

**TITLE 1 GENERAL GOVERNMENT ADMINISTRATION**  
**CHAPTER 17 JUDICIAL RECORDS RETENTION AND DISPOSITION SCHEDULES (JRRDS)**  
**PART 220 JRRDS, ADMINISTRATIVE OFFICE OF THE COURTS**

**1.17.220.1 ISSUING AGENCY:** New Mexico Commission of Public Records - State Records Center and Archives  
[5-25-95; 1.17.220.1 NMAC - Rn, 1 NMAC 3.2.92.1, 7/22/2002]

**1.17.220.2 SCOPE:** All courts - judicial  
[5-25-95; 1.17.220.2 NMAC - Rn, 1 NMAC 3.2.92.2, 7/22/2002]

**1.17.220.3 AUTHORITY:**

- A.** Judicial records retention committee established.
- B.** Judicial records retention committee, duties.

(1) The committee shall establish a records management program for the application of efficient and economical management methods to the creation, utilization, maintenance, retention, preservation and disposal of official records.

(2) The committee shall establish records disposal schedules for the orderly retirement of records. Records disposal schedules shall be filed with the NM state records center and archives, rules division, and shall not become effective until a NM supreme court order has been issued.

[5-25-95, 5-19-97; 1.17.220.3 NMAC - Rn, 1 NMAC 3.2.92.3, 7/22/2002]

**1.17.220.4 DURATION:** Permanent  
[5-25-95, 5-19-97; 1.17.220.4 NMAC - Rn, 1 NMAC 3.2.92.4, 7/22/2002]

**1.17.220.5 EFFECTIVE DATE:** January 10, 1997 unless a different date is cited at the end of a section.  
[5-25-95, 5-19-97; 1.17.220.5 NMAC - Rn, 1 NMAC 3.2.92.5, 7/22/2002]

**1.17.220.6 OBJECTIVE:**

**A.** To establish a records management program for the application of efficient and economical management methods to the creation, utilization, maintenance, retention, preservation and disposal of official records (Section 14-3-6 NMSA 1978).

**B.** To establish records disposal schedules for the orderly retirement of records and adopt regulations necessary for the carrying out of the Public Records Act (Section 14-3-6 NMSA 1978).

[5-25-95, 5-19-97; 1.17.220.6 NMAC - Rn, 1 NMAC 3.2.92.6, 7/22/2002]

**1.17.220.7 DEFINITIONS:**

**A.** "**Administrator**" means the state records administrator (Section 14-3-2 NMSA 1978).

**B.** "**Agency**" means any state agency, department, bureau, board, commission, institution or other organization of the state government, the territorial government and the Spanish and Mexican governments in New Mexico (Section 14-3-2 NMSA 1978).

**C.** "**Audit**" means a periodic examination of an organization to determine whether appropriate procedures and practices are followed.

**D.** "**Commission**" means the state commission of public records (Section 14-3-2 NMSA 1978).

**E.** "**Pending litigation**" means a proceeding in a court of law whose activity is in progress but not yet completed.

**F.** "**Record destruction**" means the process of totally obliterating information on records by any method to make the information unreadable or unusable under any circumstances.

**G.** "**Records management**" means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.

**H.** "**Records retention period**" means the period of time during which records must be maintained by an organization because they are needed for operational, legal, fiscal, historical or other purposes.

**I.** "**Records retention schedule**" means a document prepared as part of a records retention program that lists the period of time for retaining records.

**J.** "**Public records**" means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection

with the transaction of public business and preserved, or appropriate for preservation, by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein (Section 14-4-2 NMSA 1978).

**K. "Non-records"** library or museum material of the state library, state institutions and state museums, extra copies of documents reserved only for convenience of reference and stocks of publications and processed documents are non-records (Section 14-3-2 C NMSA 1978). The following specific types of materials are non-records: extra copies of correspondence; documents preserved only for convenience of reference; blank forms, books which are outdated; materials neither made nor received in pursuance of statutory requirements nor in connection with the functional responsibility of the officer or agency; preliminary and non-final drafts of letters; reports and memoranda which may contain or reflect the working or deliberative process by which a final decision or position of the agency, board, department or subdivision thereof is reached; shorthand notes, steno tapes, mechanical recordings which have been transcribed, except where noted on agency retention schedules; routing and other interdepartmental forms which are not significant evidence of the activity concerned and do not otherwise have value as described above; stocks of publications already sent to archives and processed documents preserved for supply purposes only; form and guide letters, sample letters, form paragraphs; subject files, including copies of correspondence, memoranda, publications, reports and other information received by agency and filed by subject (also referred to as reading files or information files). See also item number 1.15.2.101 NMAC of record retention and disposition schedule for general administrative records.

