> <p>Retention: 80 years</p>	<p>Disposition Action: Not Archival - Destroy</p>	DPD Divisions	<p>Client Case Files – Family Defense</p> <p>DPD-01-001</p>	KCPD2018-001

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2.	<p><u>Client Case Files for Felonies</u> Records document provision of legal representation and services to income eligible defendants charged with a felony. Specific records may include:</p> <ul style="list-style-type: none"> • Client Property such as records, photographs, print outs from social media sites, medical information and other items provided by the client. • Court Records such as copies of transcripts, motions, discovery, pleadings, subpoenas, expert reports, arrest reports, etc. • Attorney Work Product such as case related communications and records related to case preparation, notes regarding impression of witnesses or defense strategy, legal analysis and research, results of investigations, etc. • Financial Screening records used to determine indigent status such as financial and banking records, employment and housing information, personal references, etc. <p>Records are related to adult criminal cases filed in King County Superior Court for alleged crimes occurring anywhere within King County.</p>	<p>Cutoff: Case Closed</p> <p>Retention: 100 years</p>	<p>Disposition Action: Not Archival - Destroy</p>	DPD Divisions	<p>Client Case Files – Felonies</p> <p>DPD-01-002</p>	KCPD2018-002

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3.	<p><u>Client Case Files for Involuntary Treatment Act (ITA) Court</u></p> <p>Records document provision of legal representation and services to income eligible defendants involved in mental health involuntary commitment cases. Specific records may include:</p> <ul style="list-style-type: none"> • Client Property such as records, photographs, print outs from social media sites, medical information and other items provided by the client • Court Records such as copies of transcripts, motions, discovery, pleadings, subpoenas, expert reports, arrest reports, etc. • Attorney Work Product such as case related communications and records related to case preparation, notes regarding impression of witnesses or defense strategy, legal analysis and research, results of investigations, etc. • Financial Screening records used to determine indigent status such as financial and banking records, employment and housing information, personal references, etc. <p>Records relate to cases where people are committed to a mental health facility against their will for either mental health or substance abuse disorders.</p>	<p>Cutoff: Case Closed</p> <p>Retention: 20 years</p>	<p>Disposition Action: Not Archival - Destroy</p>	DPD Divisions	<p>Client Case Files – Involuntary Treatment</p> <p>DPD-01-003</p>	KCPD2018-003

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4.	<p><u>Client Case Files for Juveniles</u> Records document provision of legal representation and services to income eligible defendants charged as a juvenile. Specific records may include:</p> <ul style="list-style-type: none"> • Client Property such as records, photographs, print outs from social media sites, medical information and other items provided by the client. • Court Records such as copies of transcripts, motions, discovery, pleadings, subpoenas, expert reports, arrest reports, etc. • Attorney Work Product such as case related communications and records related to case preparation, notes regarding impression of witnesses or defense strategy, legal analysis and research, results of investigations, etc. • Financial Screening records used to determine indigent status such as financial and banking records, employment and housing information, personal references, etc. <p>Records relate to criminal cases filed in King County Superior Court against those under age 18 for alleged crimes committed anywhere within King County. Includes Becca at-risk youth, child in need of services (CHINS) and truancy cases.</p>	<p>Cutoff: Case Closed</p> <p>Retention: 40 years</p>	<p>Disposition Action: Not Archival - Destroy</p>	DPD Divisions	<p>Client Case Files – Juveniles</p> <p>DPD-01-004</p>	KCPD2018-004

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5.	<p><u>Client Case Files for Misdemeanors</u> Records document provision of legal representation and services to income eligible defendants charged with a misdemeanor. Specific records may include:</p> <ul style="list-style-type: none"> • Client Property such as records, photographs, print outs from social media sites, medical information and other items provided by the client. • Court Records such as copies of transcripts, motions, discovery, pleadings, subpoenas, expert reports, arrest reports, etc. • Attorney Work Product such as case related communications and records related to case preparation, notes regarding impression of witnesses or defense strategy, legal analysis and research, results of investigations, etc. • Financial Screening records used to determine indigent status such as financial and banking records, employment and housing information, personal references, etc. <p>Records are related to adult criminal cases filed in King County District Court for alleged crimes occurring in unincorporated King County.</p>	<p>Cutoff: Case Closed</p> <p>Retention: 20 years</p>	<p>Disposition Action: Not Archival - Destroy</p>	DPD Divisions	<p>Client Case Files – Misdemeanors</p> <p>DPD-01-005</p>	KCPD2018-005

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6.	<p><u>Client Case Files for Sex Offender Commitment (SOC)</u></p> <p>Records document provision of legal representation and services to income eligible defendants involved in SOC cases. Specific records may include:</p> <ul style="list-style-type: none"> • Client Property such as records, photographs, print outs from social media sites, medical information and other items provided by the client. • Court Records such as copies of transcripts, motions, discovery, pleadings, subpoenas, expert reports, depositions, arrest reports, etc. • Attorney Work Product such as case related communications and records related to case preparation, notes regarding impression of witnesses or defense strategy, legal analysis and research, results of investigations, expert communications, etc. • Financial Screening records used to determine indigent status such as financial and banking records, employment and housing information, personal references, etc. <p>Records are related to cases that result in the civil commitment of people under the Sexually Violent Predator statute.</p>	<p>Cutoff: Case Closed</p> <p>Retention: 100 years</p>	<p>Disposition Action: Not Archival - Destroy</p>	DPD Divisions	<p>Client Case Files – Sex Offender Commitment</p> <p>DPD-01-006</p>	KCPD2018-006

8. RECORDS AND INFORMATION MANAGER SIGNATURE

I hereby certify that the records series as described comply with current federal, state, and local regulations as of the date listed in section 4, and I ensure the accuracy of this schedule.

Gail Snow

2/21/2019

Gail Snow

Date

9. COUNTY ARCHIVIST SIGNATURE

I hereby certify that I have reviewed and approved the archival status of the records series as described on this schedule.

A. Demeter

2/25/2019

Amanda Demeter

Date

10. AGENCY MANAGER SIGNATURE

I certify that I have read and understood these records retention requirements and agree to implement the records retention schedule for all records and information within the scope of my responsibility.

Anita Khandelwal

2/20/19

Anita Khandelwal

Date

PUBLIC RECORDS COMMITTEE USE ONLY

11. PRC APPROVAL

Deborah Kennedy

March 11, 2019

Deborah Kennedy

Date

King County Public Records Committee