

NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-516-92-002

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 10/6/2021

ACTIVE ITEMS

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

All items except those listed below are active.

SUPERSEDED AND OBSOLETE ITEMS

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

Items A4 and H3A are superseded by DAA-0516-2016-0001-0001.

Item B1 is superseded by DAA-0516-2016-0001-0006, -0008, and -0011.

Item B2 is superseded by DAA-0516-2016-0010-0010.

Items B1 and B3 are superseded by DAA-0516-2016-0001-0009.

Items C1, C8, C16, C20, D, E1, F1, G1, H1 are superseded by DAA-0516-2016-0001-0005.

Items C14, D4, and E3a are superseded by DAA-0516-2016-0001-0022.

Item C15 is superseded by DAA-0516-2016-0001-0012.

Item C18 are superseded by DAA-0516-2016-0001-0032 and -0033.

Item C22 is superseded by DAA-0516-2016-0001-0025, -0026, and -0028.

Item C24 is superseded by DAA-0516-2016-0001-0029.

Item D3 is superseded by DAA-0516-2016-0001-0018.

Items G5 and G7 are superseded by DAA-0516-2016-0001-0004.

Item E3a, D4, and G6c are superseded by DAA-0516-2016-0001-0020.

Item E3b is superseded by DAA-0516-2016-0001-0017.

Item E4 is superseded by DAA-0516-2016-0001-0021.

Item G3 is superseded by DAA-0516-2016-0001-0030.

Item G6a2 is superseded by DAA-0516-2016-0001-0014.

Items G6b2a and E3d are superseded by DAA-0516-2016-0001-0013.

Item G6b2a is superseded by DAA-0516-2016-0001-0016.

Item H3b is superseded by DAA-0516-2016-0001-0003.

| | | | |
|-----------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| REQUEST FOR RECORDS DISPOSITION AUTHORITY (See Instructions on reverse) | | DO NOT WRITE IN THESE SPACES HAVE BLANK (NARA use only) | |
| To: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408 | | JOB NUMBER N1 816-92-2 | DATE RECEIVED 3-11-92 |
| 1. FROM (Agency or establishment) Federal Judicial Center (FJC) | | NOTIFICATION TO AGENCY | |
| 2. MAJOR SUBDIVISION | | In accordance with the provisions of 44 U.S.C. 3303a the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10. | |
| 3. MINOR SUBDIVISION | | DATE 7-1-94 | |
| 4. NAME OF PERSON WITH WHOM TO CONFER Michael B. Gross | | ARCHIVIST OF THE UNITED STATES <i>Audrey Hershman Peterson</i> | |
| 5. TELEPHONE 202-633-6347 | | | |

6. AGENCY CERTIFICATION

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached 14 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies,

is not required; is attached; or has been requested.

| | | |
|-----------------|-------------------------------------------------------|------------------------------------------|
| DATE 2/26/92 | SIGNATURE OF AGENCY REPRESENTATIVE <i>MB Gross</i> | TITLE Administrative Services Officer |
|-----------------|-------------------------------------------------------|------------------------------------------|

| 7. ITEM NO. | 8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION | 9. GRS OR SUPERSEDED JOB CITATION | 10. ACTION TAKEN (NARA USE ONLY) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | <p>The attachment with table of contents is a complete listing of FJC records (with the exception of electronic records which are attached under a separate SF 115) not approved for disposition previously. Non-record material and FJC records covered by the General Records Schedules have been omitted on this submission. This accounts for missing item numbers which will be included on the FJC published Records Schedule after NARA approval of the attachment. The total volume and estimated annual accumulations for permanent items is provided as follows:</p> <table border="1"> <thead> <tr> <th>Item No.</th> <th>Total Volume (In Cubic Feet)</th> <th>Annual Accumulatives (In Feet Per Year)</th> </tr> </thead> <tbody> <tr><td>A. 4a</td><td>30</td><td>1-2</td></tr> <tr><td>B. 1</td><td>50</td><td>5</td></tr> <tr><td>B. 2</td><td>4</td><td>1</td></tr> <tr><td>B. 3</td><td>5</td><td>2</td></tr> <tr><td>B. 4</td><td>2</td><td>less than 1</td></tr> <tr><td>B. 5</td><td>5</td><td>less than 1</td></tr> <tr><td>C. 13</td><td>10</td><td>2</td></tr> <tr><td>C. 14</td><td>3</td><td>less than 1</td></tr> <tr><td>C. 15</td><td>9</td><td>less than 1</td></tr> <tr><td>D. 1</td><td>10</td><td>1</td></tr> <tr><td>D. 2a</td><td>50</td><td>12</td></tr> <tr><td>E. 1</td><td>5</td><td>less than 1</td></tr> </tbody> </table> | Item No. | Total Volume (In Cubic Feet) | Annual Accumulatives (In Feet Per Year) | A. 4a | 30 | 1-2 | B. 1 | 50 | 5 | B. 2 | 4 | 1 | B. 3 | 5 | 2 | B. 4 | 2 | less than 1 | B. 5 | 5 | less than 1 | C. 13 | 10 | 2 | C. 14 | 3 | less than 1 | C. 15 | 9 | less than 1 | D. 1 | 10 | 1 | D. 2a | 50 | 12 | E. 1 | 5 | less than 1 | | |
| Item No. | Total Volume (In Cubic Feet) | Annual Accumulatives (In Feet Per Year) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| A. 4a | 30 | 1-2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B. 1 | 50 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B. 2 | 4 | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B. 3 | 5 | 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B. 4 | 2 | less than 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| B. 5 | 5 | less than 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C. 13 | 10 | 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C. 14 | 3 | less than 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C. 15 | 9 | less than 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| D. 1 | 10 | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| D. 2a | 50 | 12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| E. 1 | 5 | less than 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Copies sent to agency, NN-W, NNS, NNT, NCF, NIA 7/13/94

FEDERAL JUDICIAL CENTER
RECORDS RETENTION AND DISPOSITION SCHEDULE

**FEDERAL JUDICIAL CENTER
RECORDS RETENTION AND DISPOSITION SCHEDULE**

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A. RECORDS COMMON TO MOST FJC OFFICES

1. Program Correspondence and General Subject Files

Record copies of incoming and outgoing correspondence, reports, memoranda, and similar material of a general nature pertaining to the substantive or program activities of the Federal Judicial Center. Excluded are duplicate material and copies of correspondence kept for reference use and administrative files as described in item 2 below.

For disposition instructions, see the item descriptions contained in the separate records series listings for FJC offices and divisions.

2. Administrative Files

Records relating to the internal management or general administration of a division or office. These records often include copies of reports and correspondence officially filed elsewhere and papers relating to housekeeping-type services from the division responsible for providing them.

a) General management files: records concerning internal office procedures not pertaining to the mission or function of a division.

Destroy when 2 years old or sooner if purpose is served.

b) Facilities files: records relating to requests for custodial services, telephone installation, etc.

Destroy when 2 years old or sooner if purpose is served.

c) Supply files: files relating to routine office supplies and equipment.

Destroy when 2 years old or sooner if purpose is served.

d) Financial files: files relating to the expenditure of funds such as receipts, invoices, copies of contracts, vouchers, and similar materials which are duplicates of those maintained officially in the Office of Financial Management.

Destroy when 2 years old or sooner if purpose is served.

e) Personnel files: unofficial personnel folders maintained by division consisting of documents which are duplicates of papers placed in official personnel folders maintained in the Personnel Office.

Destroy after separation or transfer of employee.

f) Copies of time and attendance reports

Destroy 6 months after the end of the pay period.

g) Budget work sheets

Destroy 1 year after the close of the fiscal year covered by the budget.

3. Reading or Chronological Files

Copies of correspondence and other papers maintained by the originating office used solely as a reading or reference file for convenience.

Destroy when 2 years old. For exception see Item B.3.

4. Publications

a) ONE copy of each official publication prepared including reports, handbooks, manuals, seminar programs, pamphlets, posters, brochures, etc. Arranged by publication type and chronologically thereunder.

Permanent. Cut off files annually and retire to WNRC upon accumulation of 1 cubic foot. Transfer to the National Archives in 5-year blocks when 5 to 10 years old.

b) Reference publications: copies of internal or external publications maintained for reference.

Destroy when 3 years old or sooner if purpose is served.

5. Policy and Procedures Files

Documents establishing policy and procedure.

a) Files maintained by an office or division, with record copies sent to the Center Director's office, for which the policy or procedure is an integral program function.

See disposition instructions for Subject Files listed for FJC offices and divisions.

b) Copies of operating policy and procedure for convenience of reference.

Destroy when 2 years old or sooner if purpose is served.

6. Electronic Records

a) Word processing files

Correspondence, reports, and messages created on a personal computer and then used to produce a record copy (hard copy).

Make hard copy and follow retention schedule for textual record.

b) Master files

Electronic data files

1) Data file which replaces a textual record.

Follow retention for textual record.

2) Data files containing fiscal information which is subject to audit.

Destroy 2 years after audit.

B. OFFICE OF THE DIRECTOR AND THE DEPUTY DIRECTOR

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

1. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of FJC programs including the activities of the FJC Foundation and the FJC Board. The files are subdivided into the following subject areas and arranged by subject thereunder.

- a. FJC board and committees
- b. Organization and policies

Permanent. Retain as active files and transfer to the National Archives when 20 years old.

- c. Research (includes Sentencing and Asbestos categories)
- d. Education
- e. Technology and planning
- f. Judiciary matters - specific
- g. Congressional affairs/legislation and testimony
- h. Speeches and articles of the director and others
- i. Interjudicial affairs
- j. Judicial history
- k. calendars

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives when 20 years old.

2. Administrative Files

Records relating to the internal management or general administration of the Director's office and the FJC in general. Copies of reports and correspondence officially filed elsewhere and papers relating to housekeeping type services.

- a. supplies & facilities
- b. personnel
- c. budget and finance, staff travel records
- d. miscellaneous affiliated organizations
- e. publications & media
- ~~f. calendars~~
- f g. judiciary matters - generally

Destroy when 2 years old or sooner if purpose is served. Prior to destruction, review files for individual items which may warrant permanent retention in subject files.

Per telephone conversation w/ Pat Richter 6/16/94 - gnr

see above

3. Chronological Files

Permanent. Cut off files annually and retire to WNRC when 5 years old or at end of Director's tenure. Transfer to the National Archives when 20 years old.

C. GENERAL ADMINISTRATION DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

ADMINISTRATIVE SERVICES OFFICE

1. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of the office

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives when 20 years old.

2. Administrative Files

Records relating to the internal management or general administration of the office.

Temporary. Destroy when 2 years old or sooner if purpose is served. Prior to destruction, review files for individual items which may warrant permanent retention in subject files.

3. Routine Procurement Files

Copies of contracts, purchase orders, and related documentation.

Destroy when 2 years old or sooner if purpose is served.

