

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 17 JUDICIAL RECORDS RETENTION AND DISPOSITION SCHEDULES (JRRDS)
PART 244 JRRDS, BERNALILLO COUNTY METROPOLITAN COURT

1.17.244.1 ISSUING AGENCY: New Mexico Commission of Public Records - State Records Center and Archives in conjunction with Bernalillo County Metropolitan Court.
[5/25/95; 1.17.244.1 NMAC - Rn, 1 NMAC 3.2.92.1, 7/22/2002; A, 12/22/2002]

1.17.244.2 SCOPE: Bernalillo county metropolitan court.
[5/25/95; 1.17.244.2 NMAC - Rn, 1 NMAC 3.2.92.2, 7/22/2002; A, 12/22/2002]

1.17.244.3 STATUTORY 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; 1.17.244.3 NMAC - Rn, 1 NMAC 3.2.92.3, 7/22/2002]

1.17.244.4 DURATION: Permanent
[5/25/95; 5/19/97; 1.17.244.4 NMAC - Rn, 1 NMAC 3.2.92.4, 7/22/2002]

1.17.244.5 EFFECTIVE DATE: January 10, 1997 unless a different date is cited at the end of a section.
[5/25/95; 5/19/97; 1.17.244.5 NMAC - Rn, 1 NMAC 3.2.92.5, 7/22/2002]
[Amendment of this rule may require the issuance of a court order from either the NM supreme court or the Bernalillo county metropolitan court.]

1.17.244.6 OBJECTIVE: To establish records disposal schedules for the orderly retirement of records necessary for carrying out the Public Records Act, per Section 14-3-6 NMSA 1978.
[5/25/95; 5/19/97; 1.17.244.6 NMAC - Rn, 1 NMAC 3.2.92.6, 7/22/2002; A, 12/22/2002]

1.17.244.7 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; 1.17.244.7 NMAC - Rn, 1 NMAC 3.2.92.7, 7/22/2002]

1.17.244.8 ACRONYMS:

- A.** "DUI" stands for driving under the influence.
- B.** "DV" stands for domestic violence.
- C.** "DWT" also stands for driving while impaired.
- D.** "ECS" stands for educational and community services
- E.** "MVD" stands for Motor Vehicle Division of the New Mexico Taxation and Revenue

Department.

[1.17.244.8 NMAC - N, 12/22/2002]

1.17.244.9 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 for files likely to contain confidential materials, but files without a confidentiality note nonetheless may contain confidential or privileged materials and failure to include an express confidentiality note in the description of a file does not waive the confidential or privileged nature of those materials. Refer questions concerning the confidentiality of a file or portions of a file to legal counsel for the 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; 1.17.244.9 NMAC - Rn, 1 NMAC 3.2.92.8, 7/22/2002; A, 12/22/2002]

1.17.244.10 - 100 [RESERVED]

1.17.244.101 STATISTICAL FILES:

- A. Program:** administration departmental files
- B. Maintenance:** chronological
- C. Description:** contains worksheets, report copies, etc.
- D. Retention:** five years after close of fiscal year in which created

[7/13/98; 1.17.244.101 NMAC - Rn, 1 NMAC 3.2.92.244.101, 7/22/2002]

1.17.244.102 SECURITY DAILY REPORTS:

- A. Program:** administration departmental files
- B. Maintenance:** chronological
- C. Description:** shows date, time, incident, occurrence information, etc.
- D. Retention:** five years after close of fiscal year in which created

[7/13/98; 1.17.244.102 NMAC - Rn, 1 NMAC 3.2.92.244.102, 7/22/2002]

1.17.244.103 - 110 [RESERVED]

1.17.244.111 CIVIL CASE FILES:

- A. Program:** civil matters
- B. Maintenance:** alphabetical by case type, chronological by calendar year, numerical by case number
- C. Description:** record of civil proceedings before the court. File may contain complaint, answer, judgment, pleadings to motion, orders, judges' case history notes, appeals, correspondence, memoranda, etc.
- D. Retention:**
 - (1) **cases with judgment entered.** 14 years after date of judgment or one year after full satisfaction of judgement whichever is less
 - (2) **cases dismissed.** one year after date dismissed

[7/13/98; 1.17.244.111 NMAC - Rn, 1 NMAC 3.2.92.244.151, 7/22/2002; A, 12/22/2002]

1.17.244.112 CIVIL CASE DOCKET CARDS:

- A. Program:** civil matters
- B. Maintenance:** chronological by date of filing or action
- C. Description:** record of documents and events in a civil case. Record may show plaintiff name and address, defendant name and address, judge, civil case number, case type, document type and date filed, name and address of attorney for plaintiff, name and address of attorney for defendant, etc.

D. Retention:

(1) **cases with judgment entered.** 14 years after date of judgment or one year after full satisfaction of judgement whichever is less

(2) **cases dismissed.** one year after date dismissed

[7/13/98; 1.17.244.112 NMAC - Rn, 1 NMAC 3.2.92.244.152, 7/22/2002; A, 12/22/2002]

1.17.244.113 CIVIL CASE TAPE RECORDING OF PROCEEDINGS:

- A. Program:** civil matters
- B. Maintenance:** alphabetical by case type, chronological by calendar year, numerical by case number
- C. Description:** recorded transcript of official proceedings.

D. Retention:

- (1) **No appeal:** 90 days after final judgment per 3.708B NMRA 1999
- (2) **Appeal (tape transferred to district court):** 60 days after returned from district court with final

disposition

[7/13/98; 1.17.244.113 NMAC - Rn, 1 NMAC 3.2.92.244.153, 7/22/2002; A, 12/22/2002]

1.17.244.114 CIVIL CASE INQUIRY:

A. Program: civil matters

B. Maintenance: alphabetical by case type, chronological by calendar year, numerical case number

C. Description: index of plaintiffs and defendants involved in civil matters. Record may show date, attorney case, case number, case type, amount of bond or judgement, plaintiff name, defendant name, judge, etc

D. Retention: 14 years after close of calendar year in which created

[7/13/98; 1.17.244.114 NMAC - Rn, 1 NMAC 3.2.92.244.154, 7/22/2002; A, 12/22/2002]

1.17.244.115 MONTHLY STATISTICAL FILE:

A. Program: civil matters

B. Maintenance: chronological by month

C. Description: contains civil division monthly statistics cases disposed by disposition code, monthly report, etc.

D. Retention: until judicial branch annual report released

[7/13/98; 1.17.244.115 NMAC - Rn, 1 NMAC 3.2.92.244.155, 7/22/2002; A, 12/22/2002]

1.17.244.116 CIVIL EXHIBITS AND DEPOSITIONS:

A. Program: civil matters

B. Maintenance: alpha-numerical by corresponding civil case file

C. Description: materials introduced at trial as evidence in court cases. Materials may include documents, depositions, reports, etc.

D. Retention:

(1) **Appeal or bound over to district court:** until transferred to district court

(2) **No appeal or remanded from district court:** 60 days after judgment date

E. Confidentiality:

F. Note Bene: Bernalillo Metropolitan Court shall notify parties by letter or by publication prior to destruction of exhibit.

[7/13/98; 1.17.244.116 NMAC - Rn, 1 NMAC 3.2.92.244.156, 7/22/2002; A, 12/22/2002]

1.17.244.117 [RESERVED]

[7/13/98; 1.17.244.117 NMAC - Rn, 1 NMAC 3.2.92.244.157, 7/22/2002; repealed, 12/22/2002]

[Repealed section (records series name): CIVIL DIVISION MONTHLY STATISTICS CASES DISPOSED BY DEPOSITION CODE]

1.17.244.118 - 120 [RESERVED]

1.17.244.121 CRIMINAL CASE FILE:

A. Program: criminal division departmental files

B. Maintenance: chronological, numerical

C. Description: contains pre-trial service interview report, resetting notices, judge disqualification, judge recusal, counsel waiver, entry of appearance, motions, orders, notice of hearing, routing slips, rap sheet, pre-sentence report, driver history, affidavit and bench warrant, notice of failure to appear in court, school completion, probation payments, community service completion, probation completion, sentencing notice, death certificate, verdict sheets, treatment center report and evaluation, correspondence, memoranda, etc.

D. Retention:

(1) **Cases involving domestic violence or driving under the influence of liquor or drugs:** permanent (34-8A-6 (C), NMSA 1978), transfer to archives 25 years after case is closed

(2) **Case files with potential for enhancement of judgment:** three years after date case closed

(3) **Case files with no potential for enhancement of judgment:** one year after date case closed

[7/13/98; 1.17.244.121 NMAC - Rn, 1 NMAC 3.2.92.244.191, 7/22/2002; A, 1/11/2010]

[NOTE 1: cases on appeal shall be retained for same amount of time as above after they have been remanded back to metropolitan court. NOTE 2: open criminal case files shall be closed five years after affidavit bench warrant issued, forwarded to county sheriffs office and returned. NOTE: criminal case files with potential for enhancement of judgment include: Section 22-12-7, Violation of the Compulsory School Act; Section 26-1-26, Violation of the NM Drug, Device and Cosmetic Act; Section 30-10-2, Cohabitation; Section 30-20-8, Violation of the Riot Control Act; Section 30-31-23, Possession of Marijuana; Section 30-31B-12, Violation of the Drug Precursors Act; Section 50-6-12, Violation of Child Employment Restrictions; Section 57-7-6, Violation of the Junk Dealers Act; Section 57-9-5, Violation of the Used Merchandise Act; Section 57-18-24, Violation of the Weighmaster Act; Section 65-2-121, Some Violations of the Motor Carrier Act; Section 65-5-2, Failure by commercial vehicle to stop at Port of Entry; Section 66-3-112, Failure to Deliver Certificate of Title to Motor Vehicle; Section 66-4-9, Violation of Destroying or Dismantling Motor Vehicle Restrictions; Section 66-8-138, Violation of the Open Container in Motor Vehicle restrictions; Section 76-10-11, Violation of the New Mexico Seed Law; Section 76-19-12, Violation of the Commercial Feed Law.]

1.17.244.122 CRIMINAL CASE FILE (TRAFFIC AND PARKING CASE FILE):

- A. Program:** criminal division departmental files
- B. Maintenance:** alphabetical
- C. Description:** contains bench warrant, driving record, citations, trial setting slip, affidavit and bench warrant request, criminal complaint, routing slip, etc.
- D. Retention:** none

[7/13/98; 1.17.244.122 NMAC - Rn, 1 NMAC 3.2.92.244.202, 7/22/2002]

[NOTE: this type of criminal case file shall be forwarded to violations division.]

1.17.244.123 CRIMINAL CASE LOG:

- A. Program:** criminal division departmental files
- B. Maintenance:** numerical
- C. Description:** shows criminal case number, defendant name, etc.
- D. Retention:** one year after date created

[7/13/98; 1.17.244.123 NMAC - Rn, 1 NMAC 3.2.92.244.203, 7/22/2002]

1.17.244.124 FELONY BOND LOG:

- A. Program:** criminal division departmental files
- B. Maintenance:** chronological
- C. Description:** shows person posting cash, cash, surety amount, defendant name, power number, fine, bonding person, metro court received, metro court account, district court received, date, etc.
- D. Retention:** three years after close of fiscal year in which created

[7/13/98; 1.17.244.124 NMAC - Rn, 1 NMAC 3.2.92.244.204, 7/22/2002]

1.17.244.125 METROPOLITAN COURT BOND LOG:

- A. Program:** criminal division departmental files
- B. Maintenance:** chronological
- C. Description:** shows court schedule, cut off date, date bonded, defendant name, cash/surety amount, posted by, power number, metro/district court received, remarks, count, pre-trial service clerks initials, criminal case or arrest number, etc.
- D. Retention:** one year after close of fiscal year in which created

[7/13/98; 1.17.244.125 NMAC - Rn, 1 NMAC 3.2.92.244.205, 7/22/2002]

[NOTE: records may be kept as part of computerized case management database, 1.17.244.244 NMAC.]

