



Ohio History Connection  
State Archives of Ohio  
Local Government Records Program  
800 E. 17<sup>th</sup> Avenue  
Columbus, OH 43211-2474

OHIO HISTORY CONNECTION Page 1 of 5

JUN 10 2019

STATE AND LOCAL  
GOVERNMENT RECORDS

**RECORDS RETENTION SCHEDULE (RC-2)– Part 1**

See instructions before completing this form. Must be submitted with PART 2

**Section A: Local Government Unit**

CUYAHOGA COUNTY DOMESTIC RELATIONS COURT

CUYAHOGA COUNTY COURT OF COMMON PLEAS

(local government entity)

(unit)

(signature of responsible official)

(name)

(title)

(date)

James J. Galt County Administrator 6-5-19

**Section B: Records Commission**

Cuyahoga County Records Commission (216) 443-7250

(telephone number)

C/O JUDY CETINA, SENIOR RECORDS MANAGEMENT ADMINISTRATOR

3951 Perkins Avenue  
(address)

Cleveland, OH  
(city)

44114  
(zip code)

Cuyahoga  
(county)

To have this form returned to the Records Commission electronically, include an email address:

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

Judith D. Cetina, Acting Chair 6/5/19

Records Commission Chair Signature

Date

**Section C: Ohio History Connection - State Archives**

Shirley Rinker Local Government Records Administrator 7/18/19

Signature

Title

Date

**Section D: Auditor of State**

Martin E. Miller Records Manager 7-18-19

Signature

Title

Date

Please Note: The State Archives retains RC-2 forms permanently. It is strongly recommended that the Records Commission retain a permanent copy of this form

**Section E: RECORDS RETENTION SCHEDULE (RC-2) – Part 2***See instructions before completing this form.*Cuyahoga County Domestic Relations Court  
(local government entity)Cuyahoga County Court of Common Pleas  
(unit)

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or LGRP	(6) RC-3 Required by LGRP
2019-1	<p>Family Evaluation Services (fka Family Conciliation Services) Evaluation Reports, Face Sheet (Intake Sheet Reports), Psychological Reports, Counselors' Notes, Correspondence, Releases, Collateral Information, Psychological Testing and Raw Data. All documents made and/or in the possession of Family Evaluation Services in conjunction with preparation of custody evaluations and forensic case management.</p> <p>Ongoing.</p> <p>Supersedes and replaces DR Court RC2 #2010-1 through 2010-7, inclusive.</p>	Retain until scanned and verified. Then destroy.	Paper		<input type="checkbox"/>
2019-2	<p>Family Evaluation Services (fka Family Conciliation Services) Evaluation Reports, Face Sheet (Intake Sheet Reports), Psychological Reports, Counselors' Notes, Correspondence, Releases, Collateral Information, Psychological Testing and Raw Data. All documents made and/or in the possession of Family Evaluation Services in conjunction with preparation of custody evaluations and forensic case management.</p> <p>Ongoing.</p> <p>Supersedes and replaces DR Court RC2 #2010-1 through 2010-7, inclusive.</p>	<p>Discretionary.</p> <p>Kept separate from the case file, or destroyed at the discretion of the preparer.</p> <p>Sup. R. 26.03(E)</p>	Electronic		<input type="checkbox"/>

**Section E: RECORDS RETENTION SCHEDULE (RC-2) – Part 2***See instructions before completing this form.*Cuyahoga County Domestic Relations Court  
(local government entity)Cuyahoga County Court of Common Pleas  
(unit)

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or LGRP	(6) RC-2 Required by LGRP
2019-3	Stenographic notes of hearings, jobs, office copies of transcripts, trials and other proceedings. Per 2013-1 (September 30, 2013).  Ongoing.	Retain five (5) years after conclusion of litigation then destroy provided compliance with Sup. R. 26 (F)	Paper/ electronic		<input type="checkbox"/>
2019-4	Exhibits, depositions and transcripts. Per 2013-2 (September 30, 2013).  Ongoing.	Retain one (1) year after conclusion of litigation, then destroy, provided compliance with Sup. R. 26(F)	Paper/ electronic		<input type="checkbox"/>
2019-5	Guardian ad Litem appointment documents, and correspondence to counsel and litigants. Not part of any court case file.  Ongoing.	Three (3) years from conclusion of litigation	Paper/ electronic		<input type="checkbox"/>
2019-6	Guardian ad Litem individual applications and contents of Guardian ad Litem file. Not part of any court case file.  Ongoing.	Three (3) years after completion of service as Guardian ad Litem	Paper/ electronic		<input type="checkbox"/>
2019-7	Fiscal records, including copies of transactional budgeting and purchasing documents maintained by another office or	Three (3) years or from completion of Audit report	Paper/ electronic		<input type="checkbox"/>

