COMMONWEALTH OF VIRGINIA

THE LIBRARY OF VIRGINIA

RECORDS MANAGEMENT AND IMAGING SERVICES DIVISION
(Form RM-2 Aug 98)

RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 117-004
VIRGINIA STATE BAR
DISCIPLINARY SYSTEM

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

AGENCY APPROVAL		STATE APPROVAL	
AGENCY HEAD OR DEPUTY	Thomas A. Edmonds	STATE RECORDS ADMINISTRATOR	C. Preston Huff
AGENCY RECORDS OFFICER	Susan B. Johnson	COMPTROLLER OR DEPUTY	

EFFECTIVE SCHEDULE DATE AUG 13 2001

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 808-303the 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."
8. Custodians of records must ensure 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*, (Section 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to it. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.

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RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
Disciplinary Cases - Discipline Imposed This series consists of filings, investigations, conclusions, findings and rulings in disciplinary complaints against attorneys practicing in Virginia. Cases include actions taken by the Bar and the Courts when discipline has been imposed. Refer to *Code of Virginia* §54.1-3909.	101302	Retain in agency 5 years after closure, then transfer to the Records Center, Library of Virginia. Retain in Records Center 45 years, then destroy in compliance with No. 8 on schedule cover page. Total retention 50 years.
Disciplinary Cases - Dismissed This series consists of filings, investigations, conclusions, findings and rulings in disciplinary complaints against attorneys practicing in Virginia. Cases were dismissed without further action. Refer to *Code of Virginia* §54.1-3909.	101303	Retain 1 year after closure, then destroy in compliance with No. 8 on schedule cover page.
Disciplinary Cases - CRESPA - Discipline Imposed This series consists of filings, investigations, conclusions, findings and rulings in disciplinary complaints against attorneys practicing in Virginia made pursuant to the Consumer Real Estate Settlement Protection Act (CRESPA). Cases include actions taken by the Bar and the Courts when discipline has been imposed. Refer to *Code of Virginia* §6.1-2.19.	101304	Retain in agency 5 years after closure, then transfer to the Records Center, Library of Virginia. Retain in Records Center 45 years, then destroy in compliance with No. 8 on schedule cover page. Total retention 50 years.
Disciplinary Cases - CRESPA - Dismissed This series consists of filings, investigations, conclusions, findings and rulings in disciplinary complaints against attorneys practicing in Virginia made pursuant to the Consumer Real Estate Settlement Protection Act (CRESPA). Cases were dismissed without further action. Refer to *Code of Virginia* §6.1-2.19.	101305	Retain 1 year after closure, then destroy in compliance with No. 8 on schedule cover page.