1.17.244.126 METROPOLITAN COURT RECORD REQUEST FORM:

- A. Program:** criminal division departmental files
- B. Maintenance:** chronological, alphabetical
- C. Description:** shows request date, defendants demographics, authorization to release information, requesting party name and signature, defendants case history, contact name and signature, etc.
- D. Retention:** until record provided

[7/13/98; 1.17.244.126 NMAC - Rn, 1 NMAC 3.2.92.244.206, 7/22/2002]

1.17.244.127 CASH BOND RETURN LOG:

A. Program: criminal division departmental files

B. Maintenance: chronological

C. Description: shows cashier, date, check number, bond number, docket/arrest number, check written to, fines, court cost, school fees, forfeitures, bond returned, total bond, end totals, state treasurers check number, voided, etc.

D. Retention: none

[7/13/98; 1.17.244.127 NMAC - Rn, 1 NMAC 3.2.92.244.207, 7/22/2002]

[NOTE: forwarded to accounting division.]

1.17.244.128 CRIMINAL TAPES, TRANSCRIPTS:

A. Program: criminal division departmental files

B. Maintenance: none

C. Description: audio recording, transcript of those cases for which Bernalillo County Metropolitan Court is a court of record (cases involving domestic violence or driving under the influence of liquor or drugs.

D. Retention:

(1) **No appeal:** 90 days after final disposition in metropolitan court

(2) **Appeal:** 90 days after final disposition in appellate court

[7/13/98; 1.17.244.128 NMAC - Rn, 1 NMAC 3.2.92.244.208, 7/22/2002]

[NOTE: tapes may be destroyed when the transcript thereof has been accepted by the court.]

1.17.244.129 CRIMINAL EXHIBITS AND DEPOSITIONS:

A. Program: criminal division departmental files

B. Maintenance: none

C. Description: none

D. Retention:

(1) **Appeal or bound over to district court:** until transferred to district court

(2) **No appeal or remanded from district court:** 30 days after judgment date

[7/13/98; 1.17.244.129 NMAC - Rn, 1 NMAC 3.2.92.244.209, 7/22/2002]

[NOTE: Bernalillo Metropolitan Court shall notify parties by letter or by publication prior to destruction of exhibits.]

1.17.244.130 APPEARANCE BOND, M010:

A. Program: criminal division departmental files

B. Maintenance: none

C. Description: document shows case number, defendants name, bond information, bond conditions, cash deposit information, bond date, signature and address of defendant, signature and address of surety, approval signature of metropolitan judge, district court judge or designee, etc.

D. Retention: none

[7/13/98; 1.17.244.130 NMAC - Rn, 1 NMAC 3.2.92.244.210, 7/22/2002]

[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.131 BAIL BOND, M011:

A. Program: criminal division departmental files

B. Maintenance: none

C. Description: document shows case number, defendants name, bail bond information, bond conditions, bond date, signature and address of defendant, signature and address of surety, justification of sureties, notary public signature, approval signature of judge or authorized person, etc.

D. Retention: none

[7/13/98; 1.17.244.131 NMAC - Rn, 1 NMAC 3.2.92.244.211, 7/22/2002]

[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.132 BOOKING REPORT:

A. Program: criminal division departmental files

B. Maintenance: none

C. Description: document shows personal defendant information, charge and bond, arrest and booking, etc.

D. Retention: none

[7/13/98; 1.17.244.132 NMAC - Rn, 1 NMAC 3.2.92.244.212, 7/22/2002]

[NOTE: filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.133 CASE NOTES, M-030:

A. Program: criminal division departmental files

B. Maintenance: none

C. Description: document shows arraignment date, attorney, plea, bond, jury trial, advised of rights, probable cause, metropolitan judge signature, address update, case history, etc.

D. Retention: none

[7/13/98; 1.17.244.133 NMAC - Rn, 1 NMAC 3.2.92.244.213, 7/22/2002]

[NOTE: Court copy filed in criminal case file 1.17.244.121 NMAC]

1.17.244.134 CRIMINAL COMPLAINT, M-001:

A. Program: criminal division departmental files

B. Maintenance: none

C. Description: document shows arresting entity, arrest date, docket number, defendant name and address, arrest number, citation number, date of birth, social security number, date filed, charge, complainant or officer name, arresting officer statement and signature, criminal code references, notary public statement and signature, metropolitan court filing date and time, district attorney or law enforcement officer signature, etc.

D. Retention: none

[7/13/98; 1.17.244.134 NMAC - Rn, 1 NMAC 3.2.92.244.214, 7/22/2002]

[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.135 DWI CITATION:

A. Program: criminal division departmental files

B. Maintenance: none

C. Description: document shows citation number, county, city, abstract of record, driver information, vehicle information, conditions, citation information, court information, etc.

D. Retention: none

[7/13/98; 1.17.244.135 NMAC - Rn, 1 NMAC 3.2.92.244.215, 7/22/2002]

[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.136 JUDGMENT AND SENTENCE, M-008:

A. Program: criminal division departmental files

B. Maintenance: none

C. Description: document shows case number, defendant name, court date, plea, judgment, deferred sentence, costs, sentence date, metropolitan Judge signature, etc.

D. Retention: none

[7/13/98; 1.17.244.136 NMAC - Rn, 1 NMAC 3.2.92.244.216, 7/22/2002]

[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.137 PLEA AND DISPOSITION AGREEMENT, M-015:

A. Program: criminal division departmental files

B. Maintenance: none

C. Description: document shows case number, defendant name, plea, terms, plea date, defendant signature, court date, defense counsel signature, district attorney signature, metropolitan or district court judge signature, etc.

D. Retention: none

[7/13/98; 1.17.244.137 NMAC - Rn, 1 NMAC 3.2.92.244.217, 7/22/2002]

[NOTE: court copy filed in criminal case file, 1.17.244.202 NMAC.]

1.17.244.138 PLEA AND DISPOSITION AGREEMENT (FOR APPEAL):

A. Program: criminal division departmental files

- B. Maintenance:** none
- C. Description:**
- D. Retention:** none

[7/13/98; 1.17.244.138 NMAC - Rn, 1 NMAC 3.2.92.244.218, 7/22/2002]
[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.139 RELEASE ORDER - M-024:

- A. Program:** criminal division departmental files
- B. Maintenance:** none
- C. Description:** document shows case number, arrest number, charges, defendant name, order, ordered to appear date, judge ordered to appear before, courtroom number, release date, defendants signature and address, judge or designee signature, etc.
- D. Retention:** none

[7/13/98; 1.17.244.139 NMAC - Rn, 1 NMAC 3.2.92.244.219, 7/22/2002]
[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.140 UNIFORM TRAFFIC CITATION:

- A. Program:** criminal division departmental files
- B. Maintenance:** none
- C. Description:** document shows citation number, driver information, vehicle information, conditions, citation information, notice information, booked, signature, etc.
- D. Retention:**

[7/13/98; 1.17.244.140 NMAC - Rn, 1 NMAC 3.2.92.244.220, 7/22/2002]
[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.141 AFFIDAVIT AND BENCH WARRANT REQUEST:

- A. Program:** criminal division departmental files
- B. Maintenance:** none
- C. Description:** document shows defendant name and address, docket number, date of birth, social security number, citation number, charges, request statement, compliance failure, source of information, affiants name, affiants signature, affiants title, notary public statement, etc.
- D. Retention:** none

[7/13/98; 1.17.244.141 NMAC - Rn, 1 NMAC 3.2.92.244.221, 7/22/2002]
[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.142 BENCH WARRANT:

- A. Program:** criminal division departmental files
- B. Maintenance:** none
- C. Description:** document shows warrant number, citation number, charges, defendant name, date of birth, social security number, license number, order, compliance failure, judges signature, bond type, date of issue, arrest information, arresting officer signature and title, etc.
- D. Retention:** none

[7/13/98; 1.17.244.142 NMAC - Rn, 1 NMAC 3.2.92.244.222, 7/22/2002]
[NOTE: court copy filed in criminal case file, 1.17.244.121. Also used as an input document for suspension of license.]

1.17.244.143 CRIMINAL SUMMONS:

- A. Program:** criminal division departmental files
- B. Maintenance:** none
- C. Description:** document shows summons number, defendants name and address, order, instructions, certificate of mailing, etc.
- D. Retention:** none

[7/13/98; 1.17.244.143 NMAC - Rn, 1 NMAC 3.2.92.244.223, 7/22/2002]
[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.144 NOTICE OF FAILURE TO APPEAR IN COURT:

- A. **Program:** criminal division departmental files
 - B. **Maintenance:** none
 - C. **Description:** document shows name and address of court, reporting date, violators name, drivers license number, date of birth, social security number, citation number, violation number, court date, notes, etc.
 - D. **Retention:** none
- [7/13/98; 1.17.244.144 NMAC - Rn, 1 NMAC 3.2.92.244.224, 7/22/2002]
[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.145 MONTHLY LISTING OF DWI SENTENCES DEFERRED OR ADVISED, MONTHLY:

- A. **Program:** criminal division departmental files
 - B. **Maintenance:** chronological
 - C. **Description:** shows date generated, month, case number, hearing date, deferred until date, advisement date, defendant name, citation number, charge description, statute, judge, etc.
 - D. **Retention:** three years after date created
- [7/13/98; 1.17.244.145 NMAC - Rn, 1 NMAC 3.2.92.244.225, 7/22/2002]

1.17.244.146 PAID CRIMINAL SUMMONS LISTING, DAILY, MTR-210:

- A. **Program:** criminal division departmental files
 - B. **Maintenance:** chronological
 - C. **Description:** shows case number, judge, defendant, payment date, transaction code, payment amount, etc.
 - D. **Retention:** 30 days after date generated
- [7/13/98; 1.17.244.146 NMAC - Rn, 1 NMAC 3.2.92.244.226, 7/22/2002]

1.17.244.147 - 150 [RESERVED]

1.17.244.151 JUROR SERVICE FILE:

- A. **Program:** case setting division departmental files
 - B. **Maintenance:** chronological
 - C. **Description:** contains venire, juror summons, panel list, statistical report, juror list, etc.
 - D. **Retention:**
 - (1) **Juror list:** three years after date created
 - (2) **All other documents:** 90 days after date created
- [7/13/98; 1.17.244.151 NMAC - Rn, 1 NMAC 3.2.92.244.301, 7/22/2002]

1.17.244.152 MASTER COURT CALENDAR:

- A. **Program:** case setting division departmental files
 - B. **Maintenance:** chronological
 - C. **Description:** shows judge, date, time, court type, defendant name, charge, case number, attorney, cancellation information and charges, etc.
 - D. **Retention:** none
- [7/13/98; 1.17.244.152 NMAC - Rn, 1 NMAC 3.2.92.244.302, 7/22/2002]
[NOTE: creation of this document is not required. However, if created, no retention is required.]

