

LIBRARY OF VIRGINIA

Archives, Records, and Collections Services
800 E. Broad St., Richmond VA 23219
(804) 692-3600

RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 233-001
Bar Examiners, Virginia Board of

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

AGENCY RECORDS OFFICER

W. B. Smith
Jule W. Kelly

STATE APPROVAL

STATE ARCHIVIST

COMPTROLLER OR DEPUTY

Sandra G. Treadway

EFFECTIVE SCHEDULE DATE: DECEMBER 20, 2013

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 Destruction (RM-3 Form). A signed RM-3 Form 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 Form must be sent to Library of Virginia (LVA).
4. Any records created prior to 1913 must be offered, in writing, to LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from LVA. A copy of the offer must be attached to the RM-3 Form when it is submitted to 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 ensure that information in confidential or privacy-protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Ultimate destruction is accomplished through shredding, pulping, burning, and overwriting or physically destroying media. Deletion of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Records containing Social Security numbers must be destroyed in compliance with 17VAC15-120-30.
9. Under the Virginia Public Records Act, § 42.1-79, LVA is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. LVA 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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EFFECTIVE SCHEDULE DATE: 12/20/2013

RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<p><u>Answer Booklets: Bar Examination</u></p> <p>This series documents the answers given by applicants to the Bar on the essay questions given on the State Bar Examination. This series consists of answer booklets. 54.1-3929</p>	100877	1 Year after event	Confidential Destruction
<p><u>Applications: Admission Without Examination</u></p> <p>This series documents an individual's application, submitted pursuant to Rule 1:A1 of the Supreme Court of Virginia, to be admitted to the Bar without sitting for the examination. Also referred to as Admission on Motion, this series may include, but is not limited to: applications and all supporting documentation.</p>	100878	20 Years after end of calendar year	Confidential Destruction
<p><u>Applications: Bar Examination/Law License - Before 1951</u></p> <p>This series documents the submission of an individual's application to sit for the State Bar Examination and to be licensed to practice law in the Commonwealth of Virginia. This series may include, but is not limited to: applications and all supporting documentation.</p>	100879		Permanent, Archives
<p><u>Applications: Bar Examination/Law License – Did Not Sit for Exam</u></p> <p>This series documents an individual's application to sit for the State Bar Examination and to be licensed to practice law in the Commonwealth of Virginia, where the individual did not sit for the exam within one year of the original exam date. This series may include, but is not limited to: applications. 18VAC35-10-190</p>	100883	5 Years after expiration	Confidential Destruction



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<u>Applications: Bar Examination/Law License - Post 1950, Special Interest Records</u> This series documents the selection of records pulled from series 100880, "Applications: Bar Examination/Re-examination/Law License - Post - 1950" deemed to be of such significant historic, legal, or public interest as to deserve permanent preservation in the Archives. This series may include, but is not limited to: applications and all supporting documentation.	100882		Permanent, Archives
<u>Applications: Bar Examination/Re-examination/Law License – Post-1950</u> This series documents the submission of an individual's application to sit for the State Bar examination or re-examination, and to be licensed to practice law in the Commonwealth of Virginia. This series may include, but is not limited to: applications and all supporting documentation. 54.1-3930	100880	75 Years after end of calendar year	Confidential Destruction
<u>Applications: Law Reader Program – Completed</u> This series documents individuals who enrolled and completed the Law Reader Program annually. This series may include, but is not limited to: application, course work, quarterly reports, correspondence, final certificate, and all other supporting documentation.	000113		Permanent, Archives
<u>Applications: Law Reader Program – Incomplete</u> This series documents individuals who enrolled but did not complete the Law Reader Program. This series may consist of, but is not limited to: application, quarterly reports, course work, correspondence, and all other supporting documentation.	000114	10 Years after end of calendar year	Confidential Destruction
<u>Bar Admission Approval Cards</u> This series documents the individuals who have been admitted each year to the Virginia State Bar by way of Admission Without Examination. This series includes: Approval Cards.	100887		Permanent, In Agency



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<u>Examination History File</u> This series documents the board's examination process. This series may include, but is not limited to: exam questions, grading charts, scores, pass/fail lists, and exam statistics.	100888		Permanent, In Agency
<u>Pledge Cards</u> This series documents each person who has taken the Virginia Bar Examination, including pass/fail status and final scores. This series includes: Pledge Cards.	100889		Permanent, In Agency
