



RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 117-01
VIRGINIA STATE BAR
MANDATORY CONTINUING LEGAL EDUCATION (MCLE)

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 Thomas R. Edwards

STATE RECORDS ADMINISTRATOR C. Preston Huff

AGENCY RECORDS OFFICER Mark B. Johnson

COMPTROLLER OR DEPUTY _____

EFFECTIVE SCHEDULE DATE: JUNE 1, 1999

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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. 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.

THE LIBRARY OF VIRGINIA
RECORDS MANAGEMENT AND IMAGING SERVICES DIVISION
JUN 10 10 01 AM '99



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RECORDS SERIES TITLE AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Accredited Sponsor Files</u> Documents the application and renewal of Mandatory Continuing Legal Education (MCLE) accredited sponsors. Includes original application and biennial renewals.</p>	100181	Retain 25 years, then destroy in compliance with No. 8 on cover sheet.
<p><u>Course Files - MCLE</u> Documents application to the Mandatory Continuing Legal Education (MCLE) board for approval of Continuing Legal Education courses for credit in Virginia. Includes (in paper format) original application with required attachments and correspondence regarding approval. Information maintained in Virginia State Bar Database.</p>	100182	Retain 2 years, then destroy in compliance with No. 8 on cover sheet.
<p><u>Form 1 - End of Year Reports - MCLE</u> Documents changes to official Mandatory Continuing Legal Education (MCLE) records of attorney. May include correspondence and 60-day notice of suspension.</p>	100183	Retain 3 years, then destroy in compliance with No. 8 on cover sheet.
<p><u>Individual Attorney MCLE Files</u> Documents Mandatory Continuing Legal Education (MCLE) courses officially completed by attorneys from July 1, 1986 - June 30, 1989 that are maintained in paper. Records created after that period are maintained in Virginia State Bar Database.</p>	100184	Retain 15 years, then destroy in compliance with No. 8 on cover sheet.
<p><u>Suspension and Reinstatement Files - MCLE</u> Documents the suspension and reinstatement of attorneys for non-compliance with the annual Mandatory Continuing Legal Education (MCLE) requirement. Includes 60-day notice of suspension, notice of suspension (Form 1), correspondence, certified mail return receipt or returned mail.</p>	100185	Retain 30 years on-site, then transfer to the State Records Center for 20 years; then destroy in compliance with No. 8 on cover sheet. Total retention period 50 years.