1.17.244.153 NOTICE OF HEARING:

- A. **Program:** case setting division departmental files
 - B. **Maintenance:** none
 - C. **Description:** document shows defendant name and address, case number, date of notice, date of birth, hearing location, citation, violation date, charge, court type, date, time, judge, courtroom number, officer or complainant name, defendant signature, etc.
 - D. **Retention:** none
- [7/13/98; 1.17.244.153 NMAC - Rn, 1 NMAC 3.2.92.244.303, 7/22/2002]
[NOTE 1: court copy forwarded to judge, then to criminal division. NOTE 2: copies also forwarded to defendant, arresting or citing officer, defense attorney, and district attorney.]

1.17.244.154 COURT CALENDAR, DAILY:

- A. **Program:** case setting division departmental files
 - B. **Maintenance:** none
 - C. **Description:** document shows judge, date, time, court type, defendant name, charge, case number, attorney, etc.
 - D. **Retention:** 90 days after date created
- [7/13/98; 1.17.244.154 NMAC - Rn, 1 NMAC 3.2.92.244.304, 7/22/2002]

1.17244.155 DRIVING HISTORY:

- A. **Program:** case setting division departmental files
 - B. **Maintenance:** none
 - C. **Description:** document shows date, time, license number, date issued, driver name and address, eye color, height, sex, date of birth, license status, renewal status, DWI status, expiration date, eligibility date, class of license, violation date and code, court date, points, citation number, fine amount, county code, date posted, etc.
 - D. **Retention:** none
- [7/13/98; 1.17.244.155 NMAC - Rn, 1 NMAC 3.2.92.244.305, 7/22/2002]
[NOTE: forwarded to judge, then to criminal division.]

1.17244.156 POLICE OFFICER SCHEDULE, WEEKLY:

- A. **Program:** case setting division departmental files
 - B. **Maintenance:** none
 - C. **Description:** document shows run date, officer name, man number, rank, shift, days off, court day, RVCTN day, assignment, vacation, special leave, etc.
 - D. **Retention:** until superseded by new listing
- [7/13/98; 1.17.244.156 NMAC - Rn, 1 NMAC 3.2.92.244.306, 7/22/2002]

1.17.244.157 - 160 [RESERVED]

1.17244.161 SUPERVISED RELEASE CASE FILE:

- A. **Program:** pre-trial services division departmental files
 - B. **Maintenance:** alphabetical
 - C. **Description:** contains pre-trial service intake report for felony, felony presentation worksheet, metropolitan court criminal history sheet, APD rap sheet, FBI rap sheet, proof of employment, contact sheet, progress report and notes, police incident report, treatment program report, authorization for release of information, supervised release contract, etc.
 - D. **Retention:**
 - (1) **Supervised release case file (purged of felony presentation worksheet):** until pre-sentence report ordered, or final disposition
 - (2) **Felony presentation worksheet:** five years after date of disposition
- [7/13/98; 1.17.244.161 NMAC - Rn, 1 NMAC 3.2.92.244.401, 7/22/2002]

1.17.244.162 INTERSTATE IDENTIFICATION INDEX RESPONSE SHEET:

- A. **Program:** pre-trial services division departmental files
 - B. **Maintenance:** chronological
 - C. **Description:** shows FBI number, state identification number, requesting entity, date requested, originating agency identification number, call directing code, defendants demographics and criminal history, etc.
 - D. **Retention:** one year after close of month in which requested (Title 28 CFR part 20)
- [7/13/98; 1.17.244.162 NMAC - Rn, 1 NMAC 3.2.92.244.402, 7/22/2002]
[NOTE: copy filed in supervised release case file, 1.17.244.161 NMAC, and or probation file, 1.17.244.201 NMAC.]

1.17.244.163 MUG SHOT FILE (NO SHOW FILE):

- A. **Program:** pre-trial services division departmental files
 - B. **Maintenance:** alphabetical
 - C. **Description:** photo shows name, date of birth, social security number, aliases, etc.
 - D. **Retention:** five years after date of last entry
- [7/13/98; 1.17.244.163 NMAC - Rn, 1 NMAC 3.2.92.244.403, 7/22/2002]

1.17.244.164 PRE-TRIAL SERVICES MONTHLY STATISTICAL FILE:

- A. Program:** pre-trial services division departmental files
- B. Maintenance:** chronological
- C. Description:** contains performance statistical report, worksheets, etc.
- D. Retention:**
 - (1) **Worksheets:** until fiscal year end report completed
 - (2) **Monthly statistical reports:** ten years after close of fiscal year
 - (3) **Summary year end reports:** 20 years after close of fiscal year in which created

[7/13/98; 1.17.244.164 NMAC - Rn, 1 NMAC 3.2.92.244.404, 7/22/2002]

1.17.244.165 PRE-TRIAL SERVICES INTERVIEW REPORT:

- A. Program:** pre-trial services division departmental files
- B. Maintenance:** alphabetical
- C. Description:** shows charges, defendant demographics, residence, family ties, employment information, financial statement, criminal record, verified information, recommendation, defendant signature and date, judge signature and date, record of violations, recommendation basis, records of activities associated with pre-trial release, attorney, etc. [NOTE: utilized as pre-trial services intake interview form, public defender representation form and pre-trial services intake for felony, misdemeanor form.]

D. Retention:

- (1) **PRE-TRIAL SERVICES INTAKE INTERVIEW FORM: defendant not released:** forwarded to custody court and criminal division. [NOTE: copy filed in criminal case file, 1.17.244.121 NMAC.]
- (2) **PRE-TRIAL SERVICES INTAKE INTERVIEW FORM: defendant released:** until sentencing or pre-sentence report is ordered. [NOTE: copy filed in criminal case file, 1.17.244.121 NMAC.]
- (3) **PRE-TRIAL SERVICES INTAKE INTERVIEW FORM: no show (defendant has failed to appear in court):** five years after date of last failure to appear in court
- (4) **PUBLIC DEFENDER REPRESENTATION FORM:** two months after close of month in which created. [NOTE 1: copies forwarded to public defender, case setting division, criminal division. NOTE 2: court copy filed in criminal case file, 1.17.244.121 NMAC.]
- (5) **PRE-TRIAL SERVICES INTAKE FOR FELONY, MISDEMEANOR FORM: metropolitan court, court destined - supervised release:** filed in supervised release case file, 1.17.244.161 NMAC
- (6) **PRE-TRIAL SERVICES INTAKE FOR FELONY, MISDEMEANOR FORM: metropolitan court, court destined - non-supervised release:** one year after date created. [NOTE 1: copies forwarded to defense attorney, district attorney and criminal division. NOTE 2: court copy filed in criminal case file, 1.17.244.121 NMAC.]
- (7) **PRE-TRIAL SERVICES INTAKE FOR FELONY, MISDEMEANOR FORM: metropolitan court, non-court destined. Four-part form kept intact:** six months after close of month in which created
- (8) **PRE-TRIAL SERVICES INTAKE FOR FELONY, MISDEMEANOR FORM: district court supervised release:** filed in supervised release case file, 1.17.244.161 NMAC
- (9) **PRE-TRIAL SERVICES INTAKE FOR FELONY, MISDEMEANOR FORM: district court-non-supervised (attached are felony presentation worksheet, APD ACOPS/rap sheet, etc.):** [NOTE 1: non-supervised, copies forwarded to district attorney, defense attorney and criminal division. NOTE 2: non-supervised, court copy filed in criminal case file, 1.17.244.121 NMAC.]

[7/13/98; 1.17.244.165 NMAC - Rn, 1 NMAC 3.2.92.244.405, 7/22/2002]

1.17.244.166 ROR NO SHOW LISTING, MONTHLY:

- A. Program:** pre-trial services division departmental files
- B. Maintenance:** chronological
- C. Description:** shows month, defendant name, date of birth, social security number, releasing officer initials, date of no show, aliases, mug shot availability, etc.

D. Retention: until superseded by new listing

[7/13/98; 1.17.244.166 NMAC - Rn, 1 NMAC 3.2.92.244.406, 7/22/2002]

[NOTE: ROR (released on own recognizance).]

1.17.244.167 - 170 [RESERVED]

1.17.244.171 CRIMINAL CASE FILE (TRAFFIC AND PARKING CASE FILE):

- A. Program:** violations division departmental files
- B. Maintenance:** chronological
- C. Description:** contains affidavit for bench warrant, bench warrant, criminal summons, uniform traffic citation, citation for ordinance violation, notice of failure to appear in court, notice of hearing, routing slip, etc.

D. Retention: one year after case closed or one year after bench warrant returned from county sheriffs office

[7/13/98; 1.17.244.171 NMAC - Rn, 1 NMAC 3.2.92.244.501, 7/22/2002]

[NOTE: when defendant has not complied with judicial order, bench warrant is issued and forwarded to county sheriffs office.]

1.17.244.172 REVOCATION FILE:

- A. Program:** violations division departmental files
- B. Maintenance:** alphabetical
- C. Description:** contains uniform traffic citation, notice of failure to appear in court, notice of hearing, notes, etc.

D. Retention: one year after close of calendar year in which citation paid or closed

[7/13/98; 1.17.244.172 NMAC - Rn, 1 NMAC 3.2.92.244.502, 7/22/2002]

1.17.244.173 PARKING CITATION, 244.205:

- A. Program:** violations division departmental files
- B. Maintenance:** numerical
- C. Description:** shows license number, license year, state of license, make, type of vehicle, color, time and date of violation, location of violation, ordinance and section number of violation, officers signature, man number, etc.

D. Retention: until transferred to criminal case file, 1.17.244.121 NMAC

[7/13/98; 1.17.244.173 NMAC - Rn, 1 NMAC 3.2.92.244.503, 7/22/2002]

1.17.244.174 DEPOSIT WORK SHEET:

- A. Program:** violations division departmental files
- B. Maintenance:** chronological
- C. Description:** shows date, time, register amount by account, deposit totals, initials, etc.
- D. Retention:** one year after close of fiscal year in which created

[7/13/98; 1.17.244.174 NMAC - Rn, 1 NMAC 3.2.92.244.504, 7/22/2002]

1.17.244.175 DAILY TRANSACTION LOG:

- A. Program:** violations division departmental files
- B. Maintenance:** chronological
- C. Description:** shows register number, cashier, start transaction number, end transaction number, time, keys, cash drawer, personal box, cash box, time in, time out, bank, etc.

