



The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

AGENCY APPROVAL

AGENCY HEAD OR DEPUTY

Wm C J. 9/16

AGENCY RECORDS OFFICER

Sheron P. Panwell

STATE APPROVAL

STATE RECORDS ADMINISTRATOR

Conlyd R. Edwards

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE SEP 28 2006

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## POLICIES FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§ 42.1-76, et. seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1902 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with §§ 17VAC15-20-10, et. seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must insure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Administration Electronic Records</u>            This series consists of information on all aspects of the operation and decision making processes of the Executive Office and Executive Branch, Office of the Attorney General. Consists of email, electronic calendars, and word processing, spreadsheet, and database attachments in addition to digital photographs and other electronic documents created and received by the Attorney General, Chief Deputy Attorney General, Solicitor General and other officials stored on tapes copied from OAG servers and desktop computers.</p>	006227	Retain until the end of the Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention. When confirmation of transfer has been received from the LVA, delete and wipe clean copies on drives, on servers and desktop computers. RM-3 form, <i>Certificate of Records Destruction</i> , not required for deletion.
<p><u>Communications - Press Clips</u>            This series consists of media clippings on current events information relevant to the administration of the Office of the Attorney General.</p>	006228	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.
<p><u>Communications – Press Releases</u>            This series consists of press releases issued by the Office of the Attorney General.</p>	006229	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.
<p><u>Constituent Services – Correspondence</u>            This series consists of the constituent correspondence received throughout the Attorney General's Administration. Includes but is not limited to original letters, Faxes, printed copies of email and responses of the Attorney General, Chief Deputy Attorney General or staff.</p>	006230	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.


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<p><u>Domestic Violence Initiatives Program (DVIP) Files</u>            This series consists of information used to further cooperation between state agencies, provide information to victims, and promote statewide awareness and education on Domestic Violence. Includes but is not limited to memoranda of understanding (MOUs), contracts, financial/granting records, inquires and requests from organizations, press releases, correspondence and reports.</p>	006231	Retain 3 years after file is closed or until audited, whichever is longer, then transfer to the Records Center, Library of Virginia. Retain in Records Center 7 years. Total retention 10 years, then destroy.
<p><u>Executive Office - Chronological Correspondence Files</u>            This series consists of correspondence to and from the Chief Deputy and Attorney General. Includes but is not limited to daily correspondence to and from the public, elected officials, clients, legal communities, OAG employees.</p>	006232	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.
<p><u>Executive Office - Decision Memos</u>            This series consists of documentation on any decision that needs an approval from the Chief Deputy and/or Attorney General. Action items in memos include filing suit, investigation, settlement, hiring, and personnel items. Also includes tracking issues and memo log (list of all decision memos that have come in for review with date of approval and return date).</p>	006233	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.



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<p><u>Executive Office - National Association of Attorneys General (NAAG) Correspondence</u>            This series consists of National Association of Attorneys General correspondence to and from other Attorneys General and heads of NAAG. This correspondence is used when representing and promoting Virginia and working with other states on issues and decisions.</p>	006234	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.
<p><u>Executive Office: Office of the Attorney General's Web Site</u>            This series documents the history of the Office of the Attorney General's web site. Series include files, images and related scripts of the official site of the Office of the Attorney General.</p>	006235	Capture of this website is undertaken by the Library of Virginia and/or its contracted service provider. Select web site captures are retained permanently by the Archives, Library of Virginia.
<p><u>Executive Office - Weekly Reports</u>            This series consists of weekly reports. Documentation provides overviews of each division's highlights that should be brought to the attention of the Attorney General and Chief Deputy during the week.</p>	006236	Retain until superseded, then destroy in compliance with No. 8 on schedule cover page.
<p><u>Executive Office - Working Papers</u>            This series consists of information gathered while reviewing matters in the course of business. May contain duplicates copied from files in other OAG program offices.</p>	006237	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.



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<p><u>Gang Reduction Intervention Prevention (GRIP) Files</u>            This series consists of information on the joint Federal-State-Local government program to intervene and reduce gang-related crime. Includes but is not limited to memoranda of understanding (MOUs), contracts, financial records, inquiries and requests for funding from organizations, press releases, information on 45 separate funded programs (quarterly financial, categorical and progress reports, and site visits). Files also contain expenditure and drawdown spreadsheets and correspondence to and from providers and organizations requesting funds.</p>	006238	Retain 1 year after file is closed or until audited, whichever is longer, then transfer to the Records Center, Library of Virginia. Retain in Records Center 7 years. Total retention 8 years, then destroy.
<p><u>Legislative Agenda Reference Records</u>            This series consists of information on the Attorney General's legislative agenda for particular session. Includes the "Bill Book" (containing legislation in AG's agenda as well as talking points) and bill tracker sheets outlining daily progress of AG's legislative package through general assembly</p>	006239	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.
<p><u>Legislative Session Files</u>            This series consist of information on the review of all legislation by the Office of the Attorney General. Includes but is not limited to copies of legislative bill reviews and reports by attorneys for legislation (all House and Senate Bills and a majority of the House and Senate Joint Resolution), as well as copies of Governor reviews. Duplicate information is maintained on an Access database used to generate reports.</p>	006240	Retain closed files from previous sessions for 5 years, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.