**Section E: RECORDS RETENTION SCHEDULE (RC-2) – Part 2***See instructions before completing this form.*Cuyahoga County Domestic Relations Court  
(local government entity)Cuyahoga County Court of Common Pleas  
(unit)

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or LGRP	(6) RC-3 Required by LGRP
	agency. Accounts Payable/Accounts Receivable.  Ongoing.	from State Auditor (whichever is later)  Sup. R. 26.01 (K)			
2019-8	Records concerning the hiring, promotion, evaluation, attendance, medical issues, discipline, termination, and retirement of court employees.  Ongoing.	Ten (10) years after termination from employment  Sup. R. 26.01 (J)	Paper/ electronic		<input type="checkbox"/>
2019-9	Payroll records of personnel time and copies of payroll records maintained by another office or agency.  Ongoing.	Three (3) years or from completion of Audit report from State Auditor (whichever is later)  Sup. R. 26.01 (M)	Paper/ electronic		<input type="checkbox"/>
2019-10	Requests for proposals, bids received in response to a request for proposal and contracts resulting from a request for proposal.  Ongoing.	Three years after the expiration of the contract that is awarded pursuant to	Paper/ electronic		<input type="checkbox"/>

**Section E: RECORDS RETENTION SCHEDULE (RC-2) – Part 2***See instructions before completing this form.*Cuyahoga County Domestic Relations Court  
(local government entity)Cuyahoga County Court of Common Pleas  
(unit)

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or LGRP	(6) RC-3 Required by LGRP
		the request for proposal  Sup. R. 26.01 (P)			

2019-1 and 2019-2 supersede and replace DR Court RC2 #2010-1 through 2010-7, inclusive.

The attached exhibit, entitled "Domestic Relations Court Records Retention Schedule" represents the Court's retention policies relative to administrative records and case files, documents that are generated from day to day in the ordinary course of business of the Cuyahoga County Domestic Relations Court.





**CUYAHOGA COUNTY COURT OF COMMON PLEAS**  
**DIVISION OF DOMESTIC RELATIONS**

## Domestic Relations Court Records Retention Schedules

### Administrative Records (Sup.R. 26, 26.01)

<b>Administrative journal</b>	Administrative journals that consist of court entries, or a record of court entries, regarding policies and issues not related to cases	Permanently
<b>Annual reports</b>	Each annual report	2 copies permanently
<b>Bank records</b>	Bank transaction records, paper or electronic	3 years or until issuance of report by Auditor of State, whichever is later
<b>Cash books</b>	Cash books, including expense and receipt ledgers	3 years or until issuance of report by Auditor of State, whichever is later
<b>Communication records</b>	Communication records, including routine telephone messages on any medium where official action recorded elsewhere	When considered of no value by person holding the records
<b>Correspondence and general office records</b>	Correspondence and general office records, including all sent and received correspondence, in any medium	When considered of no value by person holding the records
<b>Drafts and informal notes</b>	Drafts and informal notes consisting of transitory information used to prepare the official record in any other form	When considered of no value by person holding the records
<b>Employment applications for posted positions</b>	Employment applications for posted or advertised positions	2 years
<b>Employee benefit and leave records</b>	Employee benefit and leave records, including court office copies of life and medical insurance records	3 years or until issuance of a report by Auditor of State, whichever is later
<b>Employee history and discipline records</b>	Records concerning the hiring, promotion, evaluation, attendance, medical issues, discipline, termination, and retirement of court employees	10 years after termination of employment
<b>Fiscal records</b>	Fiscal records, including copies of transactional budgeting and purchasing documents maintained by another office or agency	3 years or until issuance of a report by Auditor of State, whichever is later
<b>Grant records</b>	Records of grants made or received by a court	3 years after expiration of grant
<b>Payroll records</b>	Payroll records of personnel time and copies of payroll records maintained by another office or agency	3 years or until issuance of a report by Auditor of State, whichever is later

<b>Publications received</b>	Publications received by a court	When considered of no value by person holding the publications
<b>Receipt records</b>	Receipt and balancing records	3 years or until issuance of a report by Auditor of State, whichever is later
<b>Requests for proposals, bids, and resulting contracts</b>	Requests for proposals, bids received in response to a request for proposal, and contracts resulting from a request for proposal	3 years after expiration of contract awarded pursuant to request for proposal