D. Retention: one year after close of fiscal year in which created

[7/13/98; 1.17.244.175 NMAC - Rn, 1 NMAC 3.2.92.244.505, 7/22/2002]

1.17.244.176 CIVIL DIVISION PETTY CASH LOG:

- A. Program:** violations division departmental files
- B. Maintenance:** chronological
- C. Description:** shows date, time, amount given, amount received, amount returned, initials, etc.
- D. Retention:** one year after close of fiscal year in which created

[7/13/98; 1.17.244.176 NMAC - Rn, 1 NMAC 3.2.92.244.506, 7/22/2002]

1.17.244.177 CRIMINAL DIVISION PETTY CASH LOG:

- A. Program:** violations division departmental files
- B. Maintenance:** chronological

- C. **Description:** shows date, time, amount given, amount received, amount returned, initials, etc.
- D. **Retention:** one year after close of fiscal year in which created
[7/13/98; 1.17.244.177 NMAC - Rn, 1 NMAC 3.2.92.244.507, 7/22/2002]

1.17.244.178 UNIFORM TRAFFIC CITATION, MVD-110.15 (CRIMINAL CASE FILE):

- A. **Program:** violations division departmental files
- B. **Maintenance:** chronological, alphabetical
- C. **Description:** shows name, address, phone number, drivers license number, CDL endorsement, state license issued, year license expires, date of birth, age, sex, height, social security number, license plate, color and year of vehicle, make, model, type, violation, statute, ordinance, date of violation, time of violation, location, essential facts, officers name and id number, name, address and date to appear in court, defendants signature, etc.
- D. **Retention:**
 - (1) **Payable citation:** one year after close of fiscal year in which citation paid
 - (2) **Mandatory court citation:** (filed in criminal case file (traffic and parking case file, 1.17.244.171 NMAC)
 - (3) **Failure to appear citation:** (filed in revocation file, 1.17.244.172 NMAC)
 - (4) **Warning citation:** no retention, forwarded to motor vehicle division
[7/13/98; 1.17.244.178 NMAC - Rn, 1 NMAC 3.2.92.244.508, 7/22/2002]

1.17.244.179 CITATION FOR ORDINANCE VIOLATION, P161104 (CRIMINAL CASE FILE):

- A. **Program:** violations division departmental files
- B. **Maintenance:** alphabetical
- C. **Description:** shows name, address, phone number, age, place of employment and phone number, sex, race, date of birth, height, weight, social security number, drivers license number, time and date of violation, ordinance or section number of violation, common name of offense, location of offense, officer signature, man number, district number, division and shift of officer, date and time issued, defendants signature, notification to appear, etc.
- D. **Retention:**
 - (1) **Paid:** one year after close of fiscal year in which citation paid
 - (2) **Unpaid:** (filed in criminal case file (traffic and parking case file), 1.17.244.171 NMAC).
[7/13/98; 1.17.244.179 NMAC - Rn, 1 NMAC 3.2.92.244.509, 7/22/2002]

1.17.244.180 NOTICE OF FAILURE TO APPEAR IN COURT:

- A. **Program:** violations division departmental files
 - B. **Maintenance:** none
 - C. **Description:** document shows name and address of court, reporting date, violators name, drivers license number, date of birth, social security number, citation number, violation date, court date, notes, etc.
 - D. **Retention:** none
- [7/13/98; 1.17.244.180 NMAC - Rn, 1 NMAC 3.2.92.244.510, 7/22/2002]
[NOTE: form used as rescind notice. Filed in revocation file, 1.17.244.172 NMAC, or criminal case file (traffic and parking case file), 1.17.244.171 NMAC.]

1.17.244.181 AFFIDAVIT AND BENCH WARRANT REQUEST:

- A. **Program:** violations division departmental files
 - B. **Maintenance:** none
 - C. **Description:** document shows defendants name and address, docket number, date of birth, social security number, citation number, charges, compliance failure, source of information, affiants name, affiants signature and title, notary public, statement, etc.
 - D. **Retention:** none
- [7/13/98; 1.17.244.181 NMAC - Rn, 1 NMAC 3.2.92.244.511, 7/22/2002]
[NOTE: filed in criminal case file (traffic and parking case file), 1.17.244.171 NMAC.]

1.17.244.182 BENCH WARRANT, DAILY:

- A. **Program:** violations division departmental files
- B. **Maintenance:** alphabetical

C. Description: shows agency involved, defendants name, address, date of birth, social security number, license number, citation number, case number, charges, order to arrest, reason for warrant, bond amount, date of warrant, judges name and signature, return information and signature, etc.

D. Retention:

(1) **Court copy (filed in criminal case file (traffic and parking case file), 1.17.244.171 NMAC).**

(2) **Called warrant (photo copy):** until original warrant from county sheriffs office returned

[7/13/98; 1.17.244.182 NMAC - Rn, 1 NMAC 3.2.92.244.512, 7/22/2002]

[NOTE: original forwarded to county sheriffs office. When returned, filed in criminal case file (traffic and parking case file), 1.17.244.171 NMAC.]

1.17.244.183 CRIMINAL SUMMONS, DAILY:

A. Program: violations division departmental files

B. Maintenance: alphabetical

C. Description: shows defendants name, address, TR number, statute number and common name of offense, misdemeanor citation number, where defendant must appear at, what day and time, how summons was served, date of summons, judges name, certificate of mailing, with clerks signature and date mailed, etc.

D. Retention: none

[7/13/98; 1.17.244.183 NMAC - Rn, 1 NMAC 3.2.92.244.513, 7/22/2002]

[NOTE: filed in criminal case file (traffic and parking case file), 1.17.244.171 NMAC.]

1.17.244.184 TLOG DATA EDIT AND LIST (CASE, CITATION PAYMENT RECEIPT REGISTER) DAILY, MTR-210:

A. Program: violations division departmental files

B. Maintenance: chronological

C. Description: shows register number, salesperson, transaction number, transaction date, time, citation number, amount paid, type, message, total, description, errors, etc.

D. Retention: until audit report released

[7/13/98; 1.17.244.184 NMAC - Rn, 1 NMAC 3.2.92.244.514, 7/22/2002]

[NOTE 1: copy in accounting division. NOTE 2: where errors have occurred this document is used as an input document.]

1.17.244.185 PARKING WARRANT NOTICE:

A. Program: violations division departmental files

B. Maintenance: none

C. Description: document shows defendant name, address, warrant number, date warrant issued, vehicle license number, vehicle make, location of violation, bond required, date of violation, instructions, etc.

D. Retention: until parking warrant called or returned from county sheriffs office

[7/13/98; 1.17.244.185 NMAC - Rn, 1 NMAC 3.2.92.244.515, 7/22/2002]

[NOTE: mail out item retention on returned undeliverable notices.]

1.17.244.186 RV-7 EXCEPTION REPORT, DAILY:

A. Program: violations division departmental files

B. Maintenance: chronological

C. Description: shows run date, name, date of birth, social security number, license number, citation number, violation date, action, exception, etc.

D. Retention: one year after date generated

[7/13/98; 1.17.244.186 NMAC - Rn, 1 NMAC 3.2.92.244.516, 7/22/2002]

1.17.244.187 LICENSE SUSPENSION LISTING, DAILY:

A. Program: violations division departmental files

B. Maintenance: chronological

C. Description: shows run date, name, citation number, license number, date of birth, social security number, violation date, etc.

D. Retention: two years after date generated

[7/13/98; 1.17.244.187 NMAC - Rn, 1 NMAC 3.2.92.244.517, 7/22/2002]

1.17.244.188 CITATION ERROR LISTING, DAILY:

- A. Program:** violations division departmental files
- B. Maintenance:** chronological
- C. Description:** shows run date, citation number, error, etc.
- D. Retention:** one year after date generated provided audit released

[7/13/98; 1.17.244.188 NMAC - Rn, 1 NMAC 3.2.92.244.518, 7/22/2002]

1.17.244.189 MISDEMEANOR SUMMONS LISTING, DAILY:

- A. Program:** violations division departmental files
- B. Maintenance:** chronological
- C. Description:** shows run date, name, case number, citation number, license number, date of birth, social security number, violation date, etc.

- D. Retention:** 60 days after date generated

[7/13/98; 1.17.244.189 NMAC - Rn, 1 NMAC 3.2.92.244.519, 7/22/2002]

1.17.244.190 CITATIONS RETURNED TO ACTIVE STATUS, DAILY:

- A. Program:** violations division departmental files
- B. Maintenance:** chronological
- C. Description:** shows run date, name, citation number, license number, date of birth, social security number, violation date, etc.

- D. Retention:** until audit report released

[7/13/98; 1.17.244.190 NMAC - Rn, 1 NMAC 3.2.92.244.520, 7/22/2002]

1.17.244.191 - 200 [RESERVED]

1.17.244.201 PROBATION FILE:

- A. Program:** adult probation division departmental files
- B. Maintenance:** chronological, alphabetical
- C. Description:** contains probation cost conversion or waiver sheet routing slip, probation cost payment coupon acknowledgment cards, criminal summons copy, affidavit and bench warrant request, judgment and sentence order, probation contract, release of information form, treatment reports, pre-sentence reports, worksheet, police report, rap sheet request, card or rap sheet, probation record card copy, contact log, memoranda, correspondence etc.

- D. Retention:** five years after file closed

- E. Confidentiality:** (14-6-1, NMSA 1978).

[7/13/98; 1.17.244.201 NMAC - Rn, 1 NMAC 3.2.92.244.601, 7/22/2002]

1.17.244.202 PROBATION RECORD CARD:

- A. Program:** adult probation division departmental files
- B. Maintenance:** alphabetical
- C. Description:** shows defendant name, sex, aliases, address, date of birth, age, social security number, arraignment date, sentencing date, charges, judge and division or probation officer, notes, etc.

- D. Retention:** until information is available in CASE MANAGEMENT DATABASE, 1.17.244.244 NMAC

[7/13/98; 1.17.244.202 NMAC - Rn, 1 NMAC 3.2.92.244.602, 7/22/2002]

[NOTE: all probation record cards shall be destroyed on 1-1-2016, twenty-five years after date Bernalillo metropolitan court probation data was computerized. After said date, the court need only utilize computer generated information.]

1.17.244.203 PROBATION INTAKE SHEET:

- A. Program:** adult probation division departmental files
- B. Maintenance:** chronological
- C. Description:** shows probation number, defendant name, date of birth, social security number, docket number, court date, order type, charges, judge, appointment date and time, probation officer initials, etc.

- D. Retention:** six months after date of last entry

[7/13/98; 1.17.244.203 NMAC - Rn, 1 NMAC 3.2.92.244.603, 7/22/2002]

1.17.244.204 PROBATION INDEX CARD:

- A. Program:** adult probation division departmental files
 - B. Maintenance:** alphabetical
 - C. Description:** shows defendants name, criminal case number, time and date of appointment, date of birth, judges name, order type, probation intake number, action taken, disposition, etc.
 - D. Retention:** until probation file closed or data entered
- [7/13/98; 1.17.244.204 NMAC - Rn, 1 NMAC 3.2.92.244.604, 7/22/2002]

1.17.244.205 APPOINTMENT SHEET, DAILY:

- A. Program:** adult probation division departmental files
 - B. Maintenance:** chronological
 - C. Description:** shows probation officer, appointment date and time, defendant name, notes, etc.
 - D. Retention:** one year after appointment date
- [7/13/98; 1.17.244.205 NMAC - Rn, 1 NMAC 3.2.92.244.605, 7/22/2002]
[NOTE: handwritten copy retained until typed copy produced.]

1.17.244.206 PROBATION COSTS CONVERSION OR WAIVER SHEET:

- A. Program:** adult probation division departmental files
 - B. Maintenance:** none
 - C. Description:** document shows date, defendants name, criminal case number, probation costs waived, converted into community service, total hours, probation officer approved, defendants signature, etc.
 - D. Retention:** none
- [7/13/98; 1.17.244.206 NMAC - Rn, 1 NMAC 3.2.92.244.611, 7/22/2002]
[NOTE: first copy filed in probation file, 1.17.244.201 NMAC, second copy filed in criminal case file, 1.17.244.121 NMAC, third copy to educational and community services division, educational services referral letter, 1.17.244.221 NMAC.]