[5-25-95, 5-19-97; 1.17.220.7 NMAC - Rn, 1 NMAC 3.2.92.7, 7/22/2002]

#### **1.17.220.8 [RESERVED]**

#### **1.17.220.9 INSTRUCTIONS:**

**A.** For records of a general administrative nature, refer to the Records Retention and Disposition Schedule for the General Administrative Records, 1.15.2 NMAC.

**B.** For records of a financial nature, refer to the Records Retention and Disposition Schedule for General Financial Records, 1.15.4 NMAC.

**C.** For records of a personnel nature, refer to the Records Retention and Disposition Schedule for the General Personnel Records, 1.15.6 NMAC.

**D.** For records of medical nature, refer to the Records Retention and Disposition Schedule for the General Medical Records, 1.15.8 NMAC.

**E.** Retention periods shall be extended until six months after all current or pending litigation, current claims, audit exceptions or court orders involving a record have been resolved or concluded.

**F.** The descriptions of files are intended to be evocative, not complete; for example, there will always be some documents that are filed in a file that are not listed in the description, and similarly, not every file will contain an example of each document listed in the description.

**G.** Confidentiality is denoted as "-C-". Not all materials in a file may be confidential. Refer to NOTE. Where portions of file may be confidential, refer to legal counsel for agency.

**H.** Access to confidential documents and or confidential files shall be only by authorization of agency or Attorney General and or by court order, unless otherwise provided by statute. Release of confidential documents to law enforcement and other government agencies, shall only be upon specific statutory authorization or court order.

**I.** All records, papers or documents may be photographed, microfilmed, micro-photographed or reproduced on film. Such photographs, microfilms, photographic film or microphotographs shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies (Sections 14-1-5, 14-1-6 NMSA 1978).

**J.** Data processing and other machine readable records. Many paper records are being eliminated when the information has been placed on magnetic tapes, disks, or other data processing media. In these cases, the information on the data processing medium should be retained for the length of time specified in records retention & disposition schedules for paper records and should be subject to the same confidentiality and access restrictions as paper records. When the destruction of a record is required, all versions of said record shall be electronically overwritten on machine readable media on which it is stored (or media destroyed). See also 1.13.70 NMAC:

Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems. [5-25-95, 5-19-97; 1.17.220.9 NMAC - Rn, 1 NMAC 3.2.92.8, 7/22/2002]

**1.17.220.10 - 100 [RESERVED]**

**1.17.220.101 INTERNAL AUDIT WORK PAPERS:**

- A. **Program:** internal audit
- B. **Maintenance:** chronological alphabetical
- C. **Description:** contains audit plan, entrance and exit conference documentation, court procedure questionnaires, etc.
- D. **Retention:** five years after close of fiscal year audited  
[12-30-98; 1.17.220.101 NMAC - Rn, 1 NMAC 3.2.92.218.101, 7/22/2002]

**1.17.220.102 INTERNAL AUDIT REPORT:**

- A. **Program:** internal audit
- B. **Maintenance:** chronological alphabetical
- C. **Description:** shows history of court, purpose of audit, scope, procedures, findings, recommendations, responses, etc.
- D. **Retention:** five years after close of fiscal year audit  
[12-30-98; 1.17.220.102 NMAC - Rn, 1 NMAC 3.2.92.218.102, 7/22/2002]

**1.17.220.103 - 105 [RESERVED]**

**1.17.220.106 ADMINISTRATIVE POLICY DIRECTIVES:**

- A. **Program:** administrative support office of the director
- B. **Maintenance:** numerical
- C. **Description:** show policy directive number, directive date, purpose, policy, procedure, applicability, director's signature, effective date, etc.
- D. **Retention:** until superseded by new directive or rescinded  
[12-30-98; 1.17.220.106 NMAC - Rn, 1 NMAC 3.2.92.218.201, 7/22/2002]

**1.17.220.107 JURY REQUEST FILE:**

- A. **Program:** administrative support office of the director
- B. **Maintenance:** chronological numerical
- C. **Description:** contains jury order, order confirmation, mail-out confirmation, etc.
- D. **Retention:** one year after close of calendar year in which created  
[12-30-98; 1.17.220.107 NMAC - Rn, 1 NMAC 3.2.92.218.202, 7/22/2002]