4. Solicited and Unsolicited Bids and Proposals Files

Solicited and unsolicited unsuccessful bids and proposals relating to small purchases as defined in the FAR, 48 CFR part 13.

Destroy 2 years after date of award or final payment, whichever is later.

5. Supply Requisition Files

Destroy when 2 years old or sooner if purpose is served.

6. Inventory Lists Files

Destroy 2 years after date of list.

7. Excess Personal Property Files

Destroy when 3 years old.

FINANCIAL MANAGEMENT OFFICE (OFM)

8. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of the office.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives when 20 years old.

9. Administrative Files

Records relating to the internal management or general administration of the office.

Temporary. Destroy when 2 years old or sooner if purpose is served. Prior to destruction, review files for individual items which may warrant permanent retention in subject files.

10. Purchase Order Files

Copies of purchase orders with pertinent supporting documentation.

a) Transactions of more than \$25,000

Cut off files after final payment and retire to WNRC 3 years thereafter. Destroy 6 years 3 months after final payment.

b) Transactions of less than \$25,000

Destroy 3 years after final payment.

11. Travel Authorization (TA) Files

a) TAs where FJC initiates the actual disbursement.

Cut off files annually and retire to WNRC when 3 years old. Destroy when 6 years 3 months old.

b) Other TAs

1) Over \$100

Cut off files annually and retire to WNRC when 3 years old. Destroy when 6 years old.

2) Under \$100

Destroy when 3 years old.

12. Invoices/Credits Files

FJC copies (originals are sent to the Administrative Office of the Courts to support accountable officer's account).

Destroy when 1 year old.

13. Procurement/Accounting Documents Received/Processed by OFM

a)Originals

Destroy when 3 years old.

b)Copies

Destroy when 2 years old.

14. Seminar Fund Files

Files provide a tracking (electronic) and historical (textual) record of all deposits and disbursements to the Seminar Fund with copies of all supporting documentation such as invoices, division memoranda, deposit slips, and canceled checks.

Destroy when 3 years old.

15. Budget Files

All documentation relating to FJC annual budget formulation, presentation, justification, allocation, and execution, including annual and other periodic reports.

Destroy when 5 years old.

HISTORY OFFICE

16. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of FJC history program. Arranged alphabetically by subject.

Permanent. Cut off files annually and retire to WNRC when 10 years old. Transfer to the National Archives when 20 years old.

17. Administrative Files

Records relating to the internal management or general administration of the FJC history program.

Temporary. Destroy when 2 years old or sooner if purpose is served. Prior to destruction, review files for individual items which may warrant permanent retention in subject files.

18. Oral History Files

Audio tapes and transcripts of oral interview for historical use. Arranged alphabetically by name of individual interviewed.

Permanent. Transfer to National Archives when 20 years old accompanied by appropriate releases and deeds of gift.

19. Biographical Questionnaires

Questionnaires from Article III judges and others for biographical directory. Arranged alphabetically by individual.

Destroy after the information has been converted to an electronic medium and verified, or when no longer needed to support the reconstruction of, or serve as the backup to, the master file, whichever is later.

INTERJUDICIAL AFFAIRS OFFICE

20. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of the Interjudicial Affairs office.

- a. Foundations
- b. Opinions on legal matters (eg. outside employment, conflicts of interest, codes of conduct, judicial impact, judicial misconduct)
- c. Congressional affairs

Permanent. Cut off annually or at project conclusion and retire to WNRC when 5 years old. Transfer to Archives when 20 years old.

21. Administrative Files

Records relating to the internal management or general administration of the IJAO. Copies of reports and correspondence officially filed elsewhere and papers relating to housekeeping type services.

- a. supplies & facilities
- b. personnel
- c. budget and finance, staff travel records
- d. miscellaneous affiliated organizations
- e. FJC publications & media
- f. calendars
- g. judiciary matters - generally

Destroy when 2 years old or sooner if purpose is served. Prior to destruction, review files for individual items which may warrant permanent retention.

22. International Files

All records and correspondence relating to the following foreign visitor programs.

- a. Foreign Visitor Programs, Briefings and Exchanges
- b. Visiting Foreign Judicial Fellow Program
- c. Educational and Handout Materials

Temporary. Cut off files annually and retire to the WNRC when 4 years old. Destroy when 20 years old.

23. State-Federal Judicial Council Files

Correspondence, reports, travel authorizations, and other documentation pertaining to the policies and operation of State-Federal Judicial Council programs. The files are divided alphabetically by state and then subdivided by council meeting.

Temporary. Cut off files annually and retire to the WNRC when 4 years old. Destroy when 20 years old.

24. Special Projects

- a. Seminars
- b. Foundations
- c. Studies

Temporary. Cut off files annually and retire to the WNRC when 4 years old. Destroy when 20 years old.

PERSONNEL OFFICE

25. Subject Correspondence Files

Correspondence, reports, and other records pertaining to the general administration of personnel functions.

Destroy when 3 years old.

26. Official Personnel Files

Complete record of each employee's federal employment.

- a) Transferred employees

See FPM for instructions relating to folders for these employees.

- b) Separated employees

Transfer to National Personnel Records Center 30 days after separation.

27. Service Record Files

Upon separation of employees, an electronic summary of basic employment history is obtained from the paper records and maintained for convenience of reference.

Destroy when no longer needed for reference.

28. Recruitment Files

Files contain copy of vacancy announcement, list of applicants, recruitment sources used, name of applicant selected, vice incumbent, position number, and a copy of reject letter sent to unsuccessful applicants.

Destroy when 3 years old.

29. Employment Applications Files

a) Excepted positions applications

Destroy when 6 months old.

b) All others

Destroy upon receipt of OPM inspection, or when 2 years old, whichever is earlier.

30. Time and Attendance Reports

Payroll/processing copies

Destroy after GAO audit or when 3 years old.

D. COURT EDUCATION DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

1. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of the division.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives when 20 years old.

2. Administrative Files

Records relating to the internal management or general administration of the division.

Temporary. Destroy when 2 years old or sooner if purpose is served. Prior to destruction, review files for individual items which may warrant permanent retention in subject files.

3. Training and Education Files

These files pertain to training activities provided for federal court administrators and staffs through the use of workshops, seminars, and self-study courses, for example the Applied Supervision course. Arranged chronologically and thereunder by training titles.

a) ONE copy of each syllabus, curriculum package, lesson plan, instructor's script, and student/participant handouts prepared and used for each training program.

Temporary. Cut off files annually and retire to WNRC when 4 years old. Destroy when 20 years old.

b) ONE reference copy of records described in 1 above.

Destroy when 10 years old or sooner if administrative needs have been served.

4. Training Support Files

Documentation pertaining to planning and execution of the individual training programs including but not limited to correspondence, reports, enrollment lists and records, and copies of financial documents.

Cut off files annually. Destroy when 10 years old or sooner if administrative needs have been served. Retire to WNRC when 3 years old if volume warrants retirement.

5. **Tuition Assistance Files**

Documentation pertaining to requests for tuition assistance from court personnel to attend seminars and training. Included are application and supporting documents, correspondence and other related documentation, approval or disapproval notices, and, when approved, copies of purchase orders and invoices submitted to OFM for payment.

**Cut off annually. Destroy 3 years
after final payment.**

E. JUDICIAL EDUCATION DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

1. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of the division.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives when 20 years old.

2. Administrative Files

Records relating to the internal management or general administration of the division.

Temporary. Destroy when 2 years old or sooner if purpose is served. Prior to destruction, review files for individual items which may warrant permanent retention in subject files.

3. Workshop/Seminar Files

Documentation pertaining to individual workshops and seminars provided by FJC.

a) Administrative files consisting of financial authorizations, invitations, purchase orders for payment of honorariums, and other documentation pertinent to the workshop/seminar presentation.

Cut off annually. Retire to WNRC when 3 years old. Destroy when 10 years old.

b) ONE copy of each syllabus, curriculum package, lesson plan, brochure, manual, pamphlet, instructor's script, and student/participant handouts prepared and used for each training program. Arranged chronologically and thereunder by workshop/seminar titles.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives in 5-yr. blocks when 5 to 10 years old.

c) ONE reference copy of records described in 2b above.

Destroy when 10 years old or sooner if administrative needs have been served.

d) Audio tapes of seminar/workshop sessions. Arranged chronologically and thereunder by library accession number. Indexed on data base maintained in library.

Temporary. Destroy when 15 years old or sooner if administrative needs have been served.

4. Continuing Legal Education (CLE) Requests Files

Documentation pertains to the CLE program for attorneys as required by various states. FJC workshops/seminars attendance information is maintained by the division, and requests from various sources such as judges are received regarding attorneys' attendance at training sessions. Included are replies to requests for information, academic history information on workshop/seminar participants, and related material.

Cut off files annually. Retire to WNRC when 3 years old. Destroy when 10 years old.

5. Consultant Travel Voucher Files

Copies of travel vouchers on consultants' travel expenses for seminars and workshops.

Cut off files annually. Retire to WNRC when 3 years old. Destroy when 10 years old.

6. Tuition Assistance Files

Documentation pertaining to requests for tuition assistance from court personnel to attend seminars and training. Included are application and supporting documents, correspondence and other related documentation, approval or disapproval notices, and, when approved, copies of purchase orders and invoices submitted to OFM for payment.

Cut off annually. Destroy 3 years after final payment.

F. PLANNING AND TECHNOLOGY DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

1. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of the division.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives when 20 years old.

2. Administrative Files

Records relating to the internal management or general administration of the division.

Temporary. Destroy when 2 years old or sooner if purpose is served. Prior to destruction, review files for individual items which may warrant permanent retention in subject files.

G. PUBLICATIONS AND MEDIA DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below. Permanent audio-visual files must be transferred to the National Archives in accordance with the requirements stated in 36 CFR ch. 12.

1. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of the division.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives when 20 years old.

2. Administrative Files

Records relating to the internal management or general administration of the division.

Temporary. Destroy when 2 years old or sooner if purpose is served. Prior to destruction, review files for individual items which may warrant permanent retention in subject files.

PUBLICATION/EDITORIAL RECORDS

3. Manuscript Files

Documentation in paper or electronic form for each FJC publication project or job pertaining to the planning and execution of jobs.

Destroy when 3 years old.

4. Project Finance Files

Copies of GPO and other printing cost documents including requisitions, bills, invoices and records of payment pertaining to individual printing jobs.

Destroy 1 year after completion of job.

5. Negative Files

Photographic negatives for production of printing plates used for FJC publications.

Destroy when no longer needed for printing.

MEDIA RECORDS

6. Production Title Files

Documentation pertaining to the production of educational programs for the training of federal court staff including judges, magistrate judges and defenders, and court administrators.

a) Production scripts arranged by individual productions.

1) Drafts of production scripts and all supporting material.

Destroy 2 years after editing and final copy of script is produced.

2) ONE copy of final script on each production.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives when 20 years old.

3) Extra copies of final scripts.

