

# **Schedule 99**

# **LINCOLN CITY ATTORNEY**

**MARCH 12, 2008**

Nebraska Records Management Division  
440 South 8<sup>th</sup> Street, Suite 210  
Lincoln, NE 68508  
(402) 471-2559

**REQUEST FOR APPROVAL  
OF RECORDS RETENTION  
AND DISPOSITION SCHEDULE**

SCHEDULE	<b>99</b>
AGENCY, BOARD OR COMMISSION	<b>Lincoln City Attorney</b>
DIVISION, BUREAU OR OTHER UNIT	

**TO: STATE RECORDS ADMINISTRATOR  
STATE OF NEBRASKA**

**PART I -- AGENCY STATEMENT**

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

*Walter W. Papan*  
SIGNATURE

*City Attorney*  
TITLE

*3/6/08*  
DATE

**PART II - ARCHIVAL APPROVAL**

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

*Andrea I. Falt*  
SIGNATURE

STATE ARCHIVES

DATE  
*Mar 10, 2008*

**PART III -- APPROVAL BY STATE RECORDS ADMINISTRATOR**

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

*John A. Dale*  
SIGNATURE

STATE RECORDS ADMINISTRATOR

DATE  
*March 12, 2008*

RMA 01005D

## **INSTRUCTIONS FOR USING THIS SCHEDULE**

Records retention and disposition schedules are designed to serve as your records management guidelines for storing and disposing of records, ***regardless of the media on which they reside***, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. Local Agencies General Records Schedule #24 contains those records common to most local government agencies. This schedule, along with the unique schedule written specifically for records unique to your office, approved by the State Records Administrator, provide your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

### **DISPOSING OF RECORDS**

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over General Records Schedule #24 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods.
3. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is the last page of this schedule. Remove the form, photocopy it, complete the form, make a photocopy for your records, and send the completed form to the Records Management Division at the address below. This report establishes that the destruction was performed in your normal course of business.

**Please remember to retain the blank form for future use.**

### **NON-SCHEDULED RECORDS**

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

### **SCHEDULE UPDATE**

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to dispose of records when their useful life has ended.

### **QUESTIONS**

If you have any questions about these procedures, please contact your agency Records Officer or your Records Management Specialist in Records Management. We will help you with any questions the schedule may present, including: transferring records to the State Records Center, microfilming records, scanning records, etc.

**Records Management Division  
440 South 8th Street, Suite 210  
Lincoln, NE 68508-2294  
402-471-2559**

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## **SCHEDULE 99 – CITY ATTORNEY OFFICE**

### **99-1            CIVIL DIVISION**

#### **99-1-1            CIVIL LITIGATION CASE FILES**

Confidential case files of those civil actions involving the City of Lincoln which are brought by or defended by the City Attorney.

**Dispose of 25 years after final disposition of case; subject to review and discretion of City Attorney.**

#### **99-1-2            TORT CLAIMS AGAINST THE CITY OF LINCOLN**

Claims against the City; investigative reports; and final disposition.

**Dispose of 6 years after final disposition; if lawsuit filed, see item #99-1-1, Civil Litigation Case Files.**

#### **99-1-3            COLLECTIONS ON BEHALF OF THE CITY OF LINCOLN**

Demand letter; correspondence; settlement agreement; final outcome of collection.

**Dispose of 6 years after final collection or deemed uncollectible. If lawsuit filed, see item #99-1-1, Civil Litigation Case Files.**

#### **99-1-4            DISCRIMINATION - NEOC/EEOC COMPLAINTS**

Initial complaint; full response; findings by Federal and/or State investigating agency.

**Dispose of 6 years after final disposition from NEOC/EEOC or when employee leaves City employment, whichever is later. If lawsuit filed, see item #99-1-1, Civil Litigation Case Files.**

#### **99-1-5            PERSONNEL COMPLAINTS - EMPLOYEE GRIEVANCES**

Initial complaint; investigation; argument before Personnel Board; final order of Personnel Board and/or final settlement.