**1.17.220.108 - 115 [RESERVED]**

**1.17.220.116 PERSONNEL MANAGEMENT SYSTEM:**

- A. **Program:** administrative support personnel unit
- B. **Maintenance:** none
- C. **Description:** personnel data
- D. **Retention:** until superseded by new data  
[12-30-98; 1.17.220.116 NMAC - Rn, 1 NMAC 3.2.92.218.301, 7/22/2002]  
[Active file completely purged upon the employees termination of employment with the judicial branch. Prior to purging, file is microfilmed. Microfilm is retained in accordance with 1.15.6 NMAC]

**1.17.220.117 INVENTORY MANAGEMENT SYSTEM (MAS 90 STATE OF THE ART ACCOUNTING SOFTWARE):**

- A. **Program:** administrative support data processing unit
- B. **Maintenance:** none
- C. **Description:** proprietary application software and documentation (i.e., user guides, installation guides, etc.
- D. **Retention:** until software superseded or no longer used
- E. **Confidentiality:** copyright, protection of rights, 17 USC, section 102, 106 & 117  
[12-30-98; 1.17.220.117 NMAC - Rn, 1 NMAC 3.2.92.218.401, 7/22/2002]

**1.17.220.118 ACCOUNTS PAYABLE SYSTEM (MAS 90 - STATE OF THE ART ACCOUNTING SOFTWARE):**

- A. Program:** administrative support data processing unit
  - B. Maintenance:** none
  - C. Description:** proprietary application software and documentation (i.e., user guides, installation guides, etc.)
  - D. Retention:** until software superseded or no longer used
  - E. Confidentiality:** copyright, protection of rights, 17 USC, Section 102, 106 & 117)
- [12-30-98; 1.17.220.118 NMAC - Rn, 1 NMAC 3.2.92.218.402, 7/22/2002]

**1.17.220.119 FIXED ASSETS SYSTEM (CLARION PROFESSIONAL DEVELOPER):**

- A. Program:** administrative support data processing unit
  - B. Maintenance:** none
  - C. Description:** proprietary application software and documentation (i.e., user guides, installation guides, etc.)
  - D. Retention:** until software superseded or no longer used
  - E. Confidentiality:** copyright, protection of rights, 17 USC, Section 102, 106 & 117)
- [12-30-98; 1.17.220.119 NMAC - Rn, 1 NMAC 3.2.92.218.403, 7/22/2002]

**1.17.220.120 PERSONNEL MANAGEMENT SYSTEM (CRITERION INC.COMPENSATION WORKBENCH):**

- A. Program:** administrative support data processing unit
  - B. Maintenance:** none
  - C. Description:** proprietary application software and documentation (i.e., user guides, installation guides, etc.)
  - D. Retention:** until software superseded or no longer used
  - E. Confidentiality:** copyright, protection of rights, 17 USC, Section 102, 106 & 117)
- [12-30-98; 1.17.220.120 NMAC - Rn, 1 NMAC 3.2.92.218.404, 7/22/2002]

**1.17.220.121 - 130 [RESERVED]**

**1.17.220.131 MAGISTRATE COURTS RECORD OF SUPPLIES:**

- A. Program:** fiscal services
  - B. Maintenance:** numerical
  - C. Description:** show court, district, division, date, quantity, item description, beginning serial number, ending serial number, magistrates signature, date received, etc.
  - D. Retention:**
    - (1) **original copy:** one year after close of fiscal year in which created
    - (2) **duplicate copy:** until original copy returned with magistrate signature
- [12-30-98; 1.17.220.131 NMAC - Rn, 1 NMAC 3.2.92.218.501, 7/22/2002]

**1.17.220.132 REQUEST FOR OFFICE SUPPLIES, MAGISTRATE COURTS:**

- A. Program:** fiscal services
  - B. Maintenance:** numerical
  - C. Description:** shows item code, item description, quantity requested, quantity shipped, requested by, county and division, date of request, date request received, date order shipped, shipping weight and cost, received by signature, inventory control number, etc.
  - D. Retention:** one year after close of fiscal year in which received
- [12-30-98; 1.17.220.132 NMAC - Rn, 1 NMAC 3.2.92.218.502, 7/22/2002]

**1.17.220.133 REQUEST FOR OFFICE SUPPLIES, ADMINISTRATIVE OFFICE OF THE COURTS:**

- A. Program:** fiscal services
- B. Maintenance:** numerical
- C. Description:** shows item code, item description, quantity requested, requested by, agency and department, date of request, etc.
- D. Retention:** one year after close of fiscal year in which received

[12-30-98; 1.17.220.133 NMAC - Rn, 1 NMAC 3.2.92.218.503, 7/22/2002]

