

## State of Nevada HHS: Public Defender's Office

Version Date: 2/28/2014

### **2005027 Case Files - DUI**

Reviewed: 04/13/2005

Description: This record series documents and administers the DUI cases to which the Public Defender is a party (see NRS 7.065, 62.085, 1711.188, 260.050 and 432B.420). The files may include: (a) general correspondence, internal memos and attorney notes; (b) unfiled motions, petitions, offers of judgment, etc.; (c) copies of law enforcement records, including: crime reports, police reports, investigative reports, waiver of rights forms, witness statements, evidence reports, transcripts of questioning, etc.; (d) copies of court records, including: motions, pleadings, decrees, petitions, transcripts of proceedings, depositions, interrogatories, responses, etc.; (e) copies of photos, maps, tapes, microfilm, etc. which may be pertinent to the case; (f) records documenting registered mailings, including: mail logs, mail receipts, address lists, etc.; (g) research and working papers (including copies of case law, reference material, copies of other similar cases, etc.).

Retention: Retain the records described in (a) through and including (f) in the description for the following periods: (1) for cases litigated and cases settled out of court or dismissed retain a period of seven (7) calendar years from the date of final disposition; (2) for cases where the Public Defender withdrew or other legal counsel was appointed: transfer all related records to the appointed legal counsel. (3) Records listed under (g) in the description may be purged from the file after a retention of ninety (90) days from the date of the final disposition or action of the case and then disposed of.

Disposition: Destroy Securely

### **2004260 Case Files - Felonies (other than Life and Death Sentences)**

Reviewed: 03/09/2005

Description: This record series documents and administers the felony (other than life & death sentences) cases to which the Public Defender is a party (see NRS 7.065, 62.085, 171.188, 260.050 and 432B.420). The files may include: (a) general correspondence, internal memos and attorney notes; (b) unfiled motions, petitions, offers of judgment and similar documents; (c) copies of law enforcement records, including: crime reports, police reports, investigative reports, waiver of rights forms, witness statements, evidence reports, transcripts of questioning, and similar documents; (d) copies of court records, including: motions, pleadings, decrees, petitions, transcripts of proceedings, depositions, interrogatories, responses and similar documents; (e) copies of photos, maps, tapes, microfilm and other records which may be pertinent to the case; (f) records documenting registered mailings, including: mail logs, mail receipts, address lists, and similar documents; (g) research and working papers, including: copies of case law, reference material, copies of other similar cases and similar documents.

Retention: Retain the records described in (a) through and including (f) in the description for the following periods: (1) for cases litigated and cases settled out of court or dismissed: retain a period of seven (7) calendar years from the date of final disposition; (2) for cases where the Public Defender withdrew or other legal counsel was appointed: transfer all related records to the appointed legal counsel. (3) Records listed under (g) in the description may be purged from the file after a retention of ninety (90) days from the date of the final disposition or action of the case and then disposed of.

Disposition: Destroy Securely

### **2004261 Case Files - Felonies: Life and Death Sentences**

Reviewed: 06/10/2009

Description: This record series documents and administers the felony (life & death sentences) cases to which the Public Defender is a party (see NRS 7.065, 62.085, 171.188, 260.050 and 432B.420). The files may include but are not limited to: General correspondence, internal memos and attorney notes; Unfiled motions, petitions, offers of judgment and similar documents; Copies of law enforcement records including crime reports, police reports, investigative reports, waiver of rights forms, witness statements, evidence reports, transcripts of questioning, and similar documents; Copies of court records including motions, pleadings, decrees, petitions, transcripts of proceedings, depositions, interrogatories, responses and similar documents; Copies of photos, maps, tapes, microfilm and other records which may be pertinent to the case; Records documenting registered mailings including mail logs, mail receipts, address lists, and similar documents; Research and working papers including: copies of case law, reference material, copies of other similar cases and similar documents.

Retention: Retain these records:  
For cases litigated and cases settled out of court or dismissed: retain a period of forty-five (45) calendar years from the date of final disposition.  
For cases where the Public Defender withdrew or other legal counsel was appointed: transfer all related records to the appointed legal counsel.  
Research documents may be purged at the discretion of the agency.