Destroy when no longer needed for administrative and reference needs.

b) Production videotapes for individual programs

1) Initial tapes prepared before editing

Destroy when no longer needed for administrative and reference needs.

2) Edited tapes arranged by individual programs.

(a) Master files consisting of one record copy

Temporary. ~~Permanent.~~ **Cut off files annually and retire to WNRC when 4 years old.**

~~Destroy Offer to the National Archives when 20 years old.~~

(b) Copies of edited tapes

Destroy when no longer needed for administrative and reference needs.

c) Production administrative files

Correspondence, copies of purchase orders, contracts, and other documentary materials of an administrative nature pertaining to individual productions.

Destroy when 3 years old.

d) Video guidebooks

Printed instructional guides accompanying selected video productions.

Temporary. Destroy when 10 years old or no longer needed for reference, whichever is sooner.

7. **Photographic Files**

Copies of 35mm slides and still pictures of people (e.g., members of court), events (e.g., meeting involving Federal Judiciary activities), and places (e.g., courthouses). Some photography is used in media production work. Arranged by nature of photograph or subject.

Temporary. Destroy when 10 years old or no longer needed for reference, whichever is sooner.

H. RESEARCH DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

1. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of the division.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives when 20 years old.

2. Administrative Files

Records relating to the internal management or general administration of the division.

Temporary. Destroy when 2 years old or sooner if purpose is served. Prior to destruction, review files for individual items which may warrant permanent retention in subject files.

3. Research Project Files

Files consist of all documentation for individual projects from project initiation to completion. Included is pertinent correspondence, project survey and design documentation, other related records, and a copy of the final report. Arranged chronologically and by project thereunder.

a) ONE copy of each final project report and any supporting documentation integral to each project.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Transfer to the National Archives when 20 years old.

b) Other supporting documentation (e.g., surveys, notes, etc.)

Cut off completed files annually and retire to WNRC when 3 years old. Destroy when 10 years old.

4. Project Data File

Electronic data files containing relevant information pertaining to individual research projects. Arranged by project title.

Permanent. Transfer to the National Archives in accordance with transfer requirements as stated in 36 CFR ch. 12.

5. Integrated Database File

This file is based on converted copies of the Administrative Office EBCDIC tapes pertaining to Federal Court activity (civil and criminal trial data and appellate cases). These raw data are

~~then processed by Research Division programs into a standard multi-year format to form an integrated database for use on the VAX system in the Research Division.~~

Permanent. Transfer to the National Archives in accordance with transfer requirements as stated in 36 CFR ch. 12.

**RECOMMENDATION TO THE ARCHIVIST ON RECORDS
DISPOSITION REQUEST**

JOB NUMBER
N1-516-92-2
ITEM COUNT
48

SUMMARY

The Federal Judicial Center (FJC) requests disposition authority for its official files. Established in 1967, the FJC provides continuing education for judges and judicial personnel, recommends improvements in judicial management and administration, and promotes research on the Federal judiciary. This schedule is its first submission. Records proposed for permanent retention include official publications, all managerial and divisional subject files, judicial workshop files and research files. Electronic records will be covered on a separate disposition authority request.

I recommend approval of this schedule. It preserves the key evidential record of the agency and also the substantive informational documentation it creates.

RECOMMENDATION

1. APPROVED FOR DISPOSAL. The records described under all items of the schedule, except those that may be listed in blocks 2, 3, and 4 of this section, are disposable because they do not, or will not after the lapse of the period specified, have sufficient administrative, legal, research, or other value to warrant their continued preservation by the Government.
2. APPROVED FOR PERMANENT RETENTION. The records described under the following item or items have been appraised by the National Archives and Records Administration (NARA) and are determined to have sufficient historical or other value to warrant their continued preservation by the United States Government. The agency will offer these records to the National Archives as specified.
Items A4a, B1, B3, C1, C8, C16, C18, C20, D1, E1, E3b, F1, G1, G6a2, H1, H3a
3. DISPOSITION NOT APPROVED. The records described under the following item or items are not approved for disposition.
4. WITHDRAWN. The records described under the following item or items have been withdrawn at the request of the agency and/or NARA.

FEDERAL REGISTER NOTICE

Not Required. Required - Publication Date: 03/12/93
Copies Requested: 0
Comments Received: 0

SIGNATURES

| | TITLE | SIGNATURE | DATE |
|--------------|------------------------------------------------------|--------------------|-----------|
| APPRaisal | APPRaiser | <i>[Signature]</i> | 24 Feb 94 |
| | DIRECTOR, RECORDS APPRAISAL AND DISPOSITION DIVISION | <i>[Signature]</i> | 2/25/94 |
| CONCURRENCES | NNS NNT | <i>[Signature]</i> | 3/25/94 |
| | NNT NNS | <i>[Signature]</i> | 5-10-94 |
| | NN-W | <i>[Signature]</i> | 5-11-94 |

National Archives at College Park



8601 Adelphi Road College Park, Maryland 20740-6001

Ad. 2/24/94

Date : February 24, 1994

Reply to
Attn of : NIR

Subject : Final revisions to N1-516-92-2

To: File

*Electronic data files are also crossed out,
for they are covered by a pending schedule
for electronic records (N1-516-92-1)*

Crossed-out items in the above document are covered by the General Records Schedules or cross-reference other items. As the volume figures on the first page of the schedule are now obsolete due to the extensive reorganization of the files, they have also been crossed out.

Patricia Richter
Records Appraisal and
Disposition Division

National Archives



Washington, DC 20408

Date : FEB 10 1994
Reply to
Attn of : Acting NN
Subject : Appraisal Decision - NI-516-92-2
To : NN-W

I concur with NNS that the video cassette training tapes are not appropriate for permanent retention. If the Federal Judicial Center believes this material has some longer term-value, then a disposition statement which retains the materials for 10 or 20 years or when no longer useful for administrative or research purposes would be more appropriate.

I concur with all other items on the SF 115.

Michael Kurtz
MICHAEL J. KURTZ
Acting Assistant Archivist
for the National Archives

SF115 has been amended accordingly.
236/94

National Archives



Washington, DC 20408

Date : December 15, 1993
Reply to
Attn of : NN-W
Subject : Appraisal Disagreement on N1-516-92-2
To : Acting NN

Attached is N1-516-92-2, a job now being reviewed informally for the second time relating to the disposition of the records of the Federal Judicial Center.

NNR and NNT have concurred with the appraiser's recommendations on all of the items on the SF 115. NNS has not concurred with the appraisal of video tapes as permanent, for the reasons given in memorandums attached to the job. I agree with NNS.

Because there is a disagreement between NN units, a final NN position on the job should be determined before it is returned to NIR.

Please let me know if you have any questions.

Franklin W. Burch

FRANKLIN W. BURCH

National Archives



APPRAISAL REVIEW: RECOMMENDED ACTION Washington, DC 20408

ON
REQUEST FOR RECORDS DISPOSITION AUTHORITY (SF-115)
NIR SPECIAL RECORDS DISPOSITION STUDY
WNRC RECORDS DISPOSITION PROJECT REPORTS

Job No. or Title: NI-516-92-2

Instructions:

1. Each reviewer must fill in data below, using one line.
2. Check appropriate "recommendation" box.
3. Attach written comments if "concur if modified" or "do not concur" box is checked. Comments are optional otherwise.
4. Heads (or designees) of reviewing units must complete this form.

| Unit Symbol | Date (mm-dd-yy) | RECOMMENDATION | | | RECOMMENDED BY |
|-------------|-----------------|----------------|--------------------|---------------|---------------------------------|
| | | Concur | Concur if Modified | Do Not Concur | Signature (do not use initials) |
| NNTA | 11-15-93 | ✓ | | | <i>Mary-Jane Dowd</i> |
| NNTA-N | 11/16/93 | | | | <i>John Mitchell</i> |
| NNTA | 11-22-93 | ✓ | | | <i>Donald Schwergel</i> |
| NNT | 12/14/93 | ✓ | | | <i>S. N. Phillips</i> |
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ACTION TAKEN BY NNA, NNL, NN-W, or NIR

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|------|----------|--|--|----|--------------------------|
| NN-W | 12/15/93 | | | ✓* | <i>Franklin W. Burch</i> |
|------|----------|--|--|----|--------------------------|

* See attached memorandums from NNS units. (NN-W: Rev. 5/90)

15 November 1993

RECEIVED
11/22

TO: NNTA

FROM: Mary-Jane Dowd, NNTA(5E)

SUBJECT: N1-516-92-2

At the time of the informal review, I wrote that I had "serious reservations" about the permanent value of 7,200 untranscribed audio tapes (accumulating at the rate of 2 cu. ft. a year). I am glad to see that Frank Serene, NNSRM, and others in NNSM reacted even more strongly.

I agree with the revised disposition of the audio tapes and believe that retaining the video tapes permanently will not be burdensome so long as they remain few in number.


MARY-JANE DOWD
Archival Projects Branch

11/17/93

I agree with Ms. Dowd concerning the value of the audio tapes. I recommend also concurrence with the changes made to other items since the circulation of the original appraisal job, including the additional series created by the Interjudicial Affairs Office.


TERESA F. MATCHETTE
Archival Projects Branch

Agree and recommend concurrence.
Ronald E. Swartz, NNTA, 11-22-93

*NW-W/NIR: I've attached a copy of
Mrs Dowd's earlier objections.
These appear to be addressed by
with the revised dispositions.*
*Genevieve N. Phillips
Dir, Textual Projects Div.*

National Archives



Washington, DC 20408

APPRAISAL REVIEW: RECOMMENDED ACTION
ON

REQUEST FOR RECORDS DISPOSITION AUTHORITY (SF-115)
NIR SPECIAL RECORDS DISPOSITION STUDY
WNRC RECORDS DISPOSITION PROJECT REPORTS

Job No. or Title: NI-516-92-2

Instructions:

1. Each reviewer must fill in data below, using one line.
2. Check appropriate "recommendation" box.
3. Attach written comments if "concur if modified" or "do not concur" box is checked. Comments are optional otherwise.
4. Heads (or designees) of reviewing units must complete this form.

| Unit Symbol | Date (mm-dd-yy) | RECOMMENDATION | | | RECOMMENDED BY |
|-------------|-----------------|----------------|--------------------|---------------|---------------------------------|
| | | Concur | Concur if Modified | Do Not Concur | Signature (do not use initials) |
| NNSM | 11-24-93 | | | ✓ | <i>JC Welfer</i> NNSM |
| NNS | 11-29-93 | | | ✓ | <i>William T. Murphy</i> |
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ACTION TAKEN BY NNA, NNL, NN-W, or NIR

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National Archives



Washington, DC 20408

Date : November 29, 1993
Reply to :
Attn of : William T. Murphy, NNS *WPM*
Subject : Review of comments of N1-516-92-2
To : NIR thru NN-W

For the record, NNS joins NNSM in rejecting the permanent disposition assigned to the video cassette training tapes produced by the Federal Judicial Center as described in job number N1-516-92-2.