#### Case Files (Sup.R. 26, 26.03)

<b>Certified mail receipts in uncontested cases and post-decree motions</b>	In new cases and cases involving post-decree motions where personal jurisdiction is established by certified mail receipt and the defendant/respondent fails to answer, enter an appearance, or otherwise defend	30 years after date of issuance and may be retained in a separate file from case file
<b>Divorce or dissolution: Minor children</b>	Case files of divorce and dissolution not involving minor children	25 years after date of final order
<b>Divorce or dissolution: No children</b>	Case files of divorce and dissolution that involve minor children	12 years after final order
<b>Domestic violence petitions</b>	Case files of petitions for domestic violence protection orders	1 year after expiration of any resulting protection order
	If parties to a petition for a domestic violence protection order are also parties to a divorce, case file of the petition	1 year after the expiration of any resulting protection order or until parties are divorced, whichever is later
	Case files of petitions for domestic violence protection orders in which no protection order is issued	1 year from the date the petition was filed
	Case files where post-decree motions have been filed	1 year after adjudication of post-decree motion or date specified for case files of petitions for domestic violence protection orders, whichever is later
<b>Legal separation</b>	Case files of legal separation	Until parties are divorced or for 2 years after the spousal support terminates, whichever is later,

## Amanda Rindler

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**From:** Judith Cetina <jcetina@cuyahogacounty.us>  
**Sent:** Monday, June 10, 2019 10:28 AM  
**To:** localrecs  
**Cc:** Mark Felber  
**Subject:** Retention Schedule  
**Attachments:** RC-2-Domestic Relations-6-5-2019-RC Approved.pdf; Domestic Relations Court Records Retention-SUP R..pdf

Good Morning:

The Records Commission of Cuyahoga County met on Wednesday, June 5, 2019, to review an RC-2 submitted by the Court of Common Pleas-Domestic Relations Division. I have attached the RC-2 approved by the Records Commission with an attachment that represents the schedule for Administrative Records as recommended by the Rules of Superintendence (Sup R. 26, 26.01,02, and 03). The Domestic Relations Court will follow the retention periods as delineated on that document.

I will send the Minutes as soon as they are prepared. Please let me know if you have any questions. Have a good day.

Regards,

Judy

Judith G. Cetina, Ph.D., CA  
County Archivist  
Cuyahoga County Archives  
3951 Perkins Avenue  
Cleveland, OH 44114  
216-443-7262

Any information and/or file(s) transmitted with it are the property of the County of Cuyahoga, Ohio and are intended solely for the use of the individual or entity to whom this is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this information error, please notify the sender and delete this immediately from your desktop or mobile electronic device. Any other use, retention, dissemination, forwarding, printing or copying of this information and/or attached file(s) is strictly prohibited.



Minutes of the meeting of the Records Commission of Cuyahoga County, held June 5, 2019 at 1:00 p.m. on the third floor of the County Archives building. The following members of the Records Commission were present:

Judith G. Cetina, representing Cuyahoga County Executive, Armond Budish  
Laura Black representing Clerk of Courts, Nailah K. Byrd  
Christina Papa representing Fiscal Officer, Dennis Kennedy  
Kelli Perk, representing County Prosecutor, Michael C. O'Malley  
Jeanne Schmotzer representing Dan Brady, Cuyahoga County Council President

The following persons were also present:

Serpil Ergun,	Domestic Relations Court
Mark Felber,	Domestic Relations Court
Jim Zak,	Domestic Relations Court

Dr. Judith G. Cetina, representing Cuyahoga County Executive Armond Budish, called the meeting of the Cuyahoga County Records Commission to order at 1:00 p.m. The meeting began with an introduction of the Records Commission members and guests. Dr. Cetina then observed it was her understanding that the RC-2 being presented by the Cuyahoga County Domestic Relations Court for consideration superseded its earlier retention schedules approved in 2010 and 2013. Mr. Mark Felber, representing the Domestic Relations Court, confirmed Dr. Cetina's statement, but noted the addition of two new items, 2019-5, Guardian ad Litem appointment documents, and 2019-6, Guardian ad Litem individual applications, to the 2019 retention schedule. Mr. Felber went on to review with the Commission each records series on the RC-2, and his presentation was followed by an animated discussion from those in attendance. Some of the members were uncomfortable that 2019-1, Family Evaluation Services, was assigned the same retention period for the records preserved in both paper and as electronic images. The Commission instead recommended the creation of two separate schedule items; the first would provide for the Family Evaluation Services records in a paper format, stating that they be

Records Commission of Cuyahoga County

June 5, 2019

Page Two


retained until scanned and verified, and then destroyed. Item 2019-2 would represent the records kept electronically, and the retention period would state Discretionary, kept separate from the case file, or destroyed at the discretion of the preparer (Sup. R. 26.03 (E)).

