

RECORDS RETENTION AND DISPOSITION SCHEDULE



CIVIL RECORDS OF THE SUPREME AND COUNTY COURTS

**DIVISION OF COURT OPERATIONS
OFFICE OF RECORDS MANAGEMENT**

Rev. MAY 2009

**CIVIL RECORDS OF THE
SUPREME AND COUNTY COURTS**

PLEASE NOTE

A RECORDS DISPOSITION REQUEST FORM must be submitted and approved prior to the disposal of any records in accordance with the Records Retention and Disposition Schedules.

Records Disposition Request Forms can be obtained at:
http://www.nycourts.gov/admin/recordsmanagement/too_forms.shtml

Return all completed forms to:
N.Y.S. Office of Court Administration
Division of Court Operations
Office of Records Management
25 Beaver Street - Room 883
New York, NY 10004
TEL: 212- 428-2875
FAX: 212- 428-2880
E-mail: DISPOREQ@courts.state.ny.us

Please Note: This retention schedule is printed in a color format to facilitate identification of purgable records.

Color Codes for Record Series Numbers and Titles:

Red = Permanent Records

Green = Purgable Records

Orange = Both Permanent and Purgable Records

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NEW YORK STATE UNIFIED COURT SYSTEM
CIVIL RECORDS OF SUPREME AND COUNTY COURTS
RECORDS RETENTION AND DISPOSITION SCHEDULE

The following retention periods apply to the civil records of the Supreme and County Courts and their predecessor courts.

ALL RECORDS CREATED PRIOR TO 1950 ARE TO BE RETAINED PERMANENTLY.