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<p><u>Legislative Working Papers</u>            This series consists of information on drafting legislation for particular sessions. Includes draft bills, memoranda, and background information.</p>	006241	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.
<p><u>Outside Counsel Invoice Approval Letters</u>            This series consists of letters to state agencies using outside counsel to authorize payment for services rendered by the law firms.</p>	006242	Retain until the end of Attorney General's term, then destroy closed files.
<p><u>Outside Counsel Solicitations For Proposals (SFP)</u>            This series consists of documentation on authorization for outside law firms to undertake work for the Commonwealth of Virginia and specific assignments for the same. Includes but is not limited to contacts and correspondence.</p>	006243	Retain until the end of Attorney General's term, then destroy closed files.
<p><u>Scheduling Office – Calendars</u>            This series consists of Daily Calendars/Working Papers/ Line by line AG Schedule. Additional materials include important documents regarding events attended on a given day. Entries may include directions and list of attendees as well as important background documents events.</p>	006244	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.
<p><u>Scheduling Office - Invitations – Accepted</u>            This series consists of all invitations accepted by the Attorney General for attendance.</p>	006245	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.
<p><u>Scheduling Office - Invitations – Declined</u>            This series consists of all invitations where regrets were sent.</p>	006246	Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.



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<p><u>Solicitor General – Amicus Briefs Authored</u>            This series consists of information regarding filing Amicus Briefs (Friend of the Court) in various appellate courts across the United States. Includes Memoranda of Solicitation from the National Association of Attorneys General soliciting an Amicus Brief on behalf of another State(s), copies of Decisions, Memoranda from Solicitor General to Attorney General, correspondence to and from other States, research material, and a bound volumes of the final briefs as filed with the court.</p>	006247	<p>Retain for 2 years after file is closed, then transfer to the Records Center, Library of Virginia. Retain in Records Center 8 years. Total retention 10 years, then, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.</p>
<p><u>Solicitor General – Amicus Briefs Joined</u>            This series consists of information regarding joining other States in filing Amicus Briefs (Friend of the Court) in various appellate courts across the United States. Includes Memoranda of Solicitation from the National Association of Attorneys General soliciting an Amicus Brief on behalf of another State(s), copies of Decisions, Memoranda from Solicitor General to Attorney General, correspondence to and from other States, research material, and a bound volumes of the final briefs as filed with the court.</p>	006248	<p>Retain for 2 years after file is closed, then transfer to the Records Center, Library of Virginia. Retain in Records Center 8 years. Total retention 10 years, then, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.</p>
<p><u>Solicitor General - SCOTUS – Merits Files</u>            This series consists of appellate records involving state statutory interpretation wherein the U. S. Supreme Court has granted the Writ of Certiorari and oral argument has been held in the United States Supreme Court.</p>	006249	<p>Retain until the end of Attorney General's term, then transfer inactive records to the Archives, Library of Virginia, for permanent retention.</p>



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<p><u>TRIAD - Local Triad Partnership Files</u>            This series consists of information on the development, expansion and implementation of effective crime prevention and safety programs for older Virginians in partnership with local sheriff's offices, police departments and community services organizations. Includes but is not limited to the local Triad cooperative agreement, printed copies of email, contact information, and other information/press clippings from activities or events held by individual Triad groups.</p>	006250	Retain 5 years after file is closed or until audited, whichever is longer, then transfer to the Records Center, Library of Virginia. Retain in Records Center 5 years. Total retention 10 years, then destroy.
<p><u>Victim Notification Program - Civil Commitment Files</u>            This series consists of information collected under <i>Code of Virginia</i> §37.2-905, concerning commitment candidates and is used to notify victims of case progress. Includes case summaries and correspondence.</p>	006251	Retain permanently in agency.
<p><u>Victim Notification Program - Criminal Notification Files</u>            This series consists of information collected under the <i>Virginia Bill of Rights</i>, Article 1 (Section 8-A) used to notify crime victims of judicial proceedings. Includes but is not limited to Supreme Court of Virginia and Court of Appeals of Virginia's Opinions, case information from the Virginia Case Information website, photos, news articles, and correspondence.</p>	006252	Retain 1 year after file is closed, then transfer to the Records Center, Library of Virginia. Retain in Records Center 49 years. Total retention 50 years, then destroy within 6 months of expiration of retention period in compliance with No. 8 on schedule cover page.



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<p><u>Victim Notification Program - Identity Theft Files</u>            This series consists of information collected under <i>Code of Virginia</i> § 18.2-186.5, used in tracking persons (who are applying for the Identity Theft Passport) whose name or other identification has been used without his/her consent or authorization by another person. Includes but is not limited to Identity Theft Passport applications, copies of drivers' licenses, passports, police reports, and other pertinent documents.</p>	006253	<p>Retain 3 year after file is closed, then transfer to the Records Center, Library of Virginia. Retain in Records Center 4 years. Total retention 7 years, then destroy within 6 months of expiration of retention period in compliance with No. 8 on schedule cover page.</p>
<p><u>Victim Notification Program - Victim Database</u>            This series consists of information used for internal tracking and report preparation. Fields include names (victim and defendants), contact information, defendant offense, date of the conviction, date of birth (victim and defendants), and the date indicating when the initial letter was sent to the victim.</p>	006254	<p>Retain permanently in agency.</p>