Jeanne Schmotzer asked the representatives from the Court of Appeals why they had not included records maintained on a routine basis, for example correspondence, annual reports, publications, etc. on the retention schedule. Mr. Felber then referenced the "Domestic Relations Court Records Retention Schedules" for Administrative Records, based on the records of superintendence (Sup. R. 26, 26.01), and shared a copy with the Commission members. Conversation about this issue ensued; and rather than inserting all of the items not already included on the RC-2 being considered, it was collectively determined to include as an attachment the "Court Records Retention Schedules for Domestic Relations" for Administrative Records. It was further recommended that a statement be added to the RC-2 that described the attached exhibit as representing the Court's retention policies relative to administrative records and case files, documents that were generated from day to day in the ordinary course of business of the Cuyahoga County Domestic Relations Court. The Records Commission then reviewed the RC-2 one final time to determine if any further adjustments were necessary but found none. Then upon the motion of Ms. Schmotzer, seconded by Ms. Perk, the retention schedule submitted by the Cuyahoga County Domestic Relations Court was approved as amended.

Other business was then entertained and Dr. Cetina reminded the members that the next scheduled meeting of the Records Commission would be held the first week of December 2019; although other meetings could be held throughout the year at the call of the Chair. Dr. Cetina then asked the Commission for its advice on whether the provisions of one county office or agency's records retention schedule (Office of Human Resources) could be used to validate the disposition of records not included on the RC-2 for another administrative unit (Sheriff), even one considered a subsidiary of the other entity. The Local Government Records Group (LGRP) in Columbus had recommended to Dr. Cetina that it would be best if the Sheriff-Personnel and Payroll retention schedule was updated to include those items only found on the RC-2 for Human Resources. The Records Commission concurred with the opinion of the LGRP.

Thereafter Dr. Cetina called for a motion to adjourn, and upon the motion of Ms. Schmotzer, seconded by Ms. Papa, the meeting of the Cuyahoga County Records Commission was concluded by the unanimous consent of its members.

Respectfully submitted,



Judith G. Cetina, Ph.D. CA, Acting Secretary

Cuyahoga County Records Commission.

## Amanda Rindler

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**From:** Judith Cetina <jcetina@cuyahogacounty.us>  
**Sent:** Friday, June 28, 2019 12:54 PM  
**To:** localrecs  
**Subject:** Re: Cuyahoga County Domestic Relations Court RC-2  
**Attachments:** RCM-6-5-2019.docx

Hi Amanda:

The Records Commission did spend some time on 2019-1, as reflected by our Minutes, and our recommendation was to create two schedule items (2019-2, 2019-2) to account for the different media on which the information was being preserved. The Court of Appeals amended the schedule per our advice. The Commission members also expressed concern regarding the use of the term "discretionary" as part of the retention period for the Family Evaluation Services records. But the Court of Appeals decision to move from permanent retention to a more flexible retention period was clearly guided by Sup. R, 26.3 (E):

**Judge, magistrate, and clerk notes, drafts, and research.** Judge, magistrate, and clerk notes, drafts, and research prepared for the purpose of compiling a report, opinion, or other document or memorandum may be kept separate from the case file, retained in the case file, or destroyed at the discretion of the preparer.

The Court was following almost to the letter the Rule of Superintendence recommendation, and it would appear that these Court Rules would take precedence over the Commission's recommendations.

I am happy to contact the Court of Appeals personnel who prepared the RC-2 for further clarification if it would be helpful to you.

Hope you have a nice weekend.

Regards,

Judy

Judith G. Cetina, Ph.D., CA  
County Archivist  
Cuyahoga County Archives  
3951 Perkins Avenue  
Cleveland, OH 44114  
216-443-7262

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**From:** Amanda Rindler <ARindler@ohiohistory.org> on behalf of localrecs <localrecs@ohiohistory.org>  
**Sent:** Friday, June 28, 2019 11:27:45 AM  
**To:** Judith Cetina  
**Subject:** Cuyahoga County Domestic Relations Court RC-2

Hi Judy,

I've been reviewing the RC-2 for the Cuyahoga County Domestic Relations Court and I have questions about the first two items, Family Evaluation Services. On the previous schedule these were permanent records, but it is changing to discretionary. The reference is Rule 26.03(E), but that section references notes, drafts, and research, whereas the records appear to be reports. I'm questioning if it is appropriate for the retention of these records to be discretionary, particularly since they were once permanent. Can you help me to understand the decision behind this?