CASE FILES

A case file contains all papers and documents relating to a case. It includes but is not limited to: Summons; Complaint; Affidavit of Service; Request for Judicial Intervention; Note of Issue; General Preference Application; Stipulation; Jury Demands; Answers; Motions; Orders, including Orders of Protection; Proofs of Publication; Transcripts; Decisions; Judgments; Warrants; Record on Appeal; in Matrimonial cases, a Certification by Attorney; and all other papers which must be filed with the Court. (Components of case files may be filed separately under headings such as "Proceedings in Action," "Supreme/County Court Orders," etc. The case file may also be called the Judgment Roll). Note that some courts currently store some of the documents listed above separately from the case file. These documents have been distinguished as separate record series in these schedules, but have the same retention requirements as the related case files.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20010.	ADOPTIONS	
	Sealed records of adoption case proceedings.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20020.	ARTICLE 78 Record of a proceeding brought to review the determination of a public official or body, to compel a public official or body to perform its duty as mandated by law, or to prohibit a public official or body from performing actions beyond its legal authority.	Retain permanently.
20030.	CHANGE OF NAME Records of Change of Name case proceedings.	Retain permanently.
20040.	COMMISSIONER OF EXCISE Records of proceedings to rescind a liquor license or to enforce the forfeiture of a bond.	Retain permanently for research purposes.
20050.	COMMITMENT PURSUANT TO MENTAL HYGIENE LAW (also known as LUNACIES) Sealed records of the commitment of an individual to a mental health facility.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20060.	<p>COMMITTEES (also known as LUNACY PAPERS, INCOMPETENTS and HABITUAL DRUNKARDS)</p> <p>Records of proceedings relating to the sale or management of real or personal property by a court appointed trustee on behalf of an individual who has been committed to a state facility for the mentally ill, mentally retarded or alcoholically impaired.</p>	Retain permanently.
20070.	<p>CONDEMNATION</p> <p>Records of seizure, assessment and apportionment of compensatory damages for property taken by the government or another agency in the public interest. Includes petitions and orders appointing commissioners, testimony, objections to commissioner findings, terms of final decrees, maps of damages and benefitted property and supplementary reports.</p>	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20080.	CONSERVATORSHIPS Record of proceedings relating to the sale or management of real or personal property of adults who have been found, on petition, to be unable to care for their property or for others dependent upon them, but who have not been found to be incompetent and committed to a mental health facility.	Retain permanently.
20090.	CONTRACTS Records of litigation between two or more parties involving contractual issues.	Retain for twenty-five years from date of disposition, then destroy, except for a sample to be retained permanently for research purposes.
20100.	FORECLOSURES Records of proceedings to sell or transfer title to real property to a creditor who holds a mortgage or lien on the property as a result of non-payment of a debt.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20110.	GENERAL ASSIGNMENT FOR THE BENEFIT OF CREDITORS including INSOLVENTS AND IMPRISONED DEBTORS Records of transfers of assets by a debtor to a court-appointed assignee for the benefit of all creditors. May also include petitions for relief and/or release from prison.	Retain permanently.
20120.	GUARDIANSHIPS (also known as INFANCY CASES, INFANT'S SALE OF REAL ESTATE and INFANT PAPERS) Records of proceedings relating to the management of the real or personal property of a minor. Papers include, but are not limited to, appointments, bonds, accountings and releases.	Retain permanently.
20130.	HABEAS CORPUS Records of proceedings to compel a custodial authority to produce the individual in their custody in court.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20140.	INDENTURES (also known as APPRENTICESHIPS) Records of court-approved contracts binding a minor to work for an individual or company for a specific period of time. Indentures list the terms of the contracts.	Retain permanently for research purposes.
20150.	MATRIMONIALS Records of a divorce or annulment proceeding. Includes certification by attorney attesting to the veracity of the submitted papers.	Retain permanently.
20160.	MORTGAGE COMMISSION Proceedings involving a depression-era commission appointed to administer the property mortgage portfolios of collapsed banks.	Retain permanently.