NNSM argues persuasively that the training cassettes possess neither sufficient evidential nor informational value to warrant preservation by the National Archives. The Center should look not to its training materials to document its policies and programs but to the permanent documentation contained in the Publications and Media Division's policy and administrative files or those maintained at a higher level. As mere reflections of those policies, the video programs have little or no evidential value of their own.

Their research value beyond short-term training needs would also appear to be severely limited. The information they contain is subject to change, and it is fair to say that the nature of the legal system and profession discourages or even precludes their reuse after their content has become obsolete. Subjects like bankruptcy settlement techniques, enhanced prohibition supervision, judicial ethics, etc., all seem, in essence, historically valuable. But, in order for them to have potential audiovisual research value in the future they should possess a certain degree of pictorial or aural information that researchers can study or reuse. These cassettes do not meet that expectation.

NNSM's comments and other documents relating to this schedule are attached.

National Archives



Washington, DC 20408

November 24, 1993

Date :
Reply to : NNSM (Waffen)
Attn of :
Subject : 2nd Review Comments on N1-516-92-2
NNS thru NNSM (Saunders) ^{2nd} ~~Action~~
To :

I agree with Frank Serene's position in the attached memorandum that NNSM still cannot concur that the FJC training videotapes of seminars, courses, and lectures are of permanent archival value. They may be of "long-term" temporary value to FJC but we do not believe they contain unique information to warrant permanent retention.

It is not a persuasive argument in our opinion for NIR to indicate that because the videotapes are professionally produced and scripted and that they accumulate at only 4 or 5 tapes per year that this will be only a minimal expenditure of effort on our behalf to preserve and provide access. Rather it is not the quantity that is the essential question (although there are 700-800 tapes onhand now), but it is a question of whether these audiovisual training items have substantial evidential (in documenting FJC activities) or informational value (research use) that would require NARA to store, provide access, and expend funds to preserve them in perpetuity.

Our viewpoint, based on the information provided, is that these training programs contain information that is basically transitory, subject to change, and easily obsolete after a period of time. Would FJC, the courts, or researchers actually have use for the audiovisual format of a training symposium, lecture, or course for example on bankruptcy techniques and procedures when 20 years, 50 years, or 100 years have passed? What is important and of permanent value is documentation that indicates how the Publications and Media Division of FJC developed its training programs, implemented its training policies and procedures, and changed its role in planning educational programs for improving judicial administration and management over the history of the FJC. This type of documentation is permanently preserved in the Division's policy and administrative file series. In our opinion, retaining the actual seminars and lectures in an audiovisual format as permanent archival records is not necessary.

While we understand the effort, cost and use that is made of the videotapes, we feel that a disposition statement that cites these videotapes as temporary to be destroyed after let's say 10 or 20 years or when no longer needed for

administrative and reference needs, would surely meet the needs of FJC for any possible use and interest that these training audiovisuals would have in the years to come.



LES WAFFEN

Assistant Branch Chief

Motion Picture, Sound & Video Branch

National Archives



Washington, DC 20408

Date : November 18, 1993
Reply to :
Attn of : Frank H. Serene, Archivist,
Subject : Federal Judicial Center (FJC), Records Schedule,
Audiovisual Records (N1-516-92-2)
To : Les Waffen, NNSM

Videotapes, item G5b2a (old) or G6b2 (new): Apparently, according to NIRC's (Richter) memo of October 22, 1993, the FJC concurs with NNSM's earlier recommendation on the disposition of audiotapes. Now, however, NIRC has endorsed the FJC's request to schedule for permanent retention videotapes that "will help document the FJC's role in developing educational programs for judges and judicial personnel and the agency's efforts to improve judicial administration and management." The videotapes accumulate at a rate of only "four to five per year."

NIRC's endorsement does not change my feelings about the temporary nature and the quantity of the videotapes. In an earlier memo NIRC indicated that the number of videotape, between "700-800" items, was much greater than reported in the recent memo. Likewise, NIRC's earlier memo indicated the videotapes were used for education and training rather than documenting the agency's effort to improve the judicial system.

Certainly if, as the FJC argues, ideas or activities unique to the agency are documented on the videotapes, they warrant permanent retention. NNSM should consider these videotapes for permanent retention if they record new approaches the FJC has contributed to such subjects such as "bankruptcy settlement techniques, enhanced prohibition supervision, judicial ethics, and the Federal Rules of Evidence." NIRC needs to return to the agency to determine whether these videotapes contain unique or standard ideas with regard to these subject areas.

If the FJC feels that the information in these videotapes has long-term value, then the record schedule should reflect a retention of ten to twenty years storage in the Federal Records Center. However, unless the information on the videotapes is unique, they would not have the evidentiary or research value to warrant accession by NNSM.

National Archives



Washington, DC 20408

Date : October 22, 1993
Reply to :
Attn of : NIRC (Richter)
Subject : N1-516-92-2 (comprehensive schedule for the Federal Judicial
Center [FJC]): agency response to NARA recommendations and
To : revised dispositions

AW, 10/22/93
JK 10/22/93

NIR
NN-W

The above schedule was submitted for informal review on 11 February of this year; NN responses were received in June. The appraiser has met several times with the FJC officials responsible for records management to discuss and explain the withdrawals, exclusions, and proposed changes in disposition, and also to reexamine three series whose proposed dispositions were altered in the revised edition of the schedule. This memorandum provides the agency's "counteroffers" and/or disagreements with the initial appraisal, with our analyses and recommendations for resolution. Copies of the relevant portions of previous memoranda and the February and October versions of the SF-115 are provided. The FJC concurs with all other changes.

Deputy Director's Files, items B1-B3. The available records had been examined and discussed during several agency visits, but were excluded from the February appraisal because the reorganization of the files meant that the schedule as drafted no longer accurately described the files. The agency now proposes extending the revised file plan for the Director's records to the Deputy's as well. The item descriptions and dispositions are identical, with subject and chronological files recommended as permanent and administrative files to be destroyed at two years. I concur with this proposal. The Deputy Director's files are definitely of sufficient substance to warrant permanent retention, and my (by this point, considerable) experience with the administrative staff of this office leaves me quite confident of their intent and capacity to implement the changes.

Division and (selected) Office Subject and Administrative Files, items C16-C17, C20-C21, D1-D2, E1-E2, F1-F2, G1-G2 and H1-H2. The agency has accepted my February recommendation that Division files be restructured along the lines of the Director's office. These changes have been made on the revised SF-115, with subject files, as above, recommended for

permanent retention and administrative files for destruction at two years. As a part of this change, the agency records officer has notified the Divisions that they are responsible for maintaining the official copies of substantive program material which they originate.

I recommend a provisional acceptance of this proposal. The agency is extremely disinclined to withdraw and resubmit items, desiring rather to have a comprehensive document that all components can utilize immediately. The records officer accepted my recommendation that these series be reexamined in three to four years, to evaluate the substance of Division-level files and determine whether the schedule is being properly implemented. The change also affects the Publications & Media Division, whose files were initially recommended for eventual destruction.

Oral History Files, item C18. This item was withdrawn from the original schedule as no releases or deeds of gift have been obtained. As the schedule now specifies that this documentation will be obtained before transfer, I recommend acceptance of this item.

Interjudicial Affairs Office Files, items C20-C24. Interjudicial Affairs was formerly a part of the Director's Office and its files were incorporated therein. In April of 1992 it was established as a separate body in the Office of Administration. Its records were excluded from the February submission because of the reorganization and the lack of a revised file plan. The file plan has been created and implemented, and sufficient time has elapsed since the reorganization to allow at least a provisional examination of the records.

Items C20 and C21 are the analogous subject and administrative files. IJAO is the office responsible for records relating to the FJC Foundation. The Foundation is comparable to a "Friends of the XXXX" program, with legal authority to collect private funds for various projects related to the judiciary. The files cover such topics as establishment, committee activity, Board members, and so forth. The head of IJAO also functions occasionally as an informal general counsel for the FJC; his reports and analyses are included under subitem b. IJAO is also the contact point for comments on legislation affecting the judiciary, hence the inclusion of this subitem in C20. The Foundation records date from mid-1985 to the present; the Congressional date largely from the last two years. Accumulated volume for C20 is approximately five cubic feet, prior to any weeding. I recommend approval of these series, as at least a portion of this office's activities are of sufficient substance to justify permanent retention.

The three remaining items were formerly subsumed within the Director's Office files. International Files, C22, includes records on individual visitors, arranged by country of origin. Documentation consists of lists of the individuals, biographical information, agendas, and facilitative material on matters such as hotels and visas. There are also files of background material on various aspects of American jurisprudence used in seminars, and one extensive file of a series of jury system seminars for judges from the Newly Independent States (i.e., former USSR). Total volume, which includes considerable non-record material, is approximately five cubic feet. The agency recommends the series for eventual destruction, as the actual visits are not an FJC project; instead, the agency is one of a number of hosts for individuals whose trip is actually sponsored by USIA, USAID, or private bodies such as the American Bar Association or the Institute for International Education.

The State-Federal Judicial Council file, C23, is not as voluminous; total accumulation is between one and two cubic feet. It includes material designed to assist in establishing State-Federal Judicial Councils, and files on each state that has one. The state files cover establishment of the Council, legal issues, logistics, and administrative matters. This item is also proposed for temporary retention, as the Councils are actually run by judges in the states, who are responsible for the official files. The FJC may not receive all of the materials which they produce.

The only documents discovered in Special Projects, C24, were files from two seminars on special issues. As the files custodian explained, both seminars and studies are quite rare, conducted to cover unusual issues such as asbestos, vaccine compensation, etc. If special educational materials are developed, that will be done by the Judicial Education Division prepared and maintains any special educational materials needed for these gatherings; IJAO files cover the arrangements. The "Foundations" subcategory is limited to outside bodies such as the ABA or various think tanks.

I recommend a provisional acceptance of these three items. The documentation is most likely not of sufficient substance to justify permanent retention, but I believe that a reexamination in three to four years will enable NARA to confirm this judgement with more confidence. As noted above, the agency is very reluctant to withdraw and resubmit the series, and providing provisional acceptance will prevent further delays in implementation of the overall records program.

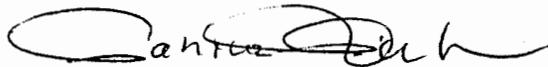
Court Education Division: Training and Education Files, item D3. I recommended this item for eventual destruction in the original appraisal; the custodial units concurred. Although

the revised edition of the schedule lists the item as disposable, the FJC historian requested NARA's reconsideration. She stressed the agency's unique role, as no other government entity is responsible for instruction of judicial personnel. The series thus documents efforts and changes in emphasis in this area, not to mention consumption of a sizeable portion of the FJC's budget. She also assured me that the filing problems noted earlier had been addressed. I, however, remain unconvinced. The training documented is in large part common to nearly any contemporary enterprise, whether public or private: time management, stress management, ethics, retirement planning, and so forth.

