

# **Schedule 74**

# **SUPREME COURT**

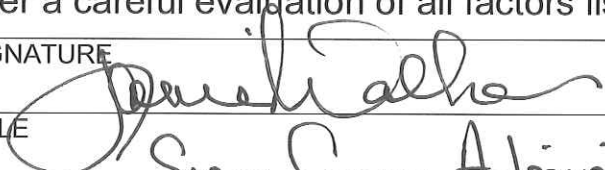
# **PROBATION ADMINISTRATION**

**July 24, 2012**


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

<b>REQUEST FOR APPROVAL OF RECORDS RETENTION AND DISPOSITION SCHEDULE</b>	SCHEDULE <b>74</b>
	AGENCY, BOARD OR COMMISSION <b>SUPREME COURT</b>
<b>TO: STATE RECORDS ADMINISTRATOR STATE OF NEBRASKA</b>	DIVISION, BUREAU OR OTHER UNIT <b>PROBATION ADMINISTRATION</b>
	<b>Supersedes Edition of May 3, 1988</b>


**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.		
SIGNATURE 		
TITLE State Court Administrator	DATE July 18, 2012	

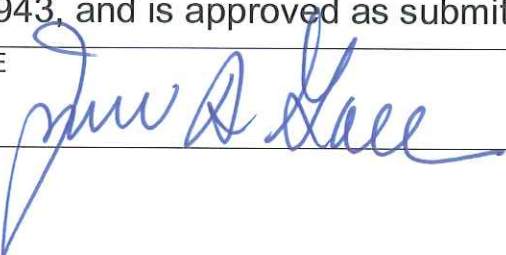
**PART II – APPROVAL OF STATE ARCHIVES:**

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.	
SIGNATURE 	DATE 7/24/2012

**PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:**

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.	
SIGNATURE 	DATE 7/19/12

**PART IV – APPROVAL OF 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.	
SIGNATURE 	DATE 7/24/12

## **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 State Agencies General Records Schedule #124 contains those records common to most state 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 your 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 State Agencies General Records Schedule #124 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** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. 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](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.

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

**SCHEDULE 74  
SUPREME COURT  
PROBATION ADMINISTRATION**

July 24, 2012

Retention requirements are for all records, regardless of the media on which they reside, unless otherwise noted.

Supersedes Edition of May 3, 1988

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
074-001-000-000-000-000-000	ADMINISTRATIVE OFFICE - INTERSTATE PROBATION FILES	Files pertaining to probationers who have transferred out of Nebraska to other states or to Nebraska from other states. May include, but not limited to: presentence investigation, predisposition investigation, PSI/PDI updates, reports to the court, probation officer notes, court orders, probation orders and any other work product the Probation districts deem pertinent.	<b>ORIGINAL RECORD:</b> <b>HOMICIDE:</b> Permanent OR microfilm and destroy originals pursuant to AUTHORITY FOR DISPOSAL OF RECORDS AFTER MICROFILMING, item 124-012 <b>ALL OTHER:</b> 1 year after release/ revocation from probation OR after image verification following a durable medium conversion pursuant to AUTHORITY FOR DISPOSAL OF RECORDS FOLLOWING A DURABLE MEDIUM PROCESS CONVERSION, item 124-013 <b>NPACS &amp; ELECTRONIC RECORDS:</b> <b>HOMICIDE:</b> Permanent <b>ALL OTHERS:</b> 1 year after release or revocation from probation	<ul style="list-style-type: none"> <li>•Original records medium: Paper, electronic or combination of these mediums</li> <li>•Office of Record - District offices, administrative office or with the transferring state</li> <li>•Confidential record, Neb. State Statute §84-712.05</li> <li>•Secure disposal required</li> </ul>
074-002-000-000-000-000-000	ADMINISTRATIVE OFFICE - NEBRASKA PROBATION APPLICATION COMMUNITY SAFETY (NPACS)	The NPACS Case Management System contains the official index and records of probation. The electronic records are backed up as part of the OCIO Disaster Recovery items, 124-041 through 124-043.	<b>See items 074-001 and 074-004 to 074-007</b>	Confidential record, Neb. State Statute §84-712.05
074-003-000-000-000-000-000	ADMINISTRATIVE OFFICE - PROBATION EMPLOYEE PERSONNEL/EDUCATION FILE	Educational aids and records relating to training session for probation officers. Files are chronological according to session date and may include, but not limited to: speeches, studies, correspondence, agendas, discussion topics and sample information.	<b>PAPER RECORD:</b> 10 years after resignation, retirement, or termination from employment OR destroy after image verification following a durable medium conversion pursuant to AUTHORITY FOR DISPOSAL OF RECORDS FOLLOWING A DURABLE MEDIUM PROCESS CONVERSION, item 124-013 <b>ELECTRONIC RECORDS:</b> 10 years after resignation, retirement, or termination from employment	<ul style="list-style-type: none"> <li>•Confidential record, Neb. Rev. Stat. 84-712.05</li> <li>•Secure disposal required</li> </ul>