**1.17.220.134 REQUEST FOR FORMS:**

- A. **Program:** fiscal services
- B. **Maintenance:** numerical
- C. **Description:** shows form name and number, quantity requested, quantity shipped, requested by, county and division, date of request, date request received, date order shipped, shipping weight and cost, received by signature, inventory control number, etc.
- D. **Retention:** one year after close of fiscal year in which received

[12-30-98; 1.17.220.134 NMAC - Rn, 1 NMAC 3.2.92.218.504, 7/22/2002]

**1.17.220.135 STOCK STATUS REPORT:**

- A. **Program:** fiscal services
- B. **Maintenance:** chronological
- C. **Description:** shows run date, system date, page, time, item number, vendor number, item description, production line, production type, unit warehouse location, quantities, re-order point, average cost, etc.
- D. **Retention:** one year after close of fiscal year in which received

[12-30-98; 1.17.220.135 NMAC - Rn, 1 NMAC 3.2.92.218.505, 7/22/2002]

**1.17.220.136 INVENTORY TRANSACTION JOURNAL AND RECEIPTS REGISTER:**

- A. **Program:** fiscal services
- B. **Maintenance:** chronological
- C. **Description:** shows run date, system date, page, time, reference number, transaction date, comment, item number, description, unit measure, warehouse, quantity, unit cost, extension, transaction totals, report total, etc.
- D. **Retention:** one year after close of fiscal year in which received

[12-30-98; 1.17.220.136 NMAC - Rn, 1 NMAC 3.2.92.218.506, 7/22/2002]

**1.17.220.137 INVENTORY TRANSACTION JOURNAL TRANSFERS REGISTER:**

- A. **Program:** fiscal services
- B. **Maintenance:** chronological
- C. **Description:** shows run date, system date, page, time, reference number, transaction date, comment, item number, description, unit measure, warehouse, quantity, unit cost, extension, transaction totals, report total, etc.
- D. **Retention:** one year after close of fiscal year in which received

[12-30-98; 1.17.220.137 NMAC - Rn, 1 NMAC 3.2.92.218.507, 7/22/2002]

**1.17.220.138 INVENTORY TRANSACTION JOURNAL ISSUES REGISTER:**

- A. **Program:** fiscal services
- B. **Maintenance:** chronological
- C. **Description:** shows run date, system date, page, time, reference number, transaction date, comment, item number, description, unit measure, warehouse, general account number, quantity, unit cost, extension, sales amount, transaction totals, report total, etc.
- D. **Retention:** one year after close of fiscal year in which received

[12-30-98; 1.17.220.138 NMAC - Rn, 1 NMAC 3.2.92.218.508, 7/22/2002]

**1.17.220.139 DAILY TRANSACTION REGISTER:**

- A. **Program:** fiscal services
- B. **Maintenance:** chronological
- C. **Description:** shows run date, SYS date, page, time, postings for date, source journal, general ledger account number, posting comment, debit, credit, totals, etc.
- D. **Retention:** one year after close of fiscal year in which received

[12-30-98; 1.17.220.139 NMAC - Rn, 1 NMAC 3.2.92.218.509, 7/22/2002]

**1.17.220.140 INVENTORY MANAGEMENT SYSTEM:**

- A. **Program:** fiscal services

- B. Maintenance:** none
  - C. Description:** inventory data
  - D. Retention:** one year after close of fiscal year in which received
- [12-30-98; 1.17.220.140 NMAC - Rn, 1 NMAC 3.2.92.218.510, 7/22/2002]

**1.17.220.141 ACCOUNTS PAYABLE SYSTEM:**

- A. Program:** fiscal services
  - B. Maintenance:** none
  - C. Description:** accounts payable data
  - D. Retention:** three years after close of fiscal year for which created
- [12-30-98; 1.17.220.141 NMAC - Rn, 1 NMAC 3.2.92.218.511, 7/22/2002]

**1.17.220.142 FIXED ASSETS SYSTEM:**

- A. Program:** fiscal services
  - B. Maintenance:** none
  - C. Description:** fixed assets data
  - D. Retention:** until asset dropped from inventory
- [12-30-98; 1.17.220.142 NMAC - Rn, 1 NMAC 3.2.92.218.512, 7/22/2002]

**HISTORY OF 1.17.220 NMAC:**

**Pre-NMAC History:** The material in this part was derived from that previously filed with the State Records Center under:

SRC Rule 82-5, Records Retention and Disposition Schedule for Administrative Office of the Courts, 12-14-81.

SRC Rule 91-07, Records Retention and Disposition Schedule for Administrative Office of the Courts, 4-16-92.

**History of Repealed Material:** [RESERVED]