1.17.244.207 ROUTING SLIP, COPY:

- A. Program:** adult probation division departmental files
 - B. Maintenance:** none
 - C. Description:** document shows defendant name, docket number; citation number, instructions to defendant, probation services, educational services, violation division information, other court action remarks, defendant signature and date, judges signature and date, clerks signature, etc.
 - D. Retention:** until entered into database
- [7/13/98; 1.17.244.207 NMAC - Rn, 1 NMAC 3.2.92.244.612, 7/22/2002]
[NOTE: only no shows and reinstatements filed in probation file, 1.17.244.201 NMAC.]

1.17.244.208 PROBATION COST PAYMENT COUPON ACKNOWLEDGMENT CARD:

- A. Program:** adult probation division departmental files
 - B. Maintenance:** none
 - C. Description:** document shows acknowledgment of receipt, defendants signature, date, action to be taken, instructions, defendants name, case number, etc.
 - D. Retention:** none
- [7/13/98; 1.17.244.208 NMAC - Rn, 1 NMAC 3.2.92.244.613, 7/22/2002]
[NOTE: filed in probation file, 1.17.244.201 NMAC. Probation cost payment coupon created for defendant.]

1.17.244.209 PROBATION COST LEDGER SHEET:

- A. Program:** adult probation division departmental files
 - B. Maintenance:** none
 - C. Description:** document shows date, case number, defendants name, date of birth, social security number, total probation costs, number of payments, probation start date, probation end date, probation officer, payment number, due date, amount owed, amount paid, date received, clerks initials, etc.
 - D. Retention:** none
- [7/13/98; 1.17.244.209 NMAC - Rn, 1 NMAC 3.2.92.244.614, 7/22/2002]
[NOTE: maintained in violation division. When paid in full transferred to criminal case file 1.17.244.121 NMAC.]

1.17.244.210 NOTICE OF CLEARANCE FOR FAILURE TO APPEAR IN COURT:

- A. Program:** adult probation division departmental files
- B. Maintenance:** none
- C. Description:** document shows name and address of court reporting date, visitors name, drivers license number, date of birth, social security number, citation number, violation date, court date, court notes, etc.
- D. Retention:** none

[7/13/98; 1.17.244.210 NMAC - Rn, 1 NMAC 3.2.92.244.615, 7/22/2002]

[NOTE: court copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.211 AFFIDAVIT AND BENCH WARRANT REQUEST:

- A. Program:** adult probation division departmental files
- B. Maintenance:** none
- C. Description:** document shows defendants name and address, docket number, date of birth, social security number, citation number, charges compliance failure, source of information, affiants name and signature, affiants title, notary public seal, etc.
- D. Retention:** none

[7/13/98; 1.17.244.211 NMAC - Rn, 1 NMAC 3.2.92.244.616, 7/22/2002]

[NOTE: filed in probation file, 1.17.244.201 NMAC; copy filed in criminal case file, 1.17.244.121 NMAC.]

1.17.244.212 BENCH WARRANT:

- A. Program:** adult probation division departmental files
- B. Maintenance:** none
- C. Description:** document shows defendants name and address, criminal case number, citation number, charges, date of birth, social security number, order, compliance failure, judges signature, bond, date of issue, arresting officer information, arresting officer signature and title, etc.
- D. Retention:** filed in criminal case file, 1.17.244.121 NMAC.

[7/13/98; 1.17.244.212 NMAC - Rn, 1 NMAC 3.2.92.244.617, 7/22/2002]

[NOTE: copies forwarded to law enforcement entity and to defendant.]

1.17.244.213 CRIMINAL SUMMONS, COPY:

- A. Program:** adult probation division departmental files
- B. Maintenance:** none
- C. Description:** document shows defendants name and address, criminal case number, non-compliance information, order, non-response consequences, certificate of mailing, court signature, title, date, etc.
- D. Retention:** filed in probation file, 1.17.244.201 NMAC

[7/13/98; 1.17.244.213 NMAC - Rn, 1 NMAC 3.2.92.244.618, 7/22/2002]

[NOTE: copies forwarded to criminal division, criminal case file, 1.17.244.121 NMAC, and to defense attorney.]

1.17.244.214 PAID CRIMINAL SUMMONS LISTING (PROBATION COSTS), DAILY/MTR 210:

- A. Program:** adult probation division departmental files
- B. Maintenance:** chronological
- C. Description:** shows run date, case number, judge, probation officer, defendant, payment date, transaction code, payment amount, etc.
- D. Retention:** 30 days after date generated

[7/13/98; 1.17.244.214 NMAC - Rn, 1 NMAC 3.2.92.244.619, 7/22/2002]

1.17.244.215 - 220 [RESERVED]

1.17.244.221 [RESERVED]

[7/13/98; 1.17.244.221 NMAC - Rn, 1 NMAC 3.2.92.244.701, 7/22/2002; repealed, 12/22/2002]

[Repealed section (records series name): EDUCATIONAL SERVICES REFERRAL LETTER, COPY]

1.17.244.222 [RESERVED]

[7/13/98; 1.17.244.222 NMAC - Rn, 1 NMAC 3.2.92.244.702, 7/22/2002; repealed, 12/22/2002]

[Repealed section (records series name): STATUS LETTER]

1.17.244.223 [RESERVED]

[7/13/98; 1.17.244.223 NMAC - Rn, 1 NMAC 3.2.92.244.703, 7/22/2002; repealed, 12/22/2002]

[Repealed section (records series name): NO SHOW LETTER FOR EDUCATIONAL SERVICES & COMMUNITY SERVICE]

1.17.244.224 ECS PROGRAM FILE:

A. Program: educational and community services

B. Maintenance: alphabetical by program type then client name

C. Description: record of sentenced referrals to education and community service. File may contain the following program information: needs answer sheet; community service incident reports, release of information consent form; defendant treatment progress reports; alcohol and drug screening reports; medical statements (excusals); educational and service program or community service placement entity information; etc.

D. Retention:

(1) needs answer sheet. six years after close of state fiscal year in which created

(2) all other documentation. until program completed and ECS Program File closed

E. Confidentiality: some information may be confidential per Article six NMSA 1978 (health and hospital records); Part II of Title 42 of the Code of Federal Regulations (CFR) governing confidential and/or privileged information of alcohol and drug abuse patient records, or any other applicable statute, administrative rule, case law decision or confidentiality agreement.

F. Note Bene: Closing of ECS Program File is based on completion of program or death of defendant.

[7/13/98; 1.17.244.224 NMAC - Rn, 1 NMAC 3.2.92.244.704, 7/22/2002; A, 12/22/2002]

1.17.244.225 [RESERVED]

[7/13/98; 1.17.244.225 NMAC - Rn, 1 NMAC 3.2.92.244.705, 7/22/2002; repealed, 12/22/2002]

[Repealed section (records series name): PETTY LARCENY REHABILITATION PROGRAM CARD]

1.17.244.226 [RESERVED]

[7/13/98; 1.17.244.226 NMAC - Rn, 1 NMAC 3.2.92.244.706, 7/22/2002; repealed, 12/22/2002]

[Repealed section (records series name): TRAFFIC SCHOOL CARD]

1.17.244.227 [RESERVED]

[7/13/98; 1.17.244.227 NMAC - Rn, 1 NMAC 3.2.92.244.707, 7/22/2002; repealed, 12/22/2002]

[Repealed section (records series name): RESCHEDULING AND MAKE UP FORM]

1.17.244.228 [RESERVED]

[7/13/98; 1.17.244.228 NMAC - Rn, 1 NMAC 3.2.92.244.708, 7/22/2002; repealed, 12/22/2002]

[Repealed section (records series name): COMMUNITY SERVICE CARD]

1.17.244.229 NON-PROFIT AGENCY SIGN IN/OUT FORM:

A. Program: community services

B. Maintenance: alphabetical by defendant name then by program name

C. Description: input documents to metro court's mainframe court management system. Form is used by non-profit community service entities to report compliance of community service hours by participants (defendants). Form shows community service program name; agency name, supervisor name and phone number; address; client name; docket number; program participation date; start time; end time; hours worked; client's initials; agency contact initials; etc.

D. Retention: until filed in corresponding case file when program is completed

[7/13/98; 1.17.244.229 NMAC - Rn, 1 NMAC 3.2.92.244.709, 7/22/2002; A, 12/22/2002]

1.17.244.230 [RESERVED]

[7/13/98; 1.17.244.230 NMAC - Rn, 1 NMAC 3.2.92.244.710, 7/22/2002; repealed, 12/22/2002]

[Repealed section (records series name): LOVELACE SCIENTIFIC RESOURCES-COMPREHENSIVE SCREENING PROGRAM/NON-COMPLIANCE REPORT]

1.17.244.231 [RESERVED]

[7/13/98; 1.17.244.231 NMAC - Rn, 1 NMAC 3.2.92.244.711, 7/22/2002; repealed, 12/22/2002]
[Repealed section (records series name): AFFIDAVIT AND BENCH WARRANT REQUEST]

1.17.244.232 [RESERVED]

[7/13/98; 1.17.244.232 NMAC - Rn, 1 NMAC 3.2.92.244.712, 7/22/2002; repealed, 12/22/2002]
[Repealed section (records series name): BENCH WARRANT]

1.17.244.233 [RESERVED]

[7/13/98; 1.17.244.233 NMAC - Rn, 1 NMAC 3.2.92.244.713, 7/22/2002; repealed, 12/22/2002]
[Repealed section (records series name): CRIMINAL SUMMONS]

1.17.244.234 [RESERVED]

[7/13/98; 1.17.244.234 NMAC - Rn, 1 NMAC 3.2.92.244.714, 7/22/2002; repealed, 12/22/2002]
[Repealed section (records series name): DRIVER HISTORY]

1.17.244.235 PROGRAM ATTENDANCE ROSTER:

A. Program: educational and community services
B. Maintenance: chronological by fiscal year
C. Description: listing of defendants scheduled for educational or community service that is provided to program entity and returned with participant signatures or initials. Listing shows program type, class number, day, time, dates, instructor or driver, client name, case number, date of birth, social security number, initials, dates open and closed, rescheduled students, etc.

D. Retention: two years after close of state fiscal year in which created
[7/13/98; 1.17.244.235 NMAC - Rn, 1 NMAC 3.2.92.244.715, 7/22/2002; A, 12/22/2002]
[copy of roster forwarded to program entity for signature by participants]

1.17.244.236 NOTICE OF FAILURE TO APPEAR IN COURT:

A. Program: educational and community services
B. Maintenance: none
C. Description: Output document from metro court's mainframe computer court management system that is used to inform MVD to suspend a defendant's driver license. Document is also used for clearing a defendant's driver license suspension. Notice shows reporting agency information, citation information, violator's information, signature of authorized court representative, complaint date, etc.

D. Retention: none
[7/13/98; 1.17.244.236 NMAC - Rn, 1 NMAC 3.2.92.244.716, 7/22/2002; A, 12/22/2002]
[Original forwarded to NM taxation and revenue department (motor vehicle division). Copy forwarded to defendant]

1.17.244.237 - 240 [RESERVED]

1.17.244.241 DOCUMENTATION TAPE FILE (SOFTWARE FILE):

A. Program: information systems division electronic files
B. Maintenance: none
C. Description: data processing tapes providing documentation for systems described in master tape file. Tapes include source programs, test data, object, executable programs, data systems specifications, systems tests documentation, file specifications, user guides, output specifications, reports, information retrieval data, etc.