Judicial Education Division: Printed Seminar Programs, item E2e. This item was discovered in the course of examining the records and added, as a permanent item, to the first edition of the schedule. The agency wishes to include it as a part of another permanent item, A4a, Publications. I recommend concurrence.

Audiovisual Records: Audiotapes, item E2d (old) or E3d (new) and Videotapes, item G5b2a (old) or G6b2a (new). The FJC concurs with the revised disposition of the audiotapes, but requested reconsideration for permanent retention of the videos. In this instance, I concur with the agency's request. The videotapes are and most likely will remain sufficiently few in number (four to five per year) that intellectual control should not be a problem. A cumulative version of the electronic index entries could simply be printed out and the printout transferred with each video accession. The great majority of the videos are fully-scripted and professionally-acted productions that reflect legal and professional concerns of the judiciary. Examples include bankruptcy settlement techniques, enhanced probation supervision, judicial ethics and the Federal Rules of Evidence. Permanent retention of this series will help document the FJC's role in developing educational programs for judges and judicial personnel and the agency's efforts to improve judicial administration and management, with a minimal expenditure of effort on NARA's part.

As this schedule has already undergone a previous NN review, a timely response would be most appreciated.



Patricia Richter
Records Appraisal and
Disposition Division

June 17, 1993

Mr. Michael Gross
Administrative Services Officer
Federal Judicial Center
One Columbus Circle, NE
Washington, DC 20003

Dear Mr. Gross:

We regret the delay in responding to the FJC comprehensive records schedule, but we only recently received the last of the comments from the interested NARA custodial units. A number of changes and revisions to the schedule have been requested; they are listed below, more or less in order of appearance. An annotated version of the schedule, showing those changes that we were able to make, is enclosed. The changes that we have made in the annotated schedule (and which require FJC concurrence) are noted in the listing with an asterisk; those that require additional work on your part are noted with a bullet. The latter would be best handled by submission of a separate schedule after the other issues are resolved.

* Item A4a, Publications: earlier transfer requested, blocking instructions added.

• The files reorganization essentially invalidated the items pertaining to the Deputy Director files in Part B; these need to be redrafted and resubmitted.

• New items covering the records of the IJAO also need to be submitted.

• The History Office subject files and all Division subject files (with the exception of those for Publications and Media, discussed below) have been withdrawn from the schedule. They require redrafting and resubmission. We strongly recommend that the redrafting utilize the models developed for the Director's files, distinguishing between program and administrative files and providing for the disposal of the latter. As matters now stand, it is impossible for us to determine whether these subject files warrant permanent retention, as the extent of duplication with the Director's and Deputy's files is unknown.

* Item C14, Oral History files, should be withdrawn, as no releases, deeds of gift, etc., have been obtained, and the files will not be accessible/usable without them.

* Item C15, Biographical Questionnaires, used for data entry purposes, is covered by General Records Schedule 20/2a, and is thus disposable.

* Item D2a, Training and Education Files: temporary rather than permanent.

* Item E2b, Workshop/Seminar Files: transfer accelerated and blocking instructions added.

* Item E2d, audiotapes: temporary rather than permanent.

* Item E2e, printed seminar programs: a permanent item has been added to the schedule for these records.

* Item G1, [Publications and Media] Division subject files: temporary rather than permanent.

* Item G5b2a, videotapes: temporary rather than permanent.

* Item, G5d, video guidebooks: a temporary item has been added to the schedule for these records.

* Item G6, photographic files: temporary rather than permanent.

Ms. Richter will be away from the office from June 21 to July 7, but she will be available to answer questions regarding these proposed changes and assist in resolving difficulties with the schedule after that time. Any questions that you may have while Ms. Richter is away may be directed to her Branch Chief, Henry Wolfinger. We look forward to working with you on completing this project.

Sincerely,

JAMES J. HASTINGS
Director
Records Appraisal and
Disposition Division

Enclosures

Official File - NI
Day File - NIR

cc: NIRC
Job No. N1-516-92-2

PRichter:mj

t6/17/93

doc: r:516922RV.LTR

File: Judicial Branch

National Archives



Washington, DC 20408

APPRAISAL REVIEW: RECOMMENDED ACTION
ON

REQUEST FOR RECORDS DISPOSITION AUTHORITY (SF-115)
NIR SPECIAL RECORDS DISPOSITION STUDY
WNRC RECORDS DISPOSITION PROJECT REPORTS

Job No. or Title: NI-516-92-2

Instructions:

1. Each reviewer must fill in data below, using one line.
2. Check appropriate "recommendation" box.
3. Attach written comments if "concur if modified" or "do not concur" box is checked. Comments are optional otherwise.
4. Heads (or designees) of reviewing units must complete this form.

| Unit Symbol | Date (mm-dd-yy) | RECOMMENDATION | | | RECOMMENDED BY Signature (do not use initials) |
|-------------|-----------------|----------------|--------------------|---------------|------------------------------------------------------|
| | | Concur | Concur if Modified | Do Not Concur | |
| NNTA | 3-17-93 | ✓ | | | <i>Mary-Joel Post</i> |
| NNTA | 3-26-93 | ✓ | | | <i>Robert E. Swengel</i> |
| NNT | 4-14-93 | ✓ | | | <i>Gerardine Phillips*</i> |
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** See memo*
ACTION TAKEN BY NNA, NNL, NN-W, or NIR

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|------|--------|--|--|----|--------------------------|
| NN-W | 6/9/93 | | | ✓* | <i>Franklin W. Zurek</i> |
|------|--------|--|--|----|--------------------------|

* See attached NNSM memorandum of 5/28/93, GWRD.

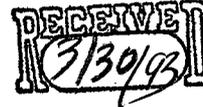
(NN-W: Rev. 5/90)

DATE: 17 March 1993

TO: NNTA

FROM: Mary-Jane Dowd, NNTA(5E)

SUBJECT: Comments on Appraisal Job N1-362-93-02P



I concur in the dispositions recommended by the appraiser for records of the Federal Judicial Center. I wonder, however, who is going to get rid of up to 50% nonrecord material in the 75 feet of records accumulated and which accumulate at the rate of 15 cu. ft. a year (SF 115, p. 1; on p. 6 of her appraisal, she says there are 30 ft. accumulated) in Item E2b.

Even though there is an electronic index to them, I have serious reservations whether 7,200 untranscribed audio tapes (12 cu. ft., accumulating at the rate of 2 cu. ft. a year), the first of them dating to 1969, of Item E2d should be made permanent, rather than being disposable after 25, or 50, or even 75 years. The appraiser was unable to tell me whether the early tapes are used or circulated. Definitely take only one sample a year of a repeated seminar. The electronic index can be used to make the paper seminar/workshop records of E2b more accessible.


MARY-JANE DOWD
Archival Projects Branch

March 26, 1993

I also recommend concurrence. As to the question of who will weed out the non-record material in Item E2b, we can only hope that it will be done before transfer to WNRC.

There is one permanent textual item (H2a) where blocking instructions need to be added.


RONALD E. SWERCZEK
Chief, Archival Projects Branch
Textual Projects Division

National Archives



APPRAISAL REVIEW: RECOMMENDED ACTION Washington, DC 20408
ON

REQUEST FOR RECORDS DISPOSITION AUTHORITY (SF-115)
NIR SPECIAL RECORDS DISPOSITION STUDY
WNRC RECORDS DISPOSITION PROJECT REPORTS

Job No. or Title: N1-516-92-2

Instructions:

1. Each reviewer must fill in data below, using one line.
2. Check appropriate "recommendation" box.
3. Attach written comments if "concur if modified" or "do not concur" box is checked. Comments are optional otherwise.
4. Heads (or designees) of reviewing units must complete this form.

| Unit Symbol | Date (mm-dd-yy) | RECOMMENDATION | | | RECOMMENDED BY |
|-------------|-----------------|----------------|--------------------|---------------|---------------------------------|
| | | Concur | Concur if Modified | Do Not Concur | Signature (do not use initials) |
| NNSP | 3/14/93 | ✓ | | | <i>Edward J. DeLoe</i> |
| NNSP | 3/18/93 | ✓ | | | <i>Elyse L. Hill</i> |
| NNSM | 5/28/93 | | | ✓ | <i>2c Woff NNSM</i> |
| NNS | 6/9/93 | | | ✓ | <i>William T. Murphy</i> |
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ACTION TAKEN BY NNA, NNL, NN-W, or NIR

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(NN-W: Rev. 5/90)

National Archives



Washington, DC 20408

Date : May 28, 1993
Reply to :
Attn of : Frank H. Serene, ^{CPS} Archivist, NNSRM
Subject : Federal Judicial Center Records Schedule (NI-516-92-2)
To : Les Waffen, Assistant Branch Chief

Ad. 6/10/93
R 1192 93

An interesting dilemma is presented in the proposal to schedule as permanent the audiotapes, videocassettes, accompanying guidebooks, and indexes used in the Federal Judicial Center (FJC) training and educational seminars/workshops. Because of the issues addressed by this material, its quantity, and the way it is packaged there is a great temptation to endorse the recommendation to schedule the material as permanent. However, this material does not document FJC policy; and further review reveals the temporary and transitory nature of the material. Moreover, its potential use by researchers is minimal.

Adequate documentation of FJC education and training programs is provided by the workshop/seminar files, subitem E2b; and the possibility that these textual records will be enhanced by the audiotapes or videocassettes is slight. Furthermore, according to the FJC's Catalog of Audiovisual Media Programs "The statements, points of view, and judgments expressed in the programs listed in this catalog are those of the speakers. On matters of policy, the Center speaks only through its Board." As this disclaimer suggests, the audiovisual materials document those who participated in the workshop/seminar sessions, rather than FJC policy. Additionally, concerns about style of presentation, contents of the presenter's statement, and exchanges between the presenter and the audience are less likely to occur at the seminar/workshop level than at the program/policy level.

Much of the audiovisual material appear to be edited audiotapes and videocassettes, either acquired or produced by the FJC, for instructional purposes. Over ninety per cent of the edited material deals with the practice of law, civil and criminal procedure, and the court system. The remainder of the material appear to be computer manuals for individual and classroom use.

In both these areas, the law and computer science, the potential research use of the audiovisual material and the accompanying guidebooks, is minimal because of the specialized nature of the fields and the likelihood that the audiotapes and videocassettes summarize existing knowledge, rather than contribute original or unique ideas, to the two disciplines.

When scheduling material of such minimal value, questions of access, storage, and preservation must be carefully considered. If these audiovisual materials were accessioned by NNSM, researcher access could present a real problem. Indexes to the audiotapes and videocassettes, prepared by the FJC library staff, are electronic records and would be accessioned with the FJC's automated systems. This situation presents two concerns: 1. ensuring acquisition by the National Archives of equipment to read the indexes, and 2. the separation of the indexes from the audiovisual material.

