

RECORDS RETENTION AND DISPOSITION SCHEDULE



DRUG TREATMENT COURTS

**DIVISION OF COURT OPERATIONS
OFFICE OF RECORDS MANAGEMENT**

Rev. May 2009

RECORDS OF THE DRUG TREATMENT COURTS

PLEASE NOTE

A RECORDS DISPOSITION REQUEST FORM must be submitted and approved prior to the disposal of **any** records in accordance with the Records Retention and Disposition Schedules.

Records Disposition Request Forms can be obtained at:
http://www.nycourts.gov/admin/recordsmanagement/too_forms.shtml

Return all completed forms to:
N.Y.S. Office of Court Administration
Division of Court Operations
Office of Records Management
25 Beaver Street - Room 883
New York, NY 10004
TEL: 212- 428-2875
FAX: 212- 428-2880
E-mail: DISPOREQ@courts.state.ny.us

Please Note: This retention schedule is printed in a color format to facilitate identification of purgable records.

Color Codes for Record Series Numbers and Titles:

Red = Permanent Records

Green = Purgable Records

Orange = Both Permanent and Purgable Records

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NEW YORK STATE UNIFIED COURT SYSTEM

DRUG TREATMENT COURTS

RECORDS RETENTION AND DISPOSITION SCHEDULE

CASE FILES

A case file contains all papers and documents relating to the proceedings of a treatment program participant, including any trial case papers forwarded from the originating Family and Criminal Courts. Documents include but are not limited to: participant's information intake and/or data sheet(s); participant's Plea Agreement or Contract; copies of Court Orders from Family or Criminal Court; Department of Social Services' Mental Health Report(s); Drug Treatment Court Program Update Biopsychosocial Report(s); Treatment Providers' Psychosocial Assessment(s); Drug Treatment Court Plans Monitoring Report(s); copies of participant's medical record(s) and/or report(s); Drug Treatment Court Progress Form(s); copies of Court Case Summaries of Proceedings; Drug Treatment Court's Weekly Progress Report(s); Drug Treatment Court Plan(s); Treatment Center Referral Form(s); participant's Consent and Authorization for Release and/or Disclosure of Confidential Information Form(s); copies of pharmaceutical prescriptions, representative counsel letters, alien and/or visa cards; Judge's Participant Progress Report(s); Treatment Facility Drug Testing Toxicology Report(s); copies of school records, correspondence and Certificates for Treatment Program Completion.

Note that some Courts currently store some of the documents listed above separately from the case file. These documents have been distinguished as a separate record series in this Schedule, but have the same retention requirements as the related case file.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
DT - 010.	DRUG TREATMENT COURT PROGRAM CASE FILES	
	Records used for monitoring and/or assessing progress made by alcohol and substance abuse program participants of the Drug Treatment Court.	
	a) DRUG TREATMENT COURT PROGRAM RECORDS	a) Retain for six years after discharge or until completion of all requirements of participant's plea agreement/ contract, whichever is later, then destroy.
	b) TRIAL COURT RECORDS	b) Retain until all requirements of the Drug Treatment Court Program Records are completed, then destroy all duplicates immediately and return records to originating trial Court.

SUPPLEMENTAL CASE RECORDS

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
DT - 020.	DEFENDANT CRIMINAL HISTORY RECORDS (also known as "RAP SHEETS") Arrest and case disposition records of defendants.	Destroy immediately after superseded or after DRUG TREATMENT COURT PROGRAM CASE is completed, whichever occurs first, then destroy.

SERIES #

RECORD SERIES

RETENTION

DT - 030.

**UNIVERSAL TREATMENT
APPLICATION (UTA) DATABASE
FILES**

Records used for managing and/or administering information obtained on Drug Treatment Court participants. Information includes but is not limited to: participant name(s) and identification number(s); docket number(s); release statuses: top charge(s); plea conviction charge(s); participant interview date(s); interested program(s); case disposition(s); date(s) of drug testing, plea agreement and drug treatment court hearings; referral treatment plan(s); participant address(es) and telephone number(s); whether participant(s) can speak, read and/or write English; birth date, age, country of citizenship of participant (s), date(s) of residency; social security number(s); country of birth; race(s)/ethnicity; marital statuses; sexual preference(s); assessment location(s); whether participant(s) owns an alien green card, valid driver's license and employee identification card; number(s) of treatment plans used; participant(s) employment status, primary means of financial support, veteran status, home and social environment; number of children; participant(s) physical and mental health, whether participant(s) were victim of a crime, used alcohol and/or drugs; past treatment history(s) and barrier(s) to hinder treatment(s); requested treatment(s); comments on participant(s) progress.

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
DT - 030.	UNIVERSAL TREATMENT APPLICATION (UTA) DATABASE FILES (continued)	
	a) UTA TREATMENT PROGRAM CASE FILES	a) Considered to be part of the DRUG TREATMENT COURT PROGRAM CASE FILE. Retain for same length of time as DRUG TREATMENT COURT PROGRAM CASE FILE.
	b) UTA TREATMENT PROGRAM ANALYSIS REPORTS	b) Considered to be part of the DRUG TREATMENT COURT PROGRAM CASE FILE. Retain for same length of time as DRUG TREATMENT COURT PROGRAM CASE FILE.
	c) UTA DATABASE ENTRY FORMS	c) Retain until information is entered into UTA DATABASE FILES and quality control is conducted, then destroy.

CASE MANAGEMENT RECORDS

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
DT - 040.	STATISTICAL/ ADMINISTRATIVE REPORTS Record created to document current status of incoming and/or outgoing Drug Treatment Court Program Cases. Information includes but is not limited to: Court and location; month(s) and year(s) being reported; status of new and old case(s); sex (male/female) of treatment participant(s), status of intake and eligible determination; number of arraignment charges; age of participant(s); number by race/ethnicity of participant(s); primary drug(s) of choice of participant(s); number of opened, warranted, graduated and failed case(s).	Retain until updated or until no longer needed, whichever is sooner, then destroy.

FISCAL RECORDS

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
DT - 050.	<p>GRANT PROGRAM FILES</p> <p>Records created to document grant applications and/or programs for Federally sponsored Drug Treatment Courts of the Unified Court System. Includes but is not limited to: award letter(s)/notice(s), Categorical Assistance Progress Report(s) (C.A.P.R.), request for grant extension(s), Quarterly Financial Statement Report(s), approval for budget modification(s), process evaluation report(s), drug court agreement(s) or contract(s) for acquiring outside service(s), rejection grant letter(s), m e m o r a n d u m s , correspondence and all supporting documentation.</p>	
	<p>a) APPROVED GRANTS</p>	<p>a) Retain for six fiscal years after lapse of grant or final payment, whichever is later, then destroy.</p>
	<p>b) DENIED OR UNSUCCESSFUL GRANTS</p>	<p>b) Retain for two fiscal years, then destroy.</p>

<u>SERIES #</u>	<u>RECORD SERIES</u>	<u>RETENTION</u>
DT - 060.	PERFORMANCE BASED CONTRACT (P.B.C.) INVOICES	Considered to be part of the GRANT PROGRAM FILE. File in GRANT PROGRAM FILE. If maintained separately, retain for same length of time as GRANT PROGRAM FILE.
	<p>Documents used by Drug Treatment Courts of New York City to request payment from Federally awarded Grant funds managed by the Mayor's Office. Include but are not limited to: correspondence; memorandum(s); invoice(s); copies of contract(s); list of name(s) and identification number of participant(s); billing information.</p>	

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