**Dispose of 6 years after final determination or when employee leaves City employment, whichever is later. If lawsuit filed, see item #99-1-1, Civil Litigation Case Files.**

#### **99-1-6            WORKER'S COMPENSATION REFERRALS**

Referral information; medical reports; negotiation materials; draft documents; final settlement.

**Dispose of 15 years after settlement or when employee leaves City employment, whichever is later. If lawsuit filed, see item #99-1-1, Civil Litigation Case Files.**

#### **99-1-7            GENERAL PROJECT / WORK PRODUCT**

Includes research; meeting notes; interview notes; draft documents; final document; correspondence; etc, which may or may not have long-term significance or policy implications.

**Dispose of 8 years after project conclusion; subject to review and discretion of City Attorney and review by the State Archives for possible accession. If lawsuit filed, see item #99-1-1, Civil Litigation Case Files.**

**99-1-8 SUBDIVISIONS**

Copies of initial application; maps; Planning Commission/City Council legislation; correspondence; negotiated agreements; covenants; financial security; releases; and reference information for future zoning and planning purposes.

**Dispose of when no longer of administrative value.**

**99-2 PROSECUTION DIVISION**

**99-2-1 MISDEMEANOR / TRAFFIC VIOLATIONS**

Citation; reports; and prosecutor's notes.

**Return to investigating agency after case closed.**

**99-2-2 DWI CASE FILES**

Citation; reports; and prosecutor's notes.

**Dispose of 3 years after final disposition.**

**99-2-3 CODE COMPLAINTS**

Complaint; reports; and prosecutor's notes.

**Dispose of 3 years after final disposition.**

**99-2-4 JUVENILE COURT / REFERRED TO DIVERSION**

Complaint; reports; and prosecutor's notes

**Disposed of after final disposition or when jurisdiction ends, whichever occurs later.**

**99-2-5 COURTSHEETS/RECORD OF COURT ACTIVITY**

Record of cases heard and prosecutor's comments.

**ARRAIGNMENT: Dispose of 1 year after court date.**

**TRIAL: Dispose of 2 years after court date.**

**PROBATION: Dispose of 1 year after court date.**

# RECORDS DISPOSITION REPORT

<b>TO: SECRETARY OF STATE RECORDS MANAGEMENT DIVISION 440 S. 8<sup>TH</sup> STREET SUITE 210 LINCOLN, NE 68508-2294</b>	AGENCY
	DIVISION
	SUB-DIVISION

## REQUIRED INFORMATION:

In accordance with the Records Management Act, records of this agency have been disposed of under the authorization granted by the following schedule(s):

SCHEDULE NUMBER(S) ONLY (DO NOT INCLUDE SECTION AND ITEM NUMBERS)	TOTAL VOLUME DISPOSED (SEE REVERSE)

## OPTIONAL INFORMATION (FOR YOUR USE ONLY):

You may include detailed information which will be useful to you in recording exactly what records were disposed of and under what authority. This might include such things as schedule section and item numbers, title of records, inclusive dates of records, etc. This information is not required to be filed with Records Management.

DATE	SIGNATURE
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**SEND ORIGINAL TO RECORDS MANAGEMENT. MAKE A PHOTOCOPY FOR YOUR RECORDS.**

RMA 03006D

## VOLUME ESTIMATING GUIDE

**(PLEASE NOTE THAT FOR REPORTING PURPOSES, AN ESTIMATE OF THE TOTAL VOLUME OF MATERIAL DISPOSED IS ADEQUATE.)**

Container	Cubic Feet	Weight (lbs)	Sheets of Paper (8.5" x 11")	Electronic Data Equivalent
			1	20 Kb
			52	1 Mb (1024 Kb)
			53,687	1 Gb (1024 Mb)
N/A	N/A	2,204 lbs (1 metric ton)	220,000	4.1 Gb
Records center carton	1 Cu. Foot	16.66 lbs	1,667	32 Mb
Vertical File Cabinet, 4 drawer letter-size	6 Cu. Feet	100 lbs	10,000	190 Mb
Vertical File Cabinet, 4 drawer legal-size	8 Cu. Feet	133.3 lbs	13,333	254 Mb
About a pickup load	50 Cu. Feet	7,500 lbs	748,638	14 Gb