20170.	PARTITIONS (also known as DECREES TO PARTITIONS) Records of judicial separation of the interests in land of joint owners. Series may document the court-ordered sale of land.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20180.	PATERNITY (also known as ORDERS OF FILIATION AND BASTARDY CASES) Procedures determining the paternity of a child.	Retain permanently.
20190.	S M A L L C L A I M S ASSESSMENT REVIEW (SCAR) Record of appeal of the assessment of real property by an expedited proceeding. Review of assessment is valid for the year of action only.	<ul style="list-style-type: none"> a. If there is no change in assessment, retain for six years from date of disposition, then destroy. b. If there is a change in assessment, retain for twenty-five years from date of disposition, then destroy.
20200.	SURRENDER OF CHILDREN Sealed records of voluntary surrender of children by the parents or guardian.	Retain permanently.
20210.	TAX CERTIORARI Records of court review of the actions of a public official or body in the assessment of real property taxes.	Retain for twenty-five years from date of disposition, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20220.	TORTS Records of case proceedings determining liability and awarding damages for wrongful acts.	<ul style="list-style-type: none"> a. If case results in a structured settlement, retain for seventy-five years from date of disposition, then destroy, except for a sample to be retained permanently for research purposes. b. All other torts: retain for twenty-five years from date of disposition, then destroy, except for a sample to be retained permanently for research purposes.
20230.	OTHER CASE FILES Records of civil actions not defined as a separate record series in this section (numbers 20010-20220).	Retain permanently.
20235.	TRANSFERRED CASE FILES Exact copies of files transferred to another court <u>for jurisdiction.</u>	Retain for one year, then destroy.

SUPPLEMENTAL CASE RECORDS

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20240.	APPRAISAL REPORTS Estimates of the value of real or personal property. Submitted to the court in support of a claim or with an application to sell the property appraised.	Considered part of the case file. File in case file. If filed separately, retain for same length of time as case file.
20250.	ARBITRATION REPORTS Court copy of arbitration report filed with the court by the Arbitration Commissioner.	Considered part of the case file. File in case file. If filed separately, retain for same length of time as case file.
20260.	BOND BOOKS Bound volumes containing bonds filed in civil actions.	Retain permanently.
20270.	BOND BOOKS - INDEX Any manual or machine-readable material that provides information on access to the Bond Books.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20280.	BONDS (also known as UNDERTAKINGS, SURETIES and RECOGNIZANCES)	
	Bonds filed in civil actions.	Retain permanently.
20285.	CERTIFICATES OF JUDGMENT	
	Document used as a transmittal cover sheet for Transcripts of Judgment filed in other counties.	Retain for twenty-five years, then destroy.
20290.	CHANGE OF NAME - INDEX	
	Any manual or machine-readable material providing information on access to the Change of Name case files and/or recording books.	Retain permanently.
20300.	CHANGE OF NAME RECORDING BOOKS	
	Bound volume containing reproductions of the judgment filed in a change of name proceeding.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20310.	COURT COSTS (also known as BILL OF COSTS)	
	Petition filed by the judgment creditors itemizing costs incurred in seeking judgment and requesting court approval of their addition to the judgment award.	Considered part of the case file. File in case file. If filed separately, retain for same length of time as case file.
20320.	COURT REPORTER NOTES and ALL OTHER RECORDINGS OF THE COURT NOT LISTED AS A SEPARATE RECORDS SERIES TITLE	
	Stenographic tapes, pads, audio tapes or machine-readable systems which record the proceedings of the court.	Retain for five years, then destroy.
20330.	COURT REPORTER TRANSCRIPTS and TRANSCRIPTS OF ALL OTHER RECORDINGS OF THE COURT NOT LISTED AS A SEPARATE RECORDS SERIES TITLE	
	Transcripts of the court reporter notes.	Considered part of the case file. File in case file. If filed separately, retain for same length of time as case file.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20340.	<p>DEPOSITIONS, (also known as COMMISSIONS FOR DEPOSITIONS and LETTERS ROGATORY)</p> <p>Depositions and records of testimony taken from witnesses outside the court by a court-appointed representative to be admitted as evidence. Includes the appointment papers and oath of the court-appointed representative.</p>	<p>Considered part of the case file. File in case file. If filed separately, retain for same length of time as case file.</p>
20350.	<p>DESIGNATION OF APPOINTMENTS</p> <p>Bound volumes containing orders appointing a committee for an incompetent.</p>	<p>Retain permanently.</p>
20360.	<p>DESIGNATION OF APPOINTMENTS - INDEX</p> <p>Any manual or machine-readable material that provides information on access to the Designations of Appointment.</p>	<p>Retain permanently.</p>