D. Retention:
(1) **Approved systems:** one year after discontinuance of system provided all magnetic data files are authorized for disposal or transferred to new or alternate system

(2) **Disapproved proposed systems:** one year after date of final action

E. Confidentiality: proprietary software is confidential (copyright, protection of rights, 17 USC, Section 102, 106, and 117).

[7/13/98; 1.17.244.241 NMAC - Rn, 1 NMAC 3.2.92.244.801, 7/22/2002]

[NOTE 1: system test documentation for approved systems may be destroyed one year after completion of testing.

NOTE 2: full system back-up retained until two more full system back-ups are verified.]

1.17.244.242 MASTER FILE TAPE:

- A. Program:** information systems division electronic files
- B. Maintenance:** none
- C. Description:** data processing master tape files for information stored in information system division. Master files contain data concerning metropolitan court case management, traffic, misdemeanor citation tracking, parking violations, receipts, and accounting.
- D. Retention:** erase or dispose when data contained has met its retention period provided approval to destroy data has been received from department for which data belongs
[7/13/98; 1.17.244.242 NMAC - Rn, 1 NMAC 3.2.92.244.802, 7/22/2002]
[NOTE 1: master file tape backed up weekly with seven generations of tape. NOTE 2: last or end-of-year back-up tape shall be held until audit report released.]

1.17.244.243 JOURNAL FILE TAPE:

- A. Program:** information systems division electronic files
- B. Maintenance:** none
- C. Description:** record of every transaction [additions, deletions, updated, etc.] with before and after image.
- D. Retention:** six weeks after tape created
[7/13/98; 1.17.244.243 NMAC - Rn, 1 NMAC 3.2.92.244.803, 7/22/2002]
[NOTE: backed-up daily (uniquely) with each days tape kept.]

1.17.244.244 CASE MANAGEMENT DATABASE:

- A. Program:** information systems division electronic files
- B. Maintenance:** none
- C. Description:** shows clerk, judge, court type, date, time, page, violation date, arrest number, bond amount, bond type, bond posted by, case number, defendant name, alias, date of birth, social security number, arresting officer, arresting agency, attorney waiver, trial type, citation, statute, ordinance, charge, plea, judgment, sentence, fine, court cost, lab fee, correctional fee, school type, jail, community service, etc.
- D. Retention:**
 - (1) **Records of cases involving domestic violence, driving under the influence of liquor or drugs, and alcohol related offenses:** permanent
 - (2) **All other records:** until corresponding case file is destroyed but no longer than ten years after date record created in database.
[7/13/98; 1.17.244.244 NMAC - Rn, 1 NMAC 3.2.92.244.811, 7/22/2002]
[NOTE: permanent records may be removed from the active database and archived ten years after date created in database.]

1.17.244.245 TRAFFIC, MISDEMEANOR DATABASE:

- A. Program:** information systems division electronic files
- B. Maintenance:** none
- C. Description:** shows drivers name, address, phone number, drivers license number, CDL endorsement, state license issued, year license expires, date of birth, age, sex, height, social security number, license plate number, vehicle color, year, make, model, type of violation, statute, ordinance, date of violation, location, essential facts, officers name and identification number, date to appear in court, etc.
- D. Retention:** three years after paid, dismissed, or transferred to case management data base,
1.17.244.244 NMAC
[7/13/98; 1.17.244.245 NMAC - Rn, 1 NMAC 3.2.92.244.812, 7/22/2002]

1.17.244.246 PARKING VIOLATIONS DATABASE:

- A. Program:** information systems division electronic files
- B. Maintenance:** none
- C. Description:** shows drivers name, address, phone number, drivers license number, CDL endorsement, state license issued, year license expires, date of birth, age, sex, height, social security number, license plate number, vehicle color, year, make, model, type of violation, statute, ordinance, date of violation, location, essential facts, officers name and identification number, date to appear in court, etc.

D. Retention: 13months after date of violation
[7/13/98; 1.17.244.246 NMAC - Rn, 1 NMAC 3.2.92.244.813, 7/22/2002]

1.17.244.247 RECEIPTS DATABASE:

A. Program: information systems division electronic files
B. Maintenance: none
C. Description: shows defendant name and address, paid by name and address, amount paid, transaction date, transaction number, case or citation number, etc.

D. Retention: three years after close of fiscal year in which created
[7/13/98; 1.17.244.247 NMAC - Rn, 1 NMAC 3.2.92.244.814, 7/22/2002]

1.17.244.248 ACCOUNTING DATABASE:

A. Program: information systems division electronic files
B. Maintenance: none
C. Description: shows revenue, expenditure, encumbrance transaction, transaction date, transaction amount, check or warrant number and date, account, fund numbers, etc.

D. Retention: six years after close of fiscal year in which created
[7/13/98; 1.17.244.248 NMAC - Rn, 1 NMAC 3.2.92.244.815, 7/22/2002]

1.17.244.249 RPG III DATA BASE PROGRAMS:

A. Program: information systems division electronic files
B. Maintenance: alphabetical, numerical
C. Description: shows program software written in RPG III. Used to generate output, display data, get input documents on to system base, maintain existing data base, automatically purge files off the system, etc.

D. Retention: until superseded by new program, amended, or canceled
[7/13/98; 1.17.244.249 NMAC - Rn, 1 NMAC 3.2.92.244.821, 7/22/2002]

1.17.244.250 DATA BASE INPUT AND OUTPUT INSTRUCTIONS:

A. Program: information systems division electronic files
B. Maintenance: alphabetical, numerical
C. Description: shows field codes and or program canceled instructions for program data entry and output.

D. Retention: until superseded by new instructions, amended, or program cancelled
[7/13/98; 1.17.244.250 NMAC - Rn, 1 NMAC 3.2.92.244.822, 7/22/2002]

1.17.244.251 BENCH WARRANT LEDGER, DAILY:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows defendant name, docket number, warrant, issued by, summons date, judges name, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.251 NMAC - Rn, 1 NMAC 3.2.92.244.823, 7/22/2002]

1.17.244.252 BENCH WARRANT PENDING AUDIT REPORT, DAILY:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows job entry type, job date, job time, job user, program name, case prefix, case number, defendant sequence, status code, status date, statute bench warrant number, last update, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.252 NMAC - Rn, 1 NMAC 3.2.92.244.824, 7/22/2002]

1.17.244.253 CITATION MASTER PURGE, DAILY:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows citation number, license plate number, state, make of auto, color of auto, type of car, issue date, disposition, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.253 NMAC - Rn, 1 NMAC 3.2.92.244.825, 7/22/2002]

1.17.244.254 CRIMINAL SUMMONS RETURNED TO ACTIVE STATUS, DAILY:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows defendant name, docket number, warrant number, issued by, summons date, and judges name.

D. Retention: one year after close of calendar year in which generated
[7/13/98; 1.17.244.254 NMAC - Rn, 1 NMAC 3.2.92.244.826, 7/22/2002]

1.17.244.255 FAILURE TO PAY PROBATION COSTS AUDIT REPORT, DAILY:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows case prefix, case number, defendant name, defendant sequence, summons sequence, status code, status date, statute, bench warrant number, judge code, last user, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.255 NMAC - Rn, 1 NMAC 3.2.92.244.827, 7/22/2002]

1.17.244.256 PAYMENT TRANSACTION AUDIT REPORT, DAILY:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows journal entry, job date, job time, job user, program name, register, transaction code, cashier transaction type, citation prefix, citation number, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.256 NMAC - Rn, 1 NMAC 3.2.92.244.828, 7/22/2002]

1.17.244.257 TIME TO PAY PROBATION COSTS AUDIT REPORT, DAILY:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows case prefix, case number, defendant name, status, status date, total payments, delinquent amount, balance due, payment starting date, last payment date, last update date, last user name, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.257 NMAC - Rn, 1 NMAC 3.2.92.244.829, 7/22/2002]

1.17.244.258 TIME TO PAY PROBATION COSTS AUDIT REPORT, DAILY:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows job entry type, job date, job time, job name, job user, program name, case prefix, case number, payment start date, status code, total number of payments, delinquent amount, balance due, number of payments, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.258 NMAC - Rn, 1 NMAC 3.2.92.244.830, 7/22/2002]

1.17.244.259 FORCED HEARING DATES THROUGH CALENDARING SYSTEM:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows report date, hearing date, type, time, case number, defendant name, judge name, attorney name, user, creation date, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.259 NMAC - Rn, 1 NMAC 3.2.92.244.831, 7/22/2002]

1.17.244.260 WARRANT RECEIPT LEDGER:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows report date, warrant number, date, defendant name, bond amount, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.260 NMAC - Rn, 1 NMAC 3.2.92.244.832, 7/22/2002]

1.17.244.261 WARRANT LOG:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows, report date, warrant signed, case number, defendant name, date of birth, social security number, bond amount, bond type, date issued, type of warrant, agency, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.261 NMAC - Rn, 1 NMAC 3.2.92.244.833, 7/22/2002]

1.17.244.262 CITY PARKING CITATION EDIT:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows report date, citation number, driver license number, year, make, state, type, color, man number, date, time, location, section number, message, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.262 NMAC - Rn, 1 NMAC 3.2.92.244.834, 7/22/2002]

1.17.244.263 RESCINDS, SUSPENSIONS, CLEARANCES, CONVICTIONS:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows report date, transaction code, defendant name, driver license number, date of birth, social security number, violation date, county, agency, citation number, check digit, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.263 NMAC - Rn, 1 NMAC 3.2.92.244.835, 7/22/2002]

1.17.244.264 TIME TO PAY DEFENDANTS PAID IN FULL:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows report date, case number, probation officers initials, defendant name, total probation cost, probation period end date, paid in full date, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.264 NMAC - Rn, 1 NMAC 3.2.92.244.836, 7/22/2002]

1.17.244.265 PAID CRIMINAL SUMMONS LISTING - PROBATION COSTS:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows report date, case number, probation officers initials, defendant name, payment date, transaction code, payment amount, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.265 NMAC - Rn, 1 NMAC 3.2.92.244.837, 7/22/2002]

1.17.244.266 PAID CRIMINAL SUMMONS LISTING:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows report date, case number, judge, defendant, payment date, transaction date, payment amount, etc.

D. Retention: one year after date generated
[7/13/98; 1.17.244.266 NMAC - Rn, 1 NMAC 3.2.92.244.838, 7/22/2002]

1.17.244.267 CASELOAD INVENTORY REPORT:

A. Program: information systems division electronic files

B. Maintenance: chronological

C. Description: shows report date, charge, number of cases filed, number of cases disposed, total, etc.

D. Retention: two years after date generated
[7/13/98; 1.17.244.267 NMAC - Rn, 1 NMAC 3.2.92.244.839, 7/22/2002]

1.17.244.268 DWI SCHOOL FEE RECEIPTS:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, court date, case number, defendant, description, amount collected, comments, total DWI school fees, total traffic safety fees, grand total, etc.

D. Retention: two years after date generated
[7/13/98; 1.17.244.268 NMAC - Rn, 1 NMAC 3.2.92.244.840, 7/22/2002]

1.17.244.269 CITY PARKING TICKET RECEIPTS:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, date, register, cashier, transaction, time, citation, amount paid, report total, count, etc.

D. Retention: two years after date generated
[7/13/98; 1.17.244.269 NMAC - Rn, 1 NMAC 3.2.92.244.841, 7/22/2002]

1.17.244.270 MANNER OF DISPOSITION:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, charge type, DWI, felony, non-traffic misdemeanor, parking, traffic, domestic violence, dismissed, nolle pro, guilty plea, bail forfeiture, jury trial conviction, jury trial acquittal, total, etc.