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
074-004-000-000-000-000-000	<b>ADMINISTRATIVE OFFICE - PROVIDER FILES AND LISTS</b>	Files kept on individuals, organizations or companies that provide services for individuals on probation. May include, but not limited to: application, appeal and renewal records. Lists may include, but not limited to: Name, agency, location, phone, fax and services provided.	<b>Superseded</b>	
074-005-000-000-000-000-000	<b>DISTRICT OFFICE - PRESENTENCE INVESTIGATIONS REPORTS (INDIVIDUALS DENIED PROBATION)</b>	Case history investigations of legal offenders collected prior to sentencing. Information may include, but is not limited to: police records, mental and medical records, driving records, FBI reports, complaints, records of previous convictions and other background materials.	<b>PAPER RECORD:</b> <b>CONVICTIONS INVOLVING DEATH OF A PERSON:</b> Permanent OR microfilm and destroy originals pursuant to AUTHORITY FOR DISPOSAL OF RECORDS AFTER MICROFILMING, item 124-012 <b>ALL OTHERS:</b> 10 years after probation denied OR destroy after image verification following a durable medium conversion pursuant to AUTHORITY FOR DISPOSAL OF RECORDS FOLLOWING A DURABLE MEDIUM PROCESS CONVERSION, item 124-013 <b>NPACS &amp; ELECTRONIC RECORDS:</b> <b>CONVICTIONS INVOLVING DEATH OF A PERSON:</b> Permanent <b>ALL OTHERS:</b> 10 years after probation denied <b>SECURITY MICROFILM:</b> Transfer to off-site security location; permanent <b>MICROFILM WORK COPY:</b> Permanent	<ul style="list-style-type: none"> <li>•Confidential record, Neb. Rev. Stat. 84-712.05</li> <li>•Secure disposal required</li> <li>•Copy of record sent to the Diagnostic and Evaluation Center if the offender is sent to the Nebraska Penal Complex</li> </ul>

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
074-006-000-000-000-000-000	<b>DISTRICT OFFICE - PROBATION FILES, ADULT</b>	Records of individuals placed on probation in Nebraska. May include, but not limited to: Presentence investigation, PSI updates, reports to the court, probation officer notes, court orders, probation orders and any other work product the probation district deems pertinent.	<p><b>ORIGINAL RECORD:</b>  <b>HOMICIDE:</b> Permanent OR microfilm and destroy originals pursuant to AUTHORITY FOR DISPOSAL OF RECORDS AFTER MICROFILMING, item 124-012</p> <p><b>ALL OTHER:</b> 10 years after release/revocation from probation OR after image verification following a durable medium conversion pursuant to AUTHORITY FOR DISPOSAL OF RECORDS FOLLOWING A DURABLE MEDIUM PROCESS CONVERSION, item 124-013</p> <p><b>NPACS &amp; ELECTRONIC RECORDS:</b>  <b>HOMICIDE:</b> Permanent  <b>ALL OTHERS:</b> 10 years after release or revocation from probation</p>	<ul style="list-style-type: none"> <li>•Confidential record, Neb. Rev. Stat. 84-712.05</li> <li>•Secure disposal required</li> </ul>
074-007-000-000-000-000-000	<b>DISTRICT OFFICE - PROBATION FILES, JUVENILE</b>	Juvenile intake or records of juveniles placed on probation in Nebraska. May include, but not limited to: Presentence investigation, predisposition investigation, PDI updates, reports to the court, probation officer notes, court orders, probation orders and any other work product the probation district deems pertinent.	<p><b>ORIGINAL RECORD:</b> 10 years after release/revocation from probation OR after image verification following a durable medium conversion pursuant to AUTHORITY FOR DISPOSAL OF RECORDS FOLLOWING A DURABLE MEDIUM PROCESS CONVERSION, item 124-013</p> <p><b>NPACS &amp; ELECTRONIC RECORDS:</b>  10 years after release or revocation from probation</p>	<ul style="list-style-type: none"> <li>•Confidential record, Neb. Rev. Stat. 43-2,108</li> <li>•Secure disposal required</li> </ul>