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20370.	DESIGNATIONS TO ACCEPT SERVICES Bound volumes containing orders appointing an individual to accept service on behalf of out-of-state corporations or another individual.	Retain permanently.
20380.	EXECUTIONS - SATISFIED (Includes INCOME EXECUTIONS and SHERIFF'S CERTIFICATE OF SALE) Court order for the garnishee of wages or the sale or transfer of real or personal property to satisfy a judgment debt.	Retain permanently.
20390.	EXECUTIONS - UNSATISFIED (Includes DEFECTIVE EXECUTIONS) Court order for the garnishee of wages or the sale or transfer of real or personal property to satisfy a judgment debt that was unsatisfied or defective.	Retain for twenty years from date of filing, then destroy.
20400.	EXHIBITS Exhibits presented as evidence in a case.	Return to party who introduced it immediately after disposition, unless otherwise directed by the court. If not claimed, retain for thirty days, then destroy provided express notice has been given.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20410.	JUDGMENT BOOKS Bound volumes containing recorded copies of judgments entered by the court.	Retain permanently.
20420.	JUDGMENT BOOKS - INDEX Any manual or machine-readable material which provides information on access to the Judgment Book.	Retain permanently.
20425.	JUDGMENT LEDGERS Judgments filed with the County Clerk by other agencies, e.g. NYC Environmental Control Board Violations and Liens and NYC Tax Warrant Judgements.	Retain for twenty-five years, then destroy.
20430.	LIS PENDENS (also known as NOTICE OF PENDENCY OF ACTION) Record filed with the court to prevent the sale of real property under dispute in a civil case.	Retain permanently.
20440.	LIS PENDENS BOOKS Bound volumes containing Lis Pendens papers.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20450.	LIS PENDENS BOOKS - INDEX Any manual or machine-readable material which provides information on access to Lis Pendens Books.	Retain permanently.
20460.	MISCELLANEOUS COURT PAPERS Log book or case papers maintained by County Clerk to record/file a variety of activities and appointments, including court activities. May contain almost any civil action ranging from adoptions, divorces and change of names to extensions of mechanic liens.	Retain permanently.
20470.	MISCELLANEOUS COURT PAPERS - INDEX Any manual or machine-readable system providing access to Miscellaneous Court Papers.	Retain permanently.
20480.	NOTES OF ISSUE Record filed with the court indicating that the parties are ready for trial.	Considered part of the case file. File in case file. If filed separately, retain for same length of time as case file.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20490.	NOTICE OF APPEAL Record filed with the court indicating the intention of a party to appeal the trial court decision.	Considered part of the case file. File in case file. If maintained separately, retain for same length of time as case file.
20500.	ORDER BOOKS Bound volume containing reproductions of orders.	Retain for one year or until no longer needed, whichever is sooner, then destroy.
20510.	ORDER BOOKS - INDEX Any manual or machine-readable material which provides information on access to the Order Book.	Retain for one year or until no longer needed, whichever is sooner, then destroy.
20520.	ORDERS APPOINTING RECEIVERS Bound volumes containing orders appointing receivers in General Assignment Proceedings and Foreclosures.	Retain permanently.
20530.	ORDERS APPOINTING RECEIVERS - INDEX Any manual or machine-readable material which provides access information on the Orders Appointing Receivers.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20540.	PARTITION BOOKS Bound volumes containing decrees documenting judicial separation of the respective interests in land of joint owners. May document the court-ordered sale of land.	Retain permanently.
20550.	RECORDS ON APPEAL (also known as CASES AND EXCEPTIONS) Printed bound records submitted to the Appellate Division or the Court of Appeals by the appellant, presenting the evidence upon which the appeal is based.	Considered part of the case file. File in case file. If filed separately, retain for same length of time as case file.
20560.	REFEREE'S REPORTS Reports filed by referees appointed by the court summarizing findings of fact and making recommendations in a variety of types of civil cases.	Considered part of the case file. File in case file. If maintained separately, retain for same length of time as case file.
20570.	REGISTER OF ADOPTIONS Sealed recording book of papers filed in adoption proceedings.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20580.	REGISTER OF ADOPTIONS - INDEX Any manual or machine-readable material which provides information on access to the Register of Adoptions. Sealed.	Retain permanently.
20590.	REQUEST FOR JUDICIAL INTERVENTION (RJI) FILES First application by plaintiff, defendant or a petitioner requesting the intervention of the court in a lawsuit. Initiates case and triggers judicial assignments.	Considered part of the case file. File in case file. If maintained separately, retain for same length of time as case file.
20600.	SATISFACTIONS Filed with the court by a judgment creditor advising that the debt has been paid and the judgment satisfied.	Retain permanently.
20610.	SEPARATION AGREEMENTS Sealed records filed with the court specifying the terms under which a married couple agrees to live separately.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20620.	STIPULATIONS Agreements signed by the parties on any matter, including the terms of an agreement to settle the case.	Considered part of the case file. File in case file. If maintained separately, retain for same length of time as case file.
20630.	SUBPOENAED RECORDS Records which have been subpoenaed by the court from an agency, organization, or individual.	Return to party who submitted it immediately after disposition unless otherwise directed by the court. If not claimed, retain for thirty days, then destroy provided express notice has been given.
20640.	TRANSCRIPTS OF JUDGMENT Certified statement of the court's judgment.	Retain permanently.
20645.	UCS DOMESTIC VIOLENCE REGISTRY INFORMATION SHEET (also known as FAMILY PROTECTION REGISTRY INFORMATION SHEET and INFORMATION SHEET); ADDENDUM TO INFORMATION SHEET Form attached to the Orders of Protection sent to the Family Protection Registry for entry into the UCS Domestic Violence Registry. Contains pedigree and case processing information.	Retain for one year, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20650.	WILLS Recorded wills filed with the County Clerk.	Retain permanently.

