

**IOP 9.222-2 – Record Retention Policy.** As a general principle, the maintenance of Commission records in digital format is preferred.

In order to maintain the Commission’s files and records in a manageable and consistent manner, the Commission adopts the following policy:

### **1) Records Relating to Requests for Investigation**

a) The Commission authorizes the destruction of records relating to requests for investigation according to the following guidelines, subject to material information from the case summary and data entry sheets having been entered into the Commission’s case tracking database.

#### **i) Physical Records**

- (1) Straight Dismissals:** When the Commission has dismissed the case with or without a full investigation and with no action other than straight dismissal, the physical file shall be preserved for one year following the disposition date. The “file” consists of the request for investigation; any memoranda of interviews; all correspondence with the respondent; the votes of the Commission; all correspondence with the grievant; and such other materials as are helpful to understanding the investigation. The file does not include the notes of the staff attorneys or any other materials that are not materially helpful to understanding the investigation.
- (2) Dismissals with Action:** When the Commission has dismissed with explanation, caution, admonition, or with conditions, the physical file shall be preserved for three years after final disposition.
- (3) Public Proceedings:** In any case in which the Commission files public charges against a judge, regardless of the ultimate disposition, the physical file shall be preserved for five years after final disposition. In the case of public proceedings, the file include all materials identified above, plus all pleadings, exhibits, transcripts, rulings and reports by the master, the records of public Commission proceedings, the Commission’s recommendation to the Supreme Court, and all orders of the Supreme Court that pertain to the case.

- b) **Digital Records:** The Commission shall permanently maintain digital copies of the records described above. Staff shall not destroy the physical records until it has verified that the digital records are preserved.

## 2) **Financial, Administrative, and Membership Records**

- a) **Commission Financial and Administrative Records:** The Commission shall maintain physical copies of documents related to Commission finances and the administration of the Commission for two years. Digital copies of such records shall be maintained for a minimum of seven years. After seven years the digital records may be purged at the Executive Director's discretion.
- b) **Personnel records:** The Commission shall maintain physical copies of all personnel records during the duration of employment plus two years. Digital copies of such records shall be maintained permanently.
- c) **Commission Membership Records:** The Commission shall maintain physical copies of documents related to the appointment and terms of members for the duration of each member's active term plus two years. Digital copies of such records shall be maintained permanently.
- d) **Commission Meeting Minutes.** The Commission shall maintain a physical copy of meeting minutes for two years following the year in which a meeting takes place. Digital copies of meeting minutes shall be maintained permanently.
- e) **Records Relating to General Commission Correspondence:** The Commission shall maintain hard copies of general correspondence for two years. Digital records of such correspondence shall be maintained permanently.
- f) **Miscellaneous Records:** Records not otherwise governed by the guidelines set forth above may be maintained, physically or digitally, to the extent the Executive Director deems them to have on-going reference or other value.

- 3) **Disposal of Materials:** The Executive Director shall arrange for the secure and confidential disposal of all materials designated for destruction.