

Updated Disposition Report instructions and address 11/2022
No changes were made to records retention

Schedule 99

LINCOLN CITY ATTORNEY

MARCH 12, 2008

Nebraska Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
(402) 471-2559

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

SCHEDULE	99
AGENCY, BOARD OR COMMISSION	Lincoln City Attorney
DIVISION, BUREAU OR OTHER UNIT	

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

PART I -- AGENCY STATEMENT

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

Wm W. Pagan
SIGNATURE

City Attorney
TITLE

3/6/08
DATE

PART II - ARCHIVAL APPROVAL

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

Andrea I. Falt
SIGNATURE

STATE ARCHIVES

Mar 10, 2008
DATE

PART III -- APPROVAL BY STATE RECORDS ADMINISTRATOR

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

John A. Dale
SIGNATURE

STATE RECORDS ADMINISTRATOR

March 12, 2008
DATE

RMA 01005D

INSTRUCTIONS FOR USING THIS SCHEDULE

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

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over General Records Schedule #24 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods. Unless there is pending or on going, legal action, records request, or audit.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives**. The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Nebr. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. https://appengine.egov.com/apps/ne/sos_records_disposition_report. This report establishes that the destruction was performed in your normal course of business.

NON-SCHEDULED RECORDS

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

SCHEDULE UPDATE

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

QUESTIONS

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

**Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
402-471-2559**

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SCHEDULE 99 – CITY ATTORNEY OFFICE

99-1 CIVIL DIVISION

99-1-1 CIVIL LITIGATION CASE FILES

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

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

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

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

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

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

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

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

99-1-4 DISCRIMINATION - NEOC/EEOC COMPLAINTS

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

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

99-1-5 PERSONNEL COMPLAINTS - EMPLOYEE GRIEVANCES

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

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

99-1-6 WORKER'S COMPENSATION REFERRALS

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

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

99-1-7 GENERAL PROJECT / WORK PRODUCT

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

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

99-1-8 SUBDIVISIONS

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

Dispose of when no longer of administrative value.

99-2 PROSECUTION DIVISION

99-2-1 MISDEMEANOR / TRAFFIC VIOLATIONS

Citation; reports; and prosecutor's notes.

Return to investigating agency after case closed.

99-2-2 DWI CASE FILES

Citation; reports; and prosecutor's notes.

Dispose of 3 years after final disposition.

99-2-3 CODE COMPLAINTS

Complaint; reports; and prosecutor's notes.

Dispose of 3 years after final disposition.

99-2-4 JUVENILE COURT / REFERRED TO DIVERSION

Complaint; reports; and prosecutor's notes

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

99-2-5 COURTSHEETS/RECORD OF COURT ACTIVITY

Record of cases heard and prosecutor's comments.

ARRAIGNMENT: Dispose of 1 year after court date.

TRIAL: Dispose of 2 years after court date.

PROBATION: Dispose of 1 year after court date.