If the indexes (which provide names of speakers, titles, subjects, keywords, and other information) are separated from the audiotapes and videocassettes access to the material can be seriously diminished, if not impossible. Thus, a system of maintaining the connection between the indexes and the audiovisual material needs to be established prior to their transfer to the National Archives; after the transfer, the indexes should be conveniently available so that researchers can use the indexes in conjunction with the audiovisual materials.

Other concerns that need to be addressed when scheduling audiovisual materials are storage and preservation. The fact that there are "upwards of 7200" audiotapes, "700-800" viderotapes, and no way of determining number of tapes or the extent of duplication within each subitem suggests the magnitude of this collection. The collection will continue to expand. NNSM will have to provide shelf space for the initial accession and for subsequent accretions. In addition to concerns about storage, there are concerns about preservation. These tapes may be in various stages of deterioration and their quality may vary.

In light of the temporary nature of these audioivisual materials, NIRC should review its original recommendation and provide for the destruction of these materials after the FJC need longer has need for them.

I AGREE.

CCW NNSM

Concur *J. Seales* NNSM

National Archives



Washington, DC 20408

Date : February 11, 1993
Reply to :
Attn of : NIRC (Richter)
Subject : Appraisal of records covered by N1-516-92-2
To : NIR
NN-W

Ad 2/4/93
JK 2/22/93

The records schedule cited above provides disposition authority for the official files of the Federal Judicial Center (FJC, the Center). The agency was formerly located at 1520 H Street, NW, and in several rented suites; all personnel and functions were consolidated in October 1992 at One Columbus Circle, NE. The agency was established in 1967 (28 U.S.C. 620); its mission includes conducting, stimulating and coordinating research on Federal court operation; creating and presenting continuing education and training programs for judges and judicial personnel; developing recommendations for judicial administrative and management improvement; and conducting, coordinating and encouraging judicial history programs. The Center's governing body is its Board, which includes the Chief Justice, two appellate judges, three district judges, one bankruptcy judge, and the Director of the Administrative Office of the US Courts (AOUSC). The FJC's electronic systems are covered by N1-516-92-1; N1-516-92-2 is the agency's first-ever submission for its textual records. There was thus no authority for any previous disposals.

The FJC has stored files for a number of years at a private warehouse in Forestville, MD, but the contractor who prepared this schedule did not examine those records. Application of N1-516-92-2 to earlier files, where possible, and the development of one-time submissions for obsolete series will be undertaken after this document is approved. This schedule represents a commendable alteration in the agency's attitude towards records management, but it only begins to address the problems resulting from long-term lack of intellectual control of agency records.

This factor is obviously salient in decisions regarding records retention. The widely varying filing systems, and rearrangements thereof, promulgated in the different divisions over the years, and the lack of designated official sets for several important series have necessitated withdrawing several items, and justified retention of certain others as safeguards.

As with many other Federal agencies, the problems created by neglect of records management have been exacerbated by reorganization. The former Continuing Education and Training Division was split into Court Education and Judicial Education ("D" and "E" respectively on the schedule) less than two years ago; the Planning and Technology Division ("F") recently lost part of its functions to the AOUSC. During the course of examining records for this appraisal, the files of the Director's office ("B") and the Research Division ("H") were almost completely rearranged. Events such as these, with a subsequent loss or relocation of documentation, inevitably affect appraisal decisions.

Volume figures are given on the original SF-115; discrepancies are noted in the memorandum. File plans and background material are attached to this memorandum where clarity, complexity or office reorganization mandate their appearance; other listings, catalogues, etc. are available on request.

A. RECORDS COMMON TO MOST FJC OFFICES

Item A4a, Publications. This is one of the few exceptions to the agency's problematic filekeeping. The FJC library has a complete (to the best of anyone's knowledge) set of agency publications from 1969. Representative subjects include alternative dispute resolution, caseloads and case weights, juries, probation, and sentencing. FJC staff or members of the judiciary have authored the vast majority; the Center has contracted with outside authors on only a few occasions, for specialties such as copyright or immigration. A few of these titles are under authors' copyright; all others are public domain. The Center also publishes a few serial or updated titles, on available training, history programs, FJC projects, and sentencing guidelines.

This series is a standard permanent item for practically all Federal agencies, but it is particularly crucial for the FJC, as their *raison d'être* is research and education for the Federal judiciary. I do, however, believe that the retention and transfer instructions should be revised, as holding the official set on-site for four years and transferring at 20 seems excessively long. I would therefore recommend retiring to WNRC when a cubic foot has been accumulated and transferring to the National Archives in five-year blocks when five to ten years old.

The library is also the distribution point for the FJC's extensive collection of audiovisual materials available for distribution and/or circulation to all institutions and employees of the judiciary. The records are discussed below, with other series of the creating divisions. The library staff also maintain two comprehensive indices to all FJC products, one for audio- and videocassettes and the second for

printed documents. Both provide the author or speaker, title, subject, keyword, and other information. However, as both indices are electronic, they have been added to N1-516-92-1, which covers the agency's automated systems.

B. OFFICE OF THE DIRECTOR

As noted above, this office completely revamped its filing system after the schedule was submitted; their recordkeeping should eventually benefit but the appraisal task has been significantly complicated. The Deputy Director's files and those for a newly-established office, Interjudicial Affairs (IJA), were separated from those of the Director, functions were reassigned, and series rearranged. After some discussion, the IJA files and Deputy files were excluded from the schedule. IJA has taken over some existing series, but those have been reorganized, and the newly-established series are simply of too recent vintage to justify an appraisal at this point.

The revised items B1, *Administrative Files*, and B2, *Subject Files*, provide considerably more guidance on distinguishing between substantive and transitory material, but did pose some questions. After discussion with the staff, calendars were left in the administrative category, as they have not been used as repositories for substantive documentation, and the screening proviso for permanent documents should cover any exceptions. Within the subject files, the staff orally concurred with changing the proposed "permanent" in-house retention of the Board files to transfer at 20 years.

Item ^{B1?}B2 is a key evidential record for the FJC. The Board and Organization files, for example, document the Center's role and the work of the Board committees and provide information on overall and specific policies and resolutions. A complete set of minutes (1968 and continuing) is also available. The *Chron Files*, B3, include only the outgoing document. That series extends back to at least 1975, if not earlier; it provides a useful cross-reference for the subject files. The reorganization has played some havoc with the volume figures; present guesstimate for total accumulation of the permanent items is 20-30 feet.

The files of the previous Deputy Director (1981-91, approximately 20 cubic feet) were only discovered when the staff began packing for the move; the status, location and volume of earlier material is not known. The present Deputy's files include program material on the Board, Judicial Conference, divisions and offices, outside bodies, and miscellaneous judicial projects; accumulated volume is 3-4 feet. There is considerable documentary overlap between the Director and the Deputy, but the secretary to the former stated that has varied over the years, depending on the occupants of the offices.

However, a revised file plan that accurately reflects the recent reorganization has not yet been developed for the Deputy's files. Therefore, including those series on this schedule also proved to be unworkable. Both the Deputy and IJAO files should be resubmitted as soon as possible, but an accurate appraisal is not possible at this time.

DIVISION SUBJECT FILES

At this point, a discussion of these items--C13, D1, E1, F1, G1 and H1--in the context of the Director's office files, rather than organizationally, is warranted. All of the series are largely composed of GRS, non-record and transitory material, but with one exception also contain some substantive documentation. After considerable contemplation, I have concluded that the most sensible recommendation I can make is for the division offices to restructure their files in accordance with the model of the Director's office. The items should be withdrawn from the present schedule and resubmitted when the reorganizations have been implemented. This is particularly appropriate for items E1 and F1, Judicial Education and Planning and Technology, respectively, as their filing systems do not reflect the reorganizations noted above.

Other alternatives inevitably involve the appraiser in attempts to pick and choose among file categories, or in giving generalized instructions about "weeding" or "screening" and "saving program documentation" that will be insufficient, ignored, or both. There is also the option of declaring these series disposable in toto, which may be the eventual conclusion. However, given the lack of proper records management for much of the agency's existence, and the afore-mentioned lack of intellectual control, a middle course seems the optimum solution.

The exception to this discussion is item G1, *Subject Files for the Publications and Media Division*. The "program" categories in the file listing relate to negotiations and contracts with authors, production schedules, auditions for actors, draft scripts, and so forth. All of these topics would be better documented in the finished products--videos and publications--than in these files.

C. GENERAL ADMINISTRATION DIVISION

Within the FJC, the History Office is the component obviously responsible for the agency's mandate to "conduct, coordinate and encourage" judicial history programs. Representative activities to date include presentation of a two-day nationwide conference on the history of the Courts; development and promulgation of guidance on judges' papers and other topics; and assistance with the establishment and maintenance of historical societies at district, circuit and other levels.

After discussion with the division liaison, the *Oral History Files, item C14*, are also recommended for withdrawal from the schedule, as no releases, deeds of gift, etc., exist for any of this material. The ongoing Supreme Court interview program is regarded as "confidential"; restrictions will be promulgated at completion. Some of the remaining interviews were conducted by a former staff member, who either did not obtain releases for use or did not leave them at the agency. The balance were conducted by present staff, who have yet to complete negotiations with the subjects. NARA should encourage the FJC to resolve this matter, and also work with the agency on transfer instructions and any questions regarding access.

The *Biographical Questionnaires, item C15*, are the hard copy collection forms for item C16, Biographical Database File, which is included on N1-516-92-1. This series is proposed for permanent retention; the forms are thus disposable under GRS 20/2a.

D. COURT EDUCATION DIVISION

The major effects of the previously-noted reorganization of the education divisions have been on structure and reporting; their specific functions are largely unchanged. Court Education develops seminars for clerks, officials dealing with probation and pre-trial services, and management and administrative personnel. It presents approximately 50 seminars a year. Judicial Education (Section E, below) is responsible for programs aimed at public defenders, staff attorneys, and judges. The majority of both divisions' seminars are held outside Washington. In addition to FJC staff, the presenters include judges, clerks, other court personnel, legal experts and management consultants from around the country.

The *Training and Education Files, Item D2 (a and b)*, consist of three-ring binders stored (prior to the move) in no discernible order in the stockroom. I would guesstimate 10-20 feet total volume, excluding duplication. Very few of the binders were dated prior to the mid-1980s. Much of the material is nationwide, but some seminars were developed specifically for one circuit or a group of circuits. The format is fairly standard for both divisions. Typical contents include copies of papers written for the presentation, copies of book chapters and journal articles, instructor handouts (outlines, exercises, etc.) for workshops, faculty biographies and bibliographies. Title pages and tables of contents are attached for a representative sampling of seminars.

The schedule recommends permanent retention for a complete set of seminar files (*D2a*); after careful consideration, I have concluded that the series should be entirely disposable. In

particular, the seminars dealing exclusively with managerial and administrative issues have no long-term historical utility. The material that is extant in those folders is often non-record and/or has little or no specific relation to legal and judicial activity; copies of articles and book chapters on issues in management, introductory material on Meyers-Briggs psychological testing, and so forth. Many seminar binders also proved upon examination not to contain much of the material noted on the tables of contents. According to the division liaison, this material would have been provided on-site by the instructor, but copies failed to make their way back to Washington. The management and administration seminars are also repeated, both within a year and in succeeding years.