Thanks!

Amanda

**Amanda Rindler | Local Government Records Archivist, State Archives**

Ohio History Connection | 800 E. 17<sup>th</sup> Ave. Columbus, Ohio 43211

p. 614.297.2553 | f. 614.297.2546 | [arindler@ohiohistory.org](mailto:arindler@ohiohistory.org)

**The Ohio History Connection's mission is to spark discovery of Ohio's stories. Embrace the present, share the past and transform the future.**

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Records Commission of Cuyahoga County



June 5, 2019

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Respectfully submitted,

Judith G. Cetina, Ph.D. CA, Acting Secretary  
Cuyahoga County Records Commission.

## Amanda Rindler

---

**From:** Judith Cetina <jcetina@cuyahogacounty.us>  
**Sent:** Tuesday, July 2, 2019 2:09 PM  
**To:** Amanda Rindler  
**Cc:** Mark Felber  
**Subject:** Domestic Relations-RC-2

Hi Amanda:

I spoke with Mark Felber, who I have copied on this email, for further clarification on the retention period for the Family Evaluation Files (2019-1 and 2019-2). He can be reached by phone at 216-443-8209. This newly submitted RC-2 supersedes an earlier schedule dated 2010; and was developed as the current staff determined the RC-2 needed to be reviewed and if necessary amended. Questions were raised as to whether the reports, as well as the other ancillary materials used in preparing the evaluations, should be preserved on a permanent basis. Mr. Felber noted that during its life cycle these files remain open (until a child reaches the age of 18); and when one case is closed it is always possible another one may be initiated and at that time a new file is created, and the earlier notes, correspondence, and other data become obsolete. As the child grows in age new records will be required as the older documents do not represent the current reality. Also the evaluation reports do not exist on paper (unless printed) as they are written into the case management system and saved.

The reference to discretionary as part of the retention period for the records in an electronic format (2019-2) gives a level of flexibility suggesting that if necessary the reports and other documents could be maintained longer if deemed appropriate.

If you have any questions please feel free to contact Mark Felber especially if my explanation has been confusing (or inaccurate) in any way. I will be out tomorrow but back on Friday, July 5th. Enjoy your July 4th.

Regards,

Judy

Judith G. Cetina, Ph.D., CA  
County Archivist  
Cuyahoga County Archives  
3951 Perkins Avenue  
Cleveland, OH 44114  
216-443-7262

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**(D) Retention schedule for the index, docket, and journal.** The index, docket, and journal of a division shall be retained permanently.

**(E) Judge, magistrate, and clerk notes, drafts, and research.** Judge, magistrate, and clerk notes, drafts, and research prepared for the purpose of compiling a report, opinion, or other document or memorandum may be kept separate from the case file, retained in the case file, or destroyed at the discretion of the preparer.

**(F) Retention schedule for case files--general division of the court of common pleas.**

**(1) Death penalty cases.** Death penalty case files shall be retained permanently.

**(2) Real estate.** Case files of matters that resulted in a final judgment determining title or interest in real estate shall be retained permanently.

**(3) Search warrant records.** Search warrant records shall be indexed and the warrants and returns retained in their original form for five years after the date of service or last service attempt.

**(4) Voluntary dismissals.** Case files of matters that are voluntarily dismissed shall be retained for three years after the date of the dismissal.

**(5) Other case files.** Any case file not listed in division (F) of this rule shall be retained for twelve years after the final order of the general division. Documents within a case file admissible as evidence of a prior conviction in a criminal proceeding shall be retained for fifty years after the final order of the general division.

**(G) Retention schedule for case files--domestic relations division of the court of common pleas.**

**(1) Certified mail receipts in uncontested cases and post-decree motions.** In new cases and cases involving post-decree motions where personal jurisdiction is established by certified mail receipt and the defendant/respondent fails to answer, enter an appearance, or otherwise defend, the certified mail receipt shall be retained for thirty years after the date of issuance and may be retained in a separate file from the case file.

**(2) Divorce or dissolution: Minor children.** Case files of divorce and dissolution that involve minor children shall be retained for twenty-five years after the date of the final order of the domestic relations division.

**(3) Divorce or dissolution: No children.** Case files of divorce and dissolution not involving minor children shall be retained for twelve years after the final order of the domestic relations division.