Disposition: Destroy Securely

## State of Nevada HHS: Public Defender's Office

Version Date: 2/28/2014

### 2005028 Case Files - Gross Misdemeanors

Reviewed: 04/13/2005

Description: This record series documents and administers the gross misdemeanor cases to which the Public Defender is a party (see NRS 7.065, 62.085, 171.188, 260.050 and 432B.420). The files may include: (a) general correspondence, internal memos and attorney notes; (b) unfiled motions, petitions, offers of judgment, etc.; (c) copies of law enforcement records, including: crime reports, police reports, investigative reports, waiver of rights forms, witness statements, evidence reports, transcripts of questioning, etc.; (d) copies of court records, including: motions, pleadings, decrees, petitions, transcripts of proceedings, depositions, interrogatories, responses, etc.; (e) copies of photos, maps, tapes, microfilm, etc. which may be pertinent to the case; (f) records documenting registered mailings, including: mail logs, mail receipts, address lists, etc.; (g) research and working papers (including copies of case law, reference material, copies of other similar cases, etc.).

Retention: Retain the records described in (a) through and including (f) in the description for the following periods: (1) for cases litigated and cases settled out of court or dismissed retain a period of seven (7) calendar years from the date of final disposition; (2) for cases where the Public Defender withdrew or other legal counsel was appointed: transfer all related records to the appointed legal counsel. (3) Records listed under (g) in the description may be purged from the file after a retention of ninety (90) days from the date of the final disposition or action of the case and then disposed of.

Disposition: Destroy Securely

### 2004262 Case Files - Juvenile

Reviewed: 03/09/2005

Description: This record series documents and administers the Juvenile cases to which the Public Defender is a party (see NRS 7.065, 62.085, 171.188, 260.050 and 432B.420). The files may include: (a) general correspondence, internal memos and attorney notes; (b) unfiled motions, petitions, offers of judgment and similar documents; (c) copies of law enforcement records, including: crime reports, police reports, investigative reports, waiver of rights forms, witness statements, evidence reports, transcripts of questioning, and similar documents; (d) copies of court records, including: motions, pleadings, decrees, petitions, transcripts of proceedings, depositions, interrogatories, responses and similar documents; (e) copies of photos, maps, tapes, microfilm and other records which may be pertinent to the case; (f) records documenting registered mailings, including: mail logs, mail receipts, address lists, and similar documents; (g) research and working papers, including: copies of case law, reference material, copies of other similar cases and similar documents.

Retention: Retain the records described in (a) through and including (f) in the description for the following periods: (1) for cases litigated and cases settled out of court or dismissed: retain a period of seven (7) calendar years from the date of final disposition; (2) for cases where the Public Defender withdrew or other legal counsel was appointed: transfer all related records to the appointed legal counsel. (3) Records listed under (g) in the description may be purged from the file after a retention of ninety (90) days from the date of the final disposition or action of the case and then disposed of.

Disposition: Destroy Securely

### 2005029 Case Files - Misdemeanors

Reviewed: 04/13/2005

Description: This record series documents and administers the misdemeanor cases to which the Public Defender is a party (see NRS 7.065, 62.085, 171.188, 260.050 and 432B.420). The files may include: (a) general correspondence, internal memos and attorney notes; (b) unfiled motions, petitions, offers of judgment, etc.; (c) copies of law enforcement records, including: crime reports, police reports, investigative reports, waiver of rights forms, witness statements, evidence reports, transcripts of questioning, etc.; (d) copies of court records, including: motions, pleadings, decrees, petitions, transcripts of proceedings, depositions, interrogatories, responses, etc.; (e) copies of photos, maps, tapes, microfilm, etc. which may be pertinent to the case; (f) records documenting registered mailings, including: mail logs, mail receipts, address lists, etc.; (g) research and working papers (including copies of case law, reference material, copies of other similar cases, etc.).

Retention: Retain the records described in (a) through and including (f) in the description for the following periods: (1) for cases litigated and cases settled out of court or dismissed retain a period of seven (7) calendar years from the date of final disposition; (2) for cases where the Public Defender withdrew or other legal counsel was appointed: transfer all related records to the appointed legal counsel. (3) Records listed under (g) in the description may be purged from the file after a retention of ninety (90) days from the date of the final disposition or action of the case and then disposed of.

Disposition: Destroy Securely