Obviously the division should improve its filing practices to ensure adequate and proper documentation, but even those seminars covering specifically judicial matters will be, at best, marginally useful for research on the judiciary. While there is some original material in the binders (the division liaison could not provide an exact proportion), it is difficult to distinguish from copies of previously-published material, and there are also no finding aids to this series. The SF-115 has been revised to reflect this proposal.

Item D3, Training Support Files, is largely as described, containing the administrative material generated in the course of planning and conducting the seminars. It is disposable as proposed.

E. JUDICIAL EDUCATION DIVISION

Administrative Files, subitem E2a under Workshop/Seminar Files, are analogous to item D3 above, and also disposable.

Subitem E2b, Workshop/Seminar Files, is analogous to D2a, and also proposed for permanent retention. The format is, unsurprisingly, identical to that for D2a, as the two divisions were separated less than two years ago. There are significant procedural differences, however, as the seminars handled by Court Education have never been recorded, while those for Judicial have been. The topics cover the gamut of judicial concerns. Orientation seminars provide newly appointed judges with background on matters such as case management, sentencing guidelines, bankruptcy, ethics and habeas corpus. Other seminars are directed at particular situations, such as districts with high-volume Chapter 13 bankruptcy filings, or are workshops developed for a circuit or group of circuits (see attached examples). Total volume is approximately 30 feet, including duplication; earliest dates are approximately mid-1980s. After even more extensive consideration, I concur with the proposed disposition, with the minor amendment of accessioning only one example per year

of repeated seminars. (The division typically presents orientation seminars and seminars on the Federal rules of evidence several times a year.)

The "extensive consideration" stemmed from the conflicting characteristics of this series. As noted above, all their clientele are directly involved in the judicial process. The topics covered in this division are thus more substantive and the filing practices improved, as Judicial Education staff make a point of obtaining and filing all instructor handouts. However, the amount of original material--that is, papers prepared specifically for the seminar and not copied or adapted from earlier publications--is estimated at fifty percent. The series thus contains a considerable amount of non-record material, and the binders must be individually examined to differentiate between record and non-record items. Access also presents a problem, as there is no finding aid for the series. However, the electronic index for the audiovisual material, discussed on pages two and three and also below in connection with the audiotapes, will provide at least indirect access to the binders, which will obviously be much easier to use than the nontranscribed tapes. Thus, the amount of original material present, the existence of a finding aid of sorts and the fact that seminar presentation is one of the FJC's basic responsibilities, justify retention of the series. Suggested revisions are noted on the SF-115.

The *Audiotapes, subitem E2d*, circulate through the FJC Library, and in some instances are automatically distributed to all or some of the courts. (The description on the SF-115 is slightly misleading; the great majority of the tapes are indeed recordings of seminars and workshops, but there are a few original productions. As far as can be determined, all of these are the audio-only versions of video productions, discussed below.) The library staff handle all indexing, maintenance, and circulation. The present arrangement is numeric, but filing systems have altered over the years, as older tapes are arranged by alphabetic subject denominators. According to division staff members, the automated index discussed above covers all audiotapes that the FJC has produced. Sample index printout pages are attached.

The estimated total number of audiotapes is upwards of 7200, dating back to 1969. This does not, however, reflect the number of seminars, as one seminar may use 15-20 tapes. The division records all its seminar and workshop presentations, with the occasional exclusion of question-and-answer sessions. Some of the presentations are recorded on standard portable equipment; others, noted in the catalog as "high-quality recording," are professionally recorded by media staff. (The *1992 Catalog of Audiovisual Media Programs*, which lists selected current titles, is available from the appraiser.)

While obviously quite similar to the material given in the binders (E2b), the information on the tapes will not be an exact duplicate, and, for the occasional instances where a presenter spoke extemporaneously from an outline, the tapes will be a much more complete record. The beginning date for this series is also nearly 15 years prior to that for the binders. I concur with the recommendation for permanent retention; a possible exception would be, again, taking only one example per year of a repeated seminar. Blocking instructions have also been added and the transfer dates accelerated. The latter may be the source of some discussion with the agency, but the nature of the material mandates an earlier transfer.

I also recommend adding another subitem, E2e, to cover a series of printed seminar programs. Done in booklet form and maintained chronologically in 6 x 9 binders, the programs are a succinct overview of the particular seminar/workshop, providing subject, date, schedule, location, names and titles of speakers and titles of their presentations. To the best of anyone's knowledge, the series is complete back to 1972. Since the present practices for capturing documentation were not established until the late 1970s, it may well constitute the only textual evidence for earlier seminars. I therefore recommend permanent retention. Volume to date is approximately 10 feet.

The last item in this section, E3, *Continuing Legal Education Files*, is indeed disposable as proposed. Attorneys are allowed to use FJC classes to fulfill continuing education requirements; this file simply documents their attendance and completion of the courses.

F. PLANNING AND TECHNOLOGY DIVISION

This division's primary function is assisting the Judicial Conference of the United States with the technological aspects of long-range planning, on issues such as videoconferencing and the "virtual courtroom." It also supports in-house automation, but its former responsibility for direct automation support to the judicial system has been transferred to the AOUSC.

In this instance, files appear to have followed function, as no subject files (F1) earlier than 1990 could be located. Both the recent vintage of the documentation and the potential significance of a few of the file categories justify the withdrawal and resubmission recommended above.

G. PUBLICATIONS AND MEDIA

This division's responsibilities include development and production of audio and video educational materials, and

editing and production coordination of all the Center's print publications.

Schedule statements to the contrary notwithstanding, *Production Scripts (G5a, 1-3)* are not neatly delineated among drafts, finals and extras, but are all, as of last examination, still included in the Production Administrative Files (G5c). Division staff stated that they intended to properly segregate the series prior to retirement to WNRC, but I am mildly skeptical that their good intentions were actually carried out. I concur with the proposed dispositions, with the minor revisions of accelerated transfer and blocking instructions for the permanent subitem, but strongly recommend that WNRC and/or NN ensure that they are properly implemented. Estimated total number of scripts is 200-250, with some unsurprising loss of older material; volume would be no more than three cubic feet. There are far fewer scripts than videos, as the division produces more tapes of seminars and workshops than staged productions.

Videotapes are also not separated into the three subitems listed in the schedule, but were filed in several locations in the FJC's former headquarters. Representative titles from the 1992 *Catalog*, in addition to the seminar/workshop productions discussed above, include *Managing Pretrial Proceedings, [Bankruptcy] Settlement Techniques* (one of a lengthy series of videos on bankruptcy law and procedure), and *Criminal Trial Procedure*. A shelf count produced a rough estimate of 700-800 total tapes; the division could provide no further information as to the approximate number of tapes in each subitem or the extent of duplication. This figure also does not exclude the commercial videos the FJC has purchased, often on topics such as alcohol and drug abuse, personal computing, and human relations. However, as a total of 276 individual tapes was retired to WNRC, and there are only 32 FJC-originated video titles in the 1992 Media catalog, the volume of permanent material under this item should not be extensive. I obviously concur with permanent retention of G5b2a, but the description must be revised to meet the requirements of 36 CFR 1228.184, retirement to WNRC is inappropriate and should be deleted, and the transfer date should be accelerated. Suggested revisions are provided on the SF-115.

Another subitem, G5d, should also be included in item G5, as many of the seminar videos also have a guidebook or "use packet," which outlines the material covered and is intended for concomitant use with the video. These are noted as "(print material)" in the catalog's item descriptions. I recommend permanent retention, both as a guide to another permanent series, and documentation of agency mission in its own right. The series was created around 1981; total volume would not exceed two cubic feet.

Item G6, Photographic Files, exhibits even less intellectual control than the videos, and is unfortunately less amenable to improvement. The series consists (or did before the move) of one unarranged lateral drawer of prints, negatives and a few slides, with no index and only a few, very general, captions. Many are of social functions, often involving Supreme Court members, as this is an "other duty as assigned" for staff photographers. All the images examined were also of fairly recent vintage (i.e., very few images appeared to be more than three or four years old); no one had any information on the existence, status or location of any earlier material. Given these circumstances, I recommend that the records be disposed of when administrative and reference use are exhausted, as they do not and most likely cannot meet NARA's criteria for transfer.

H. RESEARCH DIVISION

This division provides original studies on issues of concern to the Judicial Conference, its committees, and the courts, such as judicial process, court management and the effect of sentencing guidelines. Like the Director's office, its response to the renewed interest in records management was to rearrange its holdings. The original subject files have been split into better-defined categories, but as this process is still ongoing, an appraisal could not be made and the records have been withdrawn.

Projects, H2 (a and b), is obviously the crucial series for this division. Over 200 have been completed since the FJC was established, covering a wide range of Federal judicial concerns. Representative studies include expediting of appeals, drug aftercare programs, alternatives to jury trials in protracted civil cases and local rules. (A complete listing is available on request.) In addition to the actual reports, the typical supporting documentation includes correspondence and memoranda on project development, procedures and issues; and documents such as questionnaires and statistical analyses. The previous subitem division has been retained, as every project generates a considerable volume of transitory supporting material, which can legitimately be destroyed. Total volume is approximately 40 cubic feet; I would estimate that no more than a third would be eligible for immediate transfer.

The series proposed for permanent retention in this schedule will provide an overall understanding of the FJC's establishment, development, mission and goals. They will also capture the crucial information which the FJC creates and provides to the Federal judiciary, thus documenting shifts and changes within the judicial system, the goals of the Courts and the ways in which they have tried to meet those goals. This is of particular relevance in light of the current concerns about burgeoning judicial workloads, the effects of sentencing

guidelines, the exponential increase in Federal narcotics prosecutions and bankruptcy cases, restrictions on habeas corpus and "frivolous" filings and numerous other issues. The AO/FJC Joint Committee on Court Records has also stressed the importance of preserving records documenting the day-to-day work of Federal Courts. The FJC records proposed for permanent retention will be a significant component of that effort.



Patricia Richter
Records Appraisal and
Disposition Division

Enclosures

REQUEST FOR RECORDS DISPOSITION AUTHORITY

(See Instructions on reverse)

--- ONE BLANK (NARA use only)

JOB NUMBER

NI 376-92-2

DATE RECEIVED

3-11-92

NOTIFICATION TO AGENCY

In accordance with the provisions of 44 U.S.C. 3303a the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

To: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)
WASHINGTON, DC 20408

1. FROM (Agency or establishment)
Federal Judicial Center (FJC)

2. MAJOR SUBDIVISION

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER
Michael B. Gross

5. TELEPHONE
202-633-6347

DATE

ARCHIVIST OF THE UNITED STATES

6. AGENCY CERTIFICATION

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached 14 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies,

is not required;

is attached; or

has been requested.