D. Retention: two years after date generated
[7/13/98; 1.17.244.270 NMAC - Rn, 1 NMAC 3.2.92.244.842, 7/22/2002]

1.17.244.271 AGE OF PENDING CASES:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, total pending 3-30 days, total pending 31-60 days, total pending 61-90 days, total pending 91-120 days, total pending 121-150 days, total pending 151-180 days, total pending over 180 days, CR case count, CR case percentage, TR case count, TR case percentage, PR case count, PR case percentage, MR case count, MR case percentage, etc.

D. Retention: two years after date generated
[7/13/98; 1.17.244.271 NMAC - Rn, 1 NMAC 3.2.92.244.843, 7/22/2002]

1.17.244.272 AGE OF CASES AT DISPOSITION:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, total disposed 3-30 days, total disposed 31-60 days, total disposed 61-90 days, total disposed 91-120 days, total disposed 121-150 days, total disposed 151-180 days, total disposed over 180 days, CR case count, CR case percentage, TR case count, TR case percentage, PR case count, PR case percentage, MR case count, MR case percentage, etc.

D. Retention: two years after date generated
[7/13/98; 1.17.244.272 NMAC - Rn, 1 NMAC 3.2.92.244.844, 7/22/2002]

1.17.244.273 DWI SENTENCING REPORT:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, case number, name and address of defendant, charge, date and sentence, judge, cases listed, etc.

D. Retention: two years after date generated
[7/13/98; 1.17.244.273 NMAC - Rn, 1 NMAC 3.2.92.244.845, 7/22/2002]

1.17.244.274 DWI SENTENCING SUMMARY:

- A. Program:** information systems division electronic files
- B. Maintenance:** chronological
- C. Description:** shows report date, age at disposition, disposition by breath alcohol test, representation, DWI 1 through DWI 7, total, etc.
- D. Retention:** two years after date generated
[7/13/98; 1.17.244.274 NMAC - Rn, 1 NMAC 3.2.92.244.846, 7/22/2002]

1.17.244.275 DWI SENTENCING REPORT BY JUDGE:

- A. Program:** information systems division electronic files
- B. Maintenance:** chronological
- C. Description:** shows report date, total cases, fines set, suspended, total fines, court costs set, suspended, total, corrections fees set, suspended, total, lab fee set, suspended, total, school fee set, suspended, total, jail time served set, suspended, total, screening, first offender, community service, cases, hours, supervised probation /90 days or less or over 90 days, unsupervised probation /90 days or less or over 90 days, judicial division, total, etc.
- D. Retention:** two years after date generated
[7/13/98; 1.17.244.275 NMAC - Rn, 1 NMAC 3.2.92.244.847, 7/22/2002]

1.17.244.276 CASES PENDING OVER 120 BUT LESS THAN 150 DAYS:

- A. Program:** information systems division electronic files
- B. Maintenance:** chronological
- C. Description:** shows report date, case number, defendant, date filed, days pending, waived six month rule, judge, comments, summary by judge, count of pending cases, etc.
- D. Retention:** two years after date generated
[7/13/98; 1.17.244.276 NMAC - Rn, 1 NMAC 3.2.92.244.848, 7/22/2002]

1.17.244.277 CASES PENDING OVER 150 BUT LESS THAN 180 DAYS:

- A. Program:** information systems division electronic files
- B. Maintenance:** chronological
- C. Description:** shows report date, case number, defendant, date filed, days pending, waived six month rule, judge, comments, summary by judge, count of pending cases, etc.
- D. Retention:** two years after date generated
[7/13/98; 1.17.244.277 NMAC - Rn, 1 NMAC 3.2.92.244.849, 7/22/2002]

1.17.244.278 CASES PENDING OVER 120 BUT LESS THAN 180 DAYS:

- A. Program:** information systems division electronic files
- B. Maintenance:** chronological
- C. Description:** shows report date, case number, defendant, date filed, days pending, waived six month rule, judge, comments, summary by judge, count of pending cases, etc.
- D. Retention:** two years after date generated
[7/13/98; 1.17.244.278 NMAC - Rn, 1 NMAC 3.2.92.244.850, 7/22/2002]

1.17.244.279 MONTHLY SUMMONS STATISTICS:

- A. Program:** information systems division electronic files
- B. Maintenance:** chronological
- C. Description:** shows years after date generated total number of summons, total disposed, total warrants, other, judicial division, total, etc.
- D. Retention:** two years after date generated
[7/13/98; 1.17.244.279 NMAC - Rn, 1 NMAC 3.2.92.244.851, 7/22/2002]

1.17.244.280 MONTHLY LISTING OF DWI SENTENCES DEFERRED OR ADVISED:

- A. Program:** information systems division electronic files
- B. Maintenance:** chronological
- C. Description:** shows report date, case number, hearing date, deferred, advised, defendant name, citation number, charge description, statute, judge, etc.

D. Retention: two years after date generated
[7/13/98; 1.17.244.280 NMAC - Rn, 1 NMAC 3.2.92.244.852, 7/22/2002]

1.17.244.281 MONTHLY LISTING OF CASES DEFERRED OR ADVISED:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, case number, hearing date, deferred, advised, defendant name, citation number, charge description, statute, judge, etc.
D. Retention: two years after date generated
[7/13/98; 1.17.244.281 NMAC - Rn, 1 NMAC 3.2.92.244.853, 7/22/2002]

1.17.244.282 APD PARKING CITATION SUMMARY:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, section number, description, date filed, number paid, total, etc.
D. Retention: two years after date generated
[7/13/98; 1.17.244.282 NMAC - Rn, 1 NMAC 3.2.92.244.854, 7/22/2002]

1.17.244.283 CIVIL DIVISION MONTHLY STATISTICS, CASES DISPOSED BY DISPOSITION CODE, CODES COUNTED ONLY ONCE PER CASE:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, code, description, count, total number of cases disposed, etc.
D. Retention: two years after date generated
[7/13/98; 1.17.244.283 NMAC - Rn, 1 NMAC 3.2.92.244.855, 7/22/2002]

1.17.244.284 CIVIL DIVISION MONTHLY STATISTICS, CASES DISPOSED BY DISPOSITION CODE, ALL DOCKETED CODES:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, code, description, count, total number of cases disposed, etc.
D. Retention: two years after date generated
[7/13/98; 1.17.244.284 NMAC - Rn, 1 NMAC 3.2.92.244.856, 7/22/2002]

1.17.244.285 CIVIL DIVISION MONTHLY STATISTICS/CASES DISPOSED BY DISPOSITION CODE:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, code, description, count, total number of cases disposed, etc.
D. Retention: two years after date generated
[7/13/98; 1.17.244.285 NMAC - Rn, 1 NMAC 3.2.92.244.857, 7/22/2002]

1.17.244.286 CIVIL DIVISION MONTHLY STATISTICS, CASE FILINGS BY TYPE:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, code, description, under \$2000.00, over \$2000.00, total filings by account, total number of cases filed, etc.
D. Retention: two years after date generated
[7/13/98; 1.17.244.286 NMAC - Rn, 1 NMAC 3.2.92.244.858, 7/22/2002]

1.17.244.287 MONTHLY NON-SUFFICIENT FUND CHECK REPORT:

A. Program: information systems division electronic files
B. Maintenance: chronological
C. Description: shows report date, register, transaction, cashier, time, date, citation number, type, description, amount, total, total breakdown by code, description, amount, etc.
D. Retention: two years after date generated

[7/13/98; 1.17.244.287 NMAC - Rn, 1 NMAC 3.2.92.244.859, 7/22/2002]

1.17.244.288 PRE-TRIAL RELEASE NO-SHOW:

- A. **Program:** information systems division electronic files
- B. **Maintenance:** chronological
- C. **Description:** shows report date, defendant name, defendant alias, date of birth, social security number, defendant mugshot, alias, etc.
- D. **Retention:** two years after date generated

[7/13/98; 1.17.244.288 NMAC - Rn, 1 NMAC 3.2.92.244.860, 7/22/2002]

1.17.244.289 CASE LOAD REPORT:

- A. **Program:** information systems division electronic files
- B. **Maintenance:** chronological
- C. **Description:** shows report date, summary by case by civil, misdemeanor, felony, traffic, parking, pending - beginning of period, filings, closures, pending - ending of period, total, summary by charge, civil filings less than \$2000.00, civil filings for \$2000.00 - \$5000.00, civil filings all other, civil closures jury trial judgments, civil closures non-jury trial judgments, civil closures default, uncontested, civil closures dismissals, civil closures all others, misdemeanor filings, misdemeanor closures jury trial judgments, misdemeanor closures non-jury trial judgments, misdemeanor closure dismissals, misdemeanor closure guilty pleas, misdemeanor closure all other, felony filings, felony closures, felony nolle prosequi, felony bond over waived, felony preliminary hearing-bond over, felony preliminary hearing discharged, felony all other, traffic filings DWI, traffic filings speeding, traffic filings suspended, revoked license, traffic filings, etc.

- D. **Retention:** two years after date generated
- [7/13/98; 1.17.244.289 NMAC - Rn, 1 NMAC 3.2.92.244.861, 7/22/2002]

1.17.244.290 STATE CRIME LAB REPORT:

- A. **Program:** information systems division electronic files
- B. **Maintenance:** chronological
- C. **Description:** shows report date, case number, agency, city lab, state lab, should be state, should be city, court date, report totals, adjusted totals, etc.

- D. **Retention:** two years after date generated
- [7/13/98; 1.17.244.290 NMAC - Rn, 1 NMAC 3.2.92.244.862, 7/22/2002]

1.17.244.291 OUTSTANDING ACCOUNTS RECEIVABLE:

- A. **Program:** information systems division electronic files
- B. **Maintenance:** chronological
- C. **Description:** shows report date, waivers, total, conversions, total deletions, adjustments, total adjustment, transfers, ending balance, fines, court costs, correction fees, lab fee, school fee, automation fee, traffic safety fee, probation costs, total, etc.

- D. **Retention:** two years after date generated
- [7/13/98; 1.17.244.291 NMAC - Rn, 1 NMAC 3.2.92.244.863, 7/22/2002]

1.17.244.292 - 300 [RESERVED]

1.17.244.301 CASH BOND FORFEITURE CALENDAR:

- A. **Program:** accounting division departmental files
- B. **Maintenance:** chronological
- C. **Description:** shows court date and time, defendant name, case number, judge, bond amount, date posted, disposition, etc.

- D. **Retention:** one year after close of fiscal year in which created
- [7/13/98; 1.17.244.301 NMAC - Rn, 1 NMAC 3.2.92.244.901, 7/22/2002]

1.17.244.302 SURETY BOND FORFEITURE CALENDAR:

- A. **Program:** accounting division departmental files
- B. **Maintenance:** chronological

C. **Description:** shows set for date, judge time, defendant, case number, bonding agent, disposition, etc.

D. **Retention:** one year after close of fiscal year in which created
[7/13/98; 1.17.244.302 NMAC - Rn, 1 NMAC 3.2.92.244.902, 7/22/2002]

1.17.244.303 CASH BOND LOGOUT:

A. **Program:** accounting division departmental files

B. **Maintenance:** chronological

C. **Description:** shows date created, date processed, stack number, cashier name, defendants name, case number, bond number, date posted, judge, bond disposition, etc.