CASE MANAGEMENT RECORDS

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20660.	ARBITRATION ATTORNEY ROSTERS List, card file, or any other recording system which documents attorney availability and participation in a court's arbitration program.	Retain permanently.
20670.	ASSIGNMENTS OF JUDGMENT Records of the assignment of unsatisfied judgment debts from the creditor to another individual or organization.	Retain permanently.
20680.	CALENDARS Daily or weekly schedule of cases to be heard before the court.	Retain for one year or until no longer needed, whichever is sooner, then destroy.
20685.	CALENDAR INDEX BOOKS: GENERAL/EQUITY/ MATRIMONIAL Books maintained by Part Clerks, listing cases heard in their parts.	Retain for ten years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20690.	CALENDARS - TERM Schedule of cases to be heard before the court during a single term.	Retain permanently for research purposes.
20695.	CASELOAD ACTIVITY REPORTS Court copies of the caseload activity reports (UCS-101) filed with the Office of Court Administration.	File original with the Office of Court Administration. Retain court copy for one year, then destroy.
20700.	CLERK'S REGISTER OF CIVIL ACTIONS (FILE AND ENTRY) BOOKS (also known as CLERK'S MINUTE BOOKS) Log book listing all papers filed in a civil proceedings with a description of the types of papers and the dates filed.	Retain permanently.
20710.	CLERK'S REGISTER OF CIVIL ACTIONS - INDEX A n y m a n u a l o r machine-readable material providing information on access to the Clerk's Register of Civil Actions Book.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20720.	COURT AND TRUST FUND BOOKS (also known as REGISTRY OF MONIES TO BE DEPOSITED WITH COUNTY TREASURER)	
	Log book recording the payment and disposition of funds ordered by the court to be held in escrow by the court or county clerk.	Retain permanently.
20730.	FIDUCIARY APPLICATIONS	
	Applications (UCS-852) by individuals seeking appointment as a fiduciary.	Retain for seventy-five years, then destroy.
20740.	FIDUCIARY ROLLS	
	List of fiduciaries available for court appointment.	Retain until roll is updated, then destroy.
20745.	INDEX NUMBER APPLICATION	
	Form utilized to initiate purchase of an Index Number.	Retain for six years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20750.	JUDGMENT DOCKETS Chronological log books of judgments entered by the County Clerk. List the names of the judgment debtor and creditor, the date, time, and court where the judgment was entered, the amount and whether or not satisfied.	Retain permanently.
20755.	LOG OF ORDER NUMBERS (also known as UCS DOMESTIC VIOLENCE REGISTRY LOG OF ORDER NUMBERS) Form listing order numbers for Orders of Protection issued in matrimonial cases which are entered in the UCS Domestic Violence Registry.	Retain for one year, then destroy.
20760.	MEDICAL MALPRACTICE PANEL - ACTIVITY FILES File maintained by the court tracking the activity of medical malpractice panels including appointments and notification of hearing dates.	Retain for five years, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20770.	MEDICAL MALPRACTICE PANEL - LIST	
	List of individuals qualified and available to serve on medical malpractice panels.	Retain until list is updated, then destroy.
20780.	MEDICAL MALPRACTICE PANEL - REPORTS	
	Reports of the panel findings.	Retain panel copy for five years, then destroy.
		(Submitted reports will be in case file.)
20790.	MINUTE BOOKS	
	Record of courtroom proceedings maintained by the Part Clerk. Includes names of participants, jurors, witnesses, attorneys, lists of evidence, types of papers submitted, and a log of all activities occurring in the courtroom.	Retain permanently for research purposes.
20800.	MOTION LOG BOOKS	
	Log book maintained by the court to track the intake, processing and disposition of motions.	Retain for one year from date of last entry, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20810.	REFEREE ASSIGNMENT CARD FILE Card file maintained by the court to track the assignments and activity of referees or Judicial Hearing Officers, including notification of hearing dates and submission of the referee or Judicial Hearing Officer reports to the court.	Retain until updated, then destroy.
20820.	RULE BOOKS Daily record of court rules and orders. Includes names of attorneys, titles of action, and summaries of the text of the order or rule.	Retain permanently.
20825.	STATISTICAL REPORTING FORMS Forms which gather case statistical data. Includes UCS-111.	Retain for one year, then destroy.
20830.	SURPLUS MONIES LOG Log book recording the deposit of surplus money from an assignment, foreclosure, or other court-ordered sale.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20840.	TRIAL CARD FILE (also known as CALENDAR CARDS) Card file maintained by court to track active cases. Card gives names of the plaintiff, defendant and attorneys; case index number and calendar number; type of action; and lists papers filed and court events with dates.	Retain for five years after disposition, then destroy.
20850.	TRIAL CARD FILE - INDEX Card file or other indexing material which provides information of access to the trial card file.	Retain for five years after disposition, then destroy.
20855.	UNRECORDED RECORDS Documents filed with the court that cannot be recorded.	Retain for two years, then destroy.

JURY SYSTEM RECORDS

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20860.	ATTENDANCE RECORDS Cards, logs, or lists used to record juror attendance.	Retain for six years, then destroy.
20870.	BALLOT CARDS Juror identification cards used to select jurors for voir dire panels.	Retain until end of term, then destroy.
20880.	JUROR MASTER LIST Lists of residents of the city, town, or village who have been qualified to serve as jurors in the local court.	Retain until updated copy has been received, then destroy.
20890.	JUROR SUMMONS Documents used to notify prospective jurors that they have been summoned to serve.	a. If used to note attendance, retain for six years, then destroy. b. If not used to note attendance, retain for one year or until no longer needed, whichever is sooner, then destroy.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20900.	PANEL SHEETS (also known as MINUTES OF THE JURY DRAWING)	
	List of jurors summoned to a jury pool.	Retain permanently for research purposes.