DATE

2/26/92

SIGNATURE OF AGENCY REPRESENTATIVE

Michael B. Gross

TITLE

Administrative Services Officer

7. ITEM NO.

8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION

9. GRS OR SUPERSEDED JOB CITATION

10. ACTION TAKEN (NARA USE ONLY)

The attachment with table of contents is a complete listing of FJC records (with the exception of electronic records which are attached under a separate SF 115) not approved for disposition previously. Non-record material and FJC records covered by the General Records Schedules have been omitted on this submission. This accounts for missing item numbers which will be included on the FJC published Records Schedule after NARA approval of the attachment. The total volume and estimated annual accumulations for permanent items is provided as follows:

| Item No. | Total Volume (In Cubic Feet) | Annual Accumulatives (In Feet Per Year) |
|----------|------------------------------|-----------------------------------------|
| A. 4a | 30 | 1-2 |
| B. 1 | 50 | 5 |
| B. 2 | 4 | 1 |
| B. 3 | 5 | 2 |
| B. 4 | 2 | less than 1 |
| B. 5 | 5 | less than 1 |
| C. 13 | 10 | 2 |
| C. 14 | 3 | less than 1 |
| C. 15 | 9 | less than 1 |
| D. 1 | 10 | 1 |
| D. 2a | 50 | 12 |
| E. 1 | 5 | less than 1 |

REQUEST FOR RECORDS DISPOSITION AUTHORITY

| Item No. | Total Volume (In Cubic Feet) | Annual Accumulatives (In Feet Per Year) | | |
|----------|------------------------------|-----------------------------------------|--|--|
| E. 2b | 75 | 15 | | |
| E. 2d | 12 | 2 | | |
| F. 1 | 5 | less than 1 | | |
| G. 1 | 5 | less than 1 | | |
| G. 5a2 | 5 | less than 1 | | |
| G. 5b2 | 225 | 25 | | |
| G. 6 | 5 | less than 1 | | |
| H. 1 | 40 | 2 | | |
| H. 2a | 70 | 3.5 | | |

FEDERAL JUDICIAL CENTER
RECORDS RETENTION AND DISPOSITION SCHEDULE

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RECORDS RETENTION AND DISPOSITION SCHEDULE**

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A. RECORDS COMMON TO MOST FJC OFFICES

1. Program Correspondence and General Subject Files

Record copies of incoming and outgoing correspondence, reports, memoranda, and similar material of a general nature pertaining to the substantive or program activities of the Federal Judicial Center. Excluded are duplicate material and copies of correspondence kept for reference use and administrative files as described in item 2 below.

For disposition instructions see the item descriptions contained in the separate records series listings for FJC offices and divisions.

3. Reading or Chronological Files

Copies of correspondence and other papers maintained by the originating office used solely as a reading or reference file for convenience.

**Destroy when 2 years old.
For exception see Item
B.5.**

4. Publications

a) ONE copy of each official publication prepared, including reports, handbooks, manuals, pamphlets, posters, brochures, etc. Arranged by publication type and chronologically thereunder.

**Permanent. Cut off files
annually and retire to
WNRC when 4 years old.
Offer to the National
Archives when 20 years
old.**

b) Reference Publications: copies of internal or external publications maintained for reference.

**Destroy when 3 years old
or sooner if purpose is
served.**

5. Policy and Procedures Files

Documents establishing policy and procedure.

a) Files maintained in the division for which the policy or procedure is a program function.

**See disposition
instructions for Subject
Files listed for FJC
offices and divisions.**

b) Copies of operating policy and procedure for convenience of reference.

**Destroy when 2 years old
or sooner if purpose is
served.**

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**B. OFFICE OF THE DIRECTOR AND THE IMMEDIATE OFFICE STAFF
INCLUDING THE DEPUTY DIRECTOR AND SPECIAL ASSISTANT
AND COUNSEL TO THE DIRECTOR**

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

1. Subject Files

Correspondence, reports, and other documentation pertaining to the policies and operation of FJC programs including the activities of the FJC Foundation and the FJC Board. The files are subdivided into the following subject areas and arranged by subject thereunder.

- a) General: Subjects pertaining to general court matters, legislation, and other subjects not listed below
- b) FJC Board
- c) FJC Foundation
- d) Research
- e) Education and Training

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

2. International/Foreign Projects Files

Correspondence and other documentation pertaining to official visits by foreign dignitaries to FJC and matters regarding FJC involvement in foreign judicial matters. Arranged by subject.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

3. Domestic Project Files

Projects assigned by the Director to the Special Assistant and Counsel to the Director. The project subjects include but are not limited to legislation, FJC program areas, legal matters, and related subjects. Arranged by subject and chronologically thereunder.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

4. Speeches and Published Articles Files

Copies of speeches given and articles written and published by officials of the FJC, FJC Board members, and others relevant to FJC activities. Arranged alphabetically by name of speaker.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

5. Director's Chronological File

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

C. GENERAL ADMINISTRATION DIVISION

HISTORY OFFICE

13. General Subject Files

Correspondence, reports, and other records pertaining to the FJC History Program. Arranged alphabetically by subject.

Permanent. Cut off files every 2 years and offer to the National Archives when 20 years old.

14. Oral History Files

Audio tapes and transcripts of oral interview for historical use. Arranged alphabetically by name of individual interviewed.

Permanent.

15. Biographical Questionnaires

Questionnaires from Article III judges and others for biographical directory. Arranged alphabetically by individual.

Permanent.

PERSONNEL OFFICE

20. Employment Applications Files

a) Excepted Positions Applications

Destroy when 6 months old.

b) All others

Destroy upon receipt of OPM inspection, or when 2 years old, whichever is earlier.

D. COURT EDUCATION DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

1. Division Subject Files

Correspondence, reports, and other documentation of a general nature pertaining to policy and procedural aspects of the Division's educational programs. Arranged by subject.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

2. Training and Education Files

These files pertain to training activities provided for Federal Court administrators and staffs through the use of workshops, seminars, and self-study courses (e.g. Applied Supervision Course). Arranged chronologically and thereunder by training titles.

a) ONE copy of each syllabus, curriculum package, lesson plan, brochure, manual, pamphlet, instructor's script, and student/participant handouts prepared and used for each training program.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

b) ONE reference copy of records described in 2a above.

Destroy when 10 years old or sooner if administrative needs have been served.

3. Training Support Files

Documentation pertaining to planning and execution of the individual training programs including but not limited to correspondence, reports, enrollment lists and records, and copies of financial documents.

Cut off files annually. Destroy when 10 years old or sooner if administrative needs have been served. Retire to WNRC when 3 years old if volume warrants retirement.

E. JUDICIAL EDUCATION DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

1. Division Subject Files

Correspondence, reports, and other documentation of a general nature pertaining to policy and procedural aspects of the education programs for Federal circuit and district court judges, magistrate judges, bankruptcy judges, defenders, and staff attorneys. Arranged by subject.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

2. Workshop/Seminar Files

Documentation pertaining to individual workshops and seminars provided by FJC.

a) Administrative files consisting of financial authorizations, invitations, purchase orders for payment of honorariums, and other documentation pertinent to the workshop/seminar presentation.

Cut off annually. Retire to WNRC when 3 years old. Destroy when 10 years old.

b) ONE copy of each syllabus, curriculum package, lesson plan, brochure, manual, pamphlet, instructor's script, and student/participant handouts prepared and used for each training program. Arranged chronologically and thereunder by workshop/seminar titles.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

c) ONE reference copy of records described in 2b above.

Destroy when 10 years old or sooner if administrative needs have been served.

d) Audio tapes of seminar/workshop sessions. Arranged chronologically and thereunder by library accession number. Indexed on data base maintained in library.

Permanent. Cut off annually. Offer to the National Archives when twenty years old.

3. ~~Continuing Legal Education (CLE) Requests Files~~

~~Documentation pertains to the CLE program for attorneys as required by various states. FJC workshops/seminars attendance information is maintained by the Division, and requests from various sources such as judges are received regarding attorneys' attendance at training sessions. Included are replies to requests for information, academic history information on workshop/seminar participants, and related material.~~

**Cut off files annually. Retire to
WNRC when 3 years old.
Destroy when 10 years old.**

F. PLANNING AND TECHNOLOGY DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

1. Division Subject Files

Correspondence and other documentation of a policy and procedural nature pertaining to the overall research activities of the division. Arranged by subject.

**Permanent. Cut off files annually and
retire to WNRC when 4 years old.
Offer to the National Archives when 20
years old.**

G. PUBLICATIONS AND MEDIA DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below. Permanent audio-visual files must be transferred to the National Archives in accordance with the requirements stated in 36 CFR ch. 12.

1. Division Subject Files

Correspondence and other documentation of a general nature pertaining to policy and procedural activities of the Division. Arranged by subject.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

PUBLICATION/EDITORIAL RECORDS

4. Negative Files

Photographic negatives for production of printing plates used for FJC publications.

Destroy when no longer needed for printing.

MEDIA RECORDS

5. Production Title Files

Documentation pertaining to the production of educational programs for the training of Federal Court staff including judges, magistrate judges and defenders, and court administrators.

a) Production Scripts. Arranged by individual productions.

1) Drafts of production scripts and all supporting material.

Destroy 2 years after editing and final copy of script is produced.

2) ONE copy of final script on each production.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

3)Extra copies of final scripts.

Destroy when no longer needed for administrative and reference needs.

b)Production Videotapes for Individual Programs

1)Initial tapes prepared before editing

Destroy when no longer needed for administrative and reference needs.

2)Edited tapes arranged by individual programs.

(a)Master files consisting of one record copy

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

(b)Copies of edited tapes

Destroy when no longer needed for administrative and reference needs.

c)Production Administrative Files

Correspondence, copies of purchase orders, contracts, and other documentary materials of an administrative nature pertaining to individual productions.

Destroy when 3 years old.

6. Photographic Files

Copies of 35mm slides and still pictures of people (e.g., members of court), events (e.g., meeting involving Federal Judiciary activities), and places (e.g., courthouses). Some photography is used in media production work. Arranged by nature of photograph or subject.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

H. RESEARCH DIVISION

See A. RECORDS COMMON TO MOST FJC OFFICES for administrative (housekeeping) files, chronological files, publications, electronic records and any other documentary material not specifically listed below.

1. Division Subject Files

Correspondence and other documentation of a policy and procedural nature pertaining to the overall research activities of the division. Arranged by subject.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

2. Research Project Files

Files consist of all documentation for individual projects from project initiation to completion. Included is pertinent correspondence, project survey and design documentation, other related records, and a copy of the final report. Arranged chronologically and by project thereunder.

a) ONE copy of each final project report and any supporting documentation integral to each project.

Permanent. Cut off files annually and retire to WNRC when 4 years old. Offer to the National Archives when 20 years old.

b) Other supporting documentation (e.g., surveys, notes, etc.)

Cut off completed files annually and retire to WNRC when 3 years old. Destroy when 10 years old.