D. **Retention:** one year after close of fiscal year in which created
[7/13/98; 1.17.244.303 NMAC - Rn, 1 NMAC 3.2.92.244.903, 7/22/2002]

1.17.244.304 BAIL BOND CONTRACT:

A. **Program:** accounting division departmental files

B. **Maintenance:** chronological, alphabetical

C. **Description:** shows case number, defendant name, bond amount, judge bond conditions, bond signature date, defendant signature, surety signature, address justification of sureties, notary public statement and signature, judge or authorized signature, etc.

D. **Retention:** six years after termination of contract provided case disposed or dismissed
[7/13/98; 1.17.244.304 NMAC - Rn, 1 NMAC 3.2.92.244.904, 7/22/2002]

1.17.244.305 MISCELLANEOUS ENCUMBRANCE DOCUMENT LOG:

A. **Program:** accounting division departmental files

B. **Maintenance:** chronological

C. **Description:** shows issue date, vendor, MED number, DFA number, account number, amount, etc.

D. **Retention:** until audit report released
[7/13/98; 1.17.244.305 NMAC - Rn, 1 NMAC 3.2.92.244.905, 7/22/2002]

1.17.244.306 PAYROLL LOG:

A. **Program:** accounting division departmental files

B. **Maintenance:** chronological, alphabetical

C. **Description:** shows date of pay period, department name, employees name, signature, etc.

D. **Retention:** until audit report released
[7/13/98; 1.17.244.306 NMAC - Rn, 1 NMAC 3.2.92.244.906, 7/22/2002]

1.17.244.307 TRANSFER CONTROL LOG:

A. **Program:** accounting division departmental files

B. **Maintenance:** chronological

C. **Description:** shows transfer number, agency, payee, encumbrance number, line item, amount, DFA number, date issued, etc.

D. **Retention:** three years after close of fiscal year in which created
[7/13/98; 1.17.244.307 NMAC - Rn, 1 NMAC 3.2.92.244.907, 7/22/2002]

1.17.244.308 VOUCHER LOG:

A. **Program:** accounting division departmental files

B. **Maintenance:** chronological

C. **Description:** shows voucher number, vendor, line item, amount, warrant number and date issued, etc.

D. **Retention:** three years after close of fiscal year in which created
[7/13/98; 1.17.244.308 NMAC - Rn, 1 NMAC 3.2.92.244.908, 7/22/2002]

1.17.244.309 JURY VOUCHER FILE:

A. **Program:** accounting division departmental files

B. **Maintenance:** chronological

C. Description: contains distribution voucher copy, jury pay sheet, payment request, panel sign in sheet, juror questionnaire, etc.

D. Retention: three years after close of fiscal year in which created
[7/13/98; 1.17.244.309 NMAC - Rn, 1 NMAC 3.2.92.244.909, 7/22/2002]

1.17.244.310 JURY AND WITNESS VOUCHER LOG:

A. Program: accounting division departmental files

B. Maintenance: chronological

C. Description: shows date sent, voucher amount, line item, warrant number, voucher number, voucher date, etc.

D. Retention: three years after close of fiscal year in which created
[7/13/98; 1.17.244.310 NMAC - Rn, 1 NMAC 3.2.92.244.910, 7/22/2002]

1.17.244.311 GRAND JURY INDICTMENT FILE:

A. Program: accounting division departmental files

B. Maintenance: chronological, alphabetical

C. Description: contains grand jury indictment transfer sheet, receipt, etc.

D. Retention: one year after date filed in accounting office
[7/13/98; 1.17.244.311 NMAC - Rn, 1 NMAC 3.2.92.244.911, 7/22/2002]

1.17.244.312 NOTICE OF REFUND DUE, COPY:

A. Program: accounting division departmental files

B. Maintenance: chronological, alphabetical

C. Description: shows date, defendant name and address, defendant date of birth and or social security number, case dismissed, case number, bond refund amount, bond posted date, instructions for refund, bond posted by, etc.

D. Retention: one year after close of month in which created
[7/13/98; 1.17.244.312 NMAC - Rn, 1 NMAC 3.2.92.244.912, 7/22/2002]

1.17.244.313 NON-SUFFICIENT FUNDS CHECK FILE:

A. Program: accounting division departmental files

B. Maintenance: chronological

C. Description: contains check copy, merchant acknowledge copy, receipt, returned uncollected check, etc.

D. Retention:

(1) **Collected funds file:** three years after close of fiscal year in which created

(2) **Uncollected funds file:** six years after date created

[7/13/98; 1.17.244.313 NMAC - Rn, 1 NMAC 3.2.92.244.913, 7/22/2002]

1.17.244.314 BOND ENVELOPES:

A. Program: accounting division departmental files

B. Maintenance: chronological, numerical

C. Description: shows defendant name, posted by, bond amount, case number, arrest number, court date, bond number, bonded out by, accepted by, etc.

D. Retention:

(1) **Applied and or disposed:** three years after close of fiscal year in which applied or disposed

(2) **Forfeited:** three years after close of fiscal year in which forfeited

(3) **Unclaimed:** three years after close of fiscal year in which bond monies transferred to NM taxation and revenue department

[7/13/98; 1.17.244.314 NMAC - Rn, 1 NMAC 3.2.92.244.921, 7/22/2002]

[NOTE: forwarded to violation division for one year; if nothing happens, back to accounting division.]

1.17.244.315 BOND REGISTER, DAILY:

A. Program: accounting division departmental files

B. Maintenance: none

C. Description: document shows program name, receipt date, case number, arrest number, defendant name, posted by, posted date, bond amount, disposition bond number, etc.

D. Retention: one year after close of fiscal year in which last disposition is entered
[7/13/98; 1.17.244.315 NMAC - Rn, 1 NMAC 3.2.92.244.931, 7/22/2002]

1.17.244.316 BOND TRANSACTION LOG, DAILY:

A. Program: accounting division departmental files

B. Maintenance: chronological

C. Description: shows date, bond number, case number, disbursement, etc.

D. Retention: until audit report released

[7/13/98; 1.17.244.316 NMAC - Rn, 1 NMAC 3.2.92.244.932, 7/22/2002]

1.17.244.317 SURETY BOND DAILY TRANSACTION SUMMARY:

A. Program: accounting division departmental files

B. Maintenance: none

C. Description: document shows run date, entry date, amount posted, amount exonerated, amount forfeited, amount paid, amount reinstated and released, amount transferred, amount reduced, total posting, agent number, agent name, misdemeanor count and amount, felony count and amount, total count and amount, collateral total, collateral available, etc.

D. Retention: until audit report released

[7/13/98; 1.17.244.317 NMAC - Rn, 1 NMAC 3.2.92.244.933, 7/22/2002]

1.17.244.318 TLOG DATA EDIT AND LIST (CASE/CITATION PAYMENT RECEIPT REGISTER) DAILY/MTR-210:

A. Program: accounting division departmental files

B. Maintenance: chronological

C. Description: shows register number, salesperson, transaction number, transaction date, time, citation number, amount paid, type, message, total, description, errors, etc.

D. Retention: until audit report released

[7/13/98; 1.17.244.318 NMAC - Rn, 1 NMAC 3.2.92.244.934, 7/22/2002]

1.17.244.319 - 320 [RESERVED]

1.17.244.321 SUPERVISORS EMPLOYEE FILE:

A. Program: personnel division departmental files

B. Maintenance: alphabetical

C. Description: contains critical incident log, copy of performance standards, acknowledgment of receipt of performance standards, job description and personnel rule, performance appraisal form copy, Fair Labor Standards Act copy, etc.

D. Retention: until transfer or termination of employee

[7/13/98; 1.17.244.321 NMAC - Rn, 1 NMAC 3.2.92.244.951, 7/22/2002]

[NOTE 1: maintained by supervisors in each division. NOTE 2: all documentation contained in this file shall be reflected in the employees personnel file.]

1.17.244.322 INTERVIEW FILE:

A. Program: personnel division departmental files

B. Maintenance: chronological

C. Description: contains position tool number, position title, application, scores, names of interview panel members, interview scores, recommendation letter from the interview panel to the appointing authority, copy of letter of appointment, copy of rejection letter, etc.

D. Retention: three years after date created

[7/13/98; 1.17.244.322 NMAC - Rn, 1 NMAC 3.2.92.244.952, 7/22/2002]

1.17.244.323 - 330 [RESERVED]

1.17.244.331 CLERK SCHEDULE, WEEKLY:

- A. **Program:** courtroom clerk division departmental files
- B. **Maintenance:** chronological
- C. **Description:** shows date, clerk, rotation, judge, court room number, type of cases, etc.
- D. **Retention:** 30 days after date created

[7/13/98; 1.17.244.331 NMAC - Rn, 1 NMAC 3.2.92.244.975, 7/22/2002]

1.17.244.332 - 340 [RESERVED]

1.17.244.341 MEDIATION CASE FILES:

- A. **Program:** mediation
- B. **Maintenance system:** alphabetical by plaintiff surname. [File label identification consists of plaintiffs' names, mediation log number, and civil court case number.]
- C. **Description:** records concerning lawsuits filed at Bernalillo metropolitan court where parties who are involved in the dispute opt to participate in mediation to find a solution that meets their needs. File may contain: *mediation referral*; signed *agreement to mediate*; intake sheet; scheduling and rescheduling letters (copies); case history notes; disposition (copy); mediator notes; correspondence; memoranda; etc.
- D. **Retention:** five years after close of calendar year for which created. [Mediator notes are destroyed at the end of mediation.]
- E. **Confidentiality:** Portions of file may be confidential (i.e., phone numbers, case history notes).

[1.17.244.341 NMAC - N, 1/5/2004]

1.17.244.342 MEDIATION CASE LOG:

- A. **Program:** mediation
- B. **Maintenance system:** chrono-numerical by mediation log number [e.g., 03AUG904. The initial series of numbers indicates the year, then followed by the intake month. The number after the intake month indicates how many cases have come into the division for the year.]
- C. **Description:** records used to track the status of mediation cases and used to create statistical reports. Log may show number of cases, number of mediations, case (mediation) outcome (disposition), case type (i.e., landlord and tenant, consumer, debt collection, neighbor to neighbor, etc.), assigned judge, assigned mediators, etc.

- D. **Retention:** until corresponding 1.17.244.341 NMAC *mediation case files* destroyed
- [1.17.244.342 NMAC - N, 1/5/2004]

1.17.244.343 MEDIATION STATISTICS REPORTS:

- A. **Program:** mediation
- B. **Maintenance system:** chronological by date report created
- C. **Description:** periodic reports that document the program activity of the mediation division and used to track mediation trends. Reports may show number of cases reviewed, number of case intakes, number of mediations, agreement rate, etc.

- D. **Retention:**
 - (1) **annual calendar reports.** five years after close of calendar year for which created
 - (2) **annual fiscal reports.** five years after close of fiscal year for which created
 - (3) **monthly reports.** two years after corresponding annual report is released

[1.17.244.343 NMAC - N, 1/5/2004]

[The annual report contains cumulative information for the year. The information on the monthly reports can be different in that they track the status of a case for the particular month.]

HISTORY OF 1.17.244 NMAC:

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

SRC Rule No. 92-06, Records Retention and Disposition Schedule for Bernalillo County Metropolitan Court, 5/7/93.

SRC Rule 82-4, Records Retention and Disposition Schedule for Metropolitan Court, 12/14/81.

History of Repealed Material: [RESERVED]