



THE LIBRARY OF VIRGINIA

RECORDS MANAGEMENT AND IMAGING SERVICES DIVISION
(Form RM-2 Nov 01)

RECORDS RETENTION AND DISPOSITION SCHEDULE SPECIFIC SCHEDULE NO. 117-005 VIRGINIA STATE BAR CLIENTS' PROTECTION FUND

THE LIBRARY
OF VIRGINIA

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

AGENCY APPROVAL

STATE APPROVAL

AGENCY HEAD OR DEPUTY

Donna A. Edwards

STATE RECORDS ADMINISTRATOR

C. Preston Hoff

AGENCY RECORDS OFFICER

Megan B. Johnson

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE FEB 21 2002

PAGE 1 OF 2 PAGES

CONDITIONS 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."
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*, (§ 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.



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PAGE 2 OF 2 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Clients' Protection Fund Petitions</u></p> <p>This series documents payment or denial of petitions for reimbursement from the Clients' Protection Fund. This fund was established in 1976 for the purpose of making monetary awards to individuals that have suffered financial losses as a result of complaints of alleged dishonest conduct by Virginia lawyers. Includes petitions and other supporting documentation such as correspondence, copies of cancelled checks, etc. Refer to <i>Code of Virginia</i> §54.1-3913.1.</p>	008003	Retain 15 years after reimbursement or denial of petition, then destroy in compliance with No. 8 on schedule cover page.