RECORDS OF ANCILLARY COURT ACTIVITIES

Records which document the functions of the court which are not related directly to the exercise of the court's civil and equity jurisdiction. These functions are mandated by statute.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20940.	ALMSHOUSE COMMITMENTS (also known as APPLICATIONS, PROCEEDINGS and TESTIMONY AND DECISIONS IN THE MATTERS OF (NAME OF PAUPER) A STATE PAUPER)	
	Records documenting proceedings to determine an individual's need for public welfare. Usually includes a detailed account from the applicant of his previous places of residence and depositions from witnesses regarding his character.	Retain permanently for research purposes.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20950.	COMMISSIONERS OF APPRAISAL PAPERS Records documenting the proceedings of court-appointed Commissioners of Appraisal Appraisers determine the value of property condemned in the public interest or damages to private property caused by the construction or maintenance of utilities, highways, or common carriers operated in the public interest.	Retain permanently.
20960.	COMMITMENTS TO ORPHANAGES AND REFORMATORIES Records filed with the court documenting commitments of minors to orphanages or reformatories. Includes the name, age, religion, and country of origin of the child, the name and occupation of the parents and whether or not they are alive, and the name and location of the orphanage or reformatory.	Retain permanently for research purposes.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20970.	CORONERS INQUESTS Records of inquests held to determine cause of death and whether criminal charges should be filed in a case where death occurred suddenly or from unnatural causes. May include a complete transcript of the inquest and the coroner's decision. (NOTE: Retention applies only to pre-September 1, 1965 records. Retention for post-August 31, 1965 coroner inquests records is governed by Record Retention and Disposition Schedule CO-1 issued by the New York State Archives).	Retain permanently for research purposes.
20980.	HOMESTEAD EXEMPTIONS Bound volume of homestead exemptions filed with the County Clerk. Exemption prevents judgment creditors from placing liens on a homestead to satisfy a debt.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
20990.	<p>MEDICAL CERTIFICATES (also known as CERTIFICATES OF QUALIFICATIONS AS A MEDICAL EXAMINER IN LUNACY OR FOR MENTAL DEFICIENCIES)</p> <p>Applications filed with the court giving the name and educational background of professionals applying to practice the assessment of mental illness or the testing for mental retardation. Letters of recommendations, copies of diplomas, and other supporting papers may be attached.</p>	Retain permanently for research purposes.
21000.	<p>NATURALIZATION: DECLARATIONS OF INTENTION</p> <p>Bound volumes containing forms completed by individuals applying to be naturalized.</p>	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
21010.	<p>NATURALIZATION: INDEX TO NATURALIZATION RECORDS</p> <p>Log book, card file or any other indexing material that provides information on access to naturalization proceedings.</p>	Retain permanently.
21020.	<p>NATURALIZATION: PETITION AND RECORD (also known as ALIEN CERTIFICATES)</p> <p>Bound volume containing forms completed by individuals who have applied to become naturalized citizens of the United States.</p>	Retain permanently.
21030.	<p>NATURALIZATION: RECEIPTS FOR NATURALIZATION CERTIFICATES</p> <p>Bound receipt stubs from the sale of Naturalization Certificates.</p>	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
21040.	NATURALIZATION: REPATRIATION APPLICATIONS Bound volume containing application forms submitted by individuals who believe they may have lost their citizenship (usually women who have married aliens) and wish to have it restored.	Retain permanently.

PREDECESSOR COURTS

This section of the schedule lists the most common extant records of predecessor courts to the Supreme Court. Other records of these courts may exist and should be retained permanently. The Predecessor Courts are:

Court of Schout,
Burgomasters, and Schepens
(1653-1664),
Court of Assizes (1665-1684),
Court of Chancery (1683-1846),
Supreme Court of Judicature
(1691-1846),
Court of Common Pleas
(1691-1846),
Superior Court of Brooklyn
(N.D.),
Superior Court of Buffalo
(N.D.),
Superior Court of New York
(N.D.),
Superior Court of Rochester
(N.D.),
Recorder's Court of Oswego
(N.D.),
Recorder's Court of Utica
(N.D.) and
Recorder's Court of Albany
(N.D.)