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
74-2-5-1	<b>ADMINISTRATIVE OFFICE - PROBATION PROFILE, STATE (ACTIVE CASES)</b>	Cumulative quarterly computer report of all active probationers in the State Probation System by district. This report replaced the PROBATION PROFILE - PROBATIONER INDEX FILE, item 74-2-6, that became an optional record in 1977. Records included: probationers ID number, district and suboffice, name, address, crime category, sex, race, marital status, education, color of hair and eyes, Social Security number, crime code offense number, felony or misdemeanor code, county number, judge number, officer number, Court type, date and place of birth, date of probation joint supervision to or from other districts or states, presentence disposition if applicable and NCIS assigned number for statewide network of crime information (if applicable).	<b>Immediate disposal</b>	<ul style="list-style-type: none"> <li>•Obsolete 2000</li> <li>•Confidential record, Neb. State Statute §84-712.05</li> <li>•Secure disposal required</li> </ul>
74-1-4-1	<b>ADMINISTRATIVE OFFICE - RELEASE PROBATION AND PRESENTENCE ACTIVE REPORT</b>	Cumulative quarterly computer report of all active probationers in the State Probation System by district. May include: Probationers ID number, district and suboffice, name, address, crime category, sex, race, marital status, education, color of hair and eyes, Social Security number, crime code offense number, felony or misdemeanor code, county number, judge number, officer number. Court type, date and place of birth, date of probation, joint supervision to or from other districts or states, pre-sentence disposition if applicable, and NCIS assigned number for statewide network of crime information if applicable.	<b>Immediate disposal</b>	<ul style="list-style-type: none"> <li>•Obsolete 2000</li> <li>•Confidential record - Neb. Rev. Stat. §84-712.05</li> <li>•Secure disposal required</li> </ul>
74-1-4-2	<b>ADMINISTRATIVE OFFICE - RELEASE PROBATION AND PRESENTENCE INACTIVE REPORT</b>	Periodic cumulative computer report of all probationers on inactive status.	<b>Immediate disposal</b>	<ul style="list-style-type: none"> <li>•Obsolete 2000</li> <li>•Confidential record - Neb. Rev. Stat. §84-712.05</li> <li>•Secure disposal required</li> </ul>
74-2-2	<b>DISTRICT OFFICE - PROBATION ALPHA REFERENCE REPORT (PROBATION ID # REFERENCE REPORT)</b>	Two weekly cumulative computer reports list name, ID numbers, when released from probation, etc. Same information has two arrangements for reference purposes.	<b>Immediate disposal</b>	<ul style="list-style-type: none"> <li>•Obsolete 2000</li> <li>•Confidential record - Neb. Rev. Stat. §84-712.05</li> <li>•Secure disposal required</li> </ul>

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
74-1-5	<b>DISTRICT OFFICE - PROBATIONER INDEX FILE</b>	Microfilmed copies of card index. Was maintained alphabetically by probation district on probationers and included: probationer's name, social security number, address, date of birth and place, race, sex, marital status, education, color of hair and eyes, height, weight, offenses charged, date of probation, county, judge, disposition and date, probation district and probation officer.	<b>Immediate disposal</b>	<ul style="list-style-type: none"> <li>•Obsolete 1977</li> <li>•Confidential record - Neb. Rev. Stat. §84-712.05</li> <li>•Secure disposal required</li> </ul>
74-1-2	<b>PROBATION ALPHA REFERENCE REPORT (PROBATION ID # REFERENCE REPORT)</b>	Two weekly cumulative computer reports list name, ID numbers, when released from probation, etc. Same information has two arrangements for reference purposes.	<b>Immediate disposal</b>	<ul style="list-style-type: none"> <li>•Obsolete 2000</li> <li>•Confidential record - Neb. Rev. Stat. §84-712.05</li> <li>•Secure disposal required</li> </ul>
74-2-6	<b>PROBATION PROFILE - PROBATIONER INDEX FILE</b>	Card file was maintained in the districts until 1977 and became an optional record within the districts.	<b>Immediate disposal</b>	<ul style="list-style-type: none"> <li>•Obsolete 2000</li> <li>•Confidential record - Neb. Rev. Stat. §84-712.05</li> <li>•Secure disposal required</li> </ul>
74-2-5-2	<b>PROBATION PROFILE - RELEASED PROBATION AND PRESENTENCE REPORT (INACTIVE CASES)</b>	Cumulative periodic computer report of all probationers on inactive status.	<b>Immediate disposal</b>	<ul style="list-style-type: none"> <li>•Obsolete 2000</li> <li>•Confidential record - Neb. Rev. Stat. §84-712.05</li> <li>•Secure disposal required</li> </ul>