ROLLS

Through the mid-nineteenth century courts did not create case files containing all papers relating to a proceeding. However, the courts did maintain "rolls" which summarized case proceedings in a case.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
21050.	JUDGMENT ROLLS Enrolled judgment of court of record, including summaries of pleadings and proceedings at trial, and final judgment orders. Supreme Court judgments before 1797 were on parchment; after 1797, on paper. All Common Pleas judgments were on paper.	Retain permanently.
21060.	PLEADING ROLLS (also known as NISI PRIUS RECORDS, ISSUE ROLLS and CIRCUIT ROLLS) Enrolled pleadings sent from Supreme Court to Circuit Court, where trial was held. If returned to Supreme Court, the pleadings roll included minutes of trial and jury verdict.	Retain permanently.

WRITS

Before 1847, the common law courts used writs (orders bearing court seal) to order inferior courts or court officers (usually sheriffs) to carry out court orders.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
21070.	WRITS OF ARREST AND SUMMONS Writ commencing a civil action. Most common types are writs of <i>capias</i> (order for civil arrest, replaced in 1847 by summons), writs of <i>replevin</i> , and original writs (used to summon corporations). In the colonial period, writs of <i>latitat</i> and bills of New York or Albany were used to notify defendants of the initiation of civil actions.	Retain permanently.
21080.	WRITS OF CERTIORARI Writ ordering lower court to return a certified copy of proceedings to a higher court for final judgment or for review after judgment.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
21090.	WRITS OF ERROR Writ ordering lower court of record to return judgment record to higher court for review.	Retain permanently.
21100.	WRITS OF EXECUTION Writ ordering sheriff to execute a judgment. Most common types were writ of fieri facias (fi.fa.), an order to sell judgment debtor's property to satisfy a judgment; and writ of capias ad satisfaciendum (ca.sa.), an order to arrest and imprison a judgment debtor until the debt was paid.	Retain permanently.
21110.	WRITS OF INQUIRY Writ ordering sheriff to empanel a jury to determine damages when the defendant had defaulted or confessed liability for the judgment. Includes jury's inquisition.	Retain permanently.
21120.	WRITS OF MANDAMUS Writ ordering a court or quasi-judicial body to perform a mandated function or act.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
21130.	WRITS OF VENIRE	
	Writ ordering sheriff to empanel a stated number of jurors; may have juror panels attached. Often accompanied by precepts, orders to sheriff to hold trial court.	Retain permanently.

OTHER PAPERS

Other types of documents filed with clerks of common law before 1847, either in accordance with common law procedure or pursuant to statutes.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
21140.	BAIL PIECES Undertaking by bond for civil defendant's appearance in court.	Retain permanently.
21150.	BILL OF COSTS List of court fees assessed against parties in an action or proceeding.	Retain permanently.
21160.	CLERKS' REPORTS OF DAMAGES Court clerks determinations of damages due to plaintiffs after defendants default or confession of liability for a judgment.	Retain permanently.
21170.	COGNOVITS Defendant's confession of liability for money judgment.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
21180.	DEPOSITIONS OF TESTIMONY Written testimony obtained from witnesses unable to appear in court. Testimony from out-of-state residents was obtained by commissioners appointed by writ of commission. Testimony from transient or invalid witnesses in-state was obtained by court order.	Retain permanently.
21190.	MOTION PAPERS Affidavits and notices of motions, briefs, and accompanying papers. May be filed with orders.	Retain permanently.
21200.	ORDERS AND RULES Court orders (granted on motion) or rules (granted on application to clerk), other than final judgments. May be filed with motions.	Retain permanently.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
21210.	PLEADINGS Plaintiff's declaration of cause of action and remedy sought, defendant's answer or demurrer, and any subsequent pleadings by either party.	Retain permanently.
21220.	REVOLUTIONARY WAR SERVICE AFFIDAVITS Affidavits of Revolutionary War service filed with court of record (pursuant to an 1818 Act of Congress) to prove eligibility for federal pension.	Retain permanently for research purposes.

BOOKS

Books and registers documenting court proceedings and filings.

<u>SERIES #</u>	<u>RECORD SERIES TITLE</u>	<u>RETENTION</u>
21230.	BAIL BOOKS Books containing lists of undertakings of special bail to secure civil defendant's appearance in court.	Retain permanently for research purposes.
21240.	INSOLVENT DISCHARGE REGISTERS Books containing orders discharging insolvent debtors from further liability for debts after assignment and sale of assets.	Retain permanently.
21250.	WRIT REGISTERS Books containing lists of writs issued by and returned to clerk of court.	Retain permanently.

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