

## **VERMONT JUDICIARY SPECIFIC RECORD SCHEDULE FOR: Superior Court**

Scope: This specific record schedule (SRS) is applicable to case and administrative records held by the Vermont Judiciary, or any component, whether in

electronic or physical form and is in effect for the Vermont Judiciary and its respective records custodians. If, at any time, this SRS does not address all case and administrative records held by the Vermont Judiciary or the requirements related to the records listed in this schedule have changed, this

schedule will be revised accordingly by the Vermont Judiciary in collaboration with the Vermont State Archives and Records Administration.

Use: The Vermont Judiciary may develop its own internal policies and procedures to assure that the requirements outlined in this record schedule are being consistently applied. Records that need to be retained until OBSOLETE shall be supported by an internal policy that clearly states a specific

retention requirement that best meets the Vermont Judiciary's administrative needs. Specific Record Schedule (SRS) numbers shall be cited in all

internal policies.

Access: The Vermont Rules for Public Access to Court Records cover the complementary responsibilities to provide public access or special access to

judicial-branch records and to protect the confidentiality of case information where such confidentiality is required by statute, rule, or court order.

They must be liberally construed to implement these policies. Please see Appendix B for Public Access requirements.

**Retention:** This specific record schedule (SRS) reflects the retention and disposition requirements for the following records in electronic and physical form.

Duplicate records within the Vermont Judiciary that are used for specific legal, fiscal, or administrative purposes shall be retained using the retention

requirement listed in this schedule or in accordance with an internal policy. Any copies of records made only for convenience of reference or informational purposes may be discarded when no longer needed unless otherwise directed through an internal policy. Duplicates or copies of records

shall not be retained longer than the original record.

This record schedule was last revised and published by the Vermont Judiciary and Vermont State Archives and Records Administration on 5/21/2024.

### SRS-1556.1108: Civil Suspensions

SRS-1556.1108: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the adjudication of the Commissioner of Motor Vehicles' suspension of a person's operating license or nonresident operating privilege or the privilege of an unlicensed operator to operate a vehicle for a period of 90 days and until the person complies with 23 V.S.A. § 1209a.

Classification: Civil suspensions (Adjudicating)

Retention: Retain decisions, orders, petitions, pleadings, and supporting material until case is completed/closed, plus an additional three (3) years, then

SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1556.1108 (see APPENDIX E for related legal references)

destroy.

Dockets or similar systems that provide for the systematic and regular recording of proceedings shall be retained until superseded and then

permanently preserved.

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records created or received as part of the adjudication process may be weeded as appropriate in accordance with SRS-1711.1000 (Judiciary Transitory Records).

Record Category/Type	Applicability/Use:	Appraised Value:	Retention/Disposition:
SRS-1556.1108.133	Use for written evidence of final decisions. Includes final orders,	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Decisions	agreements, or stipulations. For directions or commands delivered during the course of a proceeding that do not serve as		PLUS: 3 Year(s)
Public Access: Redact	final orders, use "Orders."		THEN: Destroy (Shred)

Public Access: <b>Redact</b>	ilital orders, use Orders.		THEN: Destroy (Shred)
SRS-1556.1108.117	Use for dockets, recording books, databases, and similar	Permanent (Archival)	RETAIN UNTIL: Superseded
Dockets	records and systems that provide for the systematic and regular recording of proceedings.		PLUS: 0 Year(s)
Public Access: General			THEN: Archives
SRS-1556.1108.40 Exhibits	Use for exhibits.	Temporary (Legal)	RETAIN UNTIL: Obsolete PLUS: 0 Year(s)
Public Access: <b>Redact</b>			THEN: Destroy (Shred)

SRS-1556.1108.60	Use for judges' notes.	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Notes			PLUS: 0 Year(s)
Public Access: <b>Exempt</b>			THEN: Destroy (Shred)
SRS-1556.1108.50	Use for certificates of service, notices of filings, and other notices required by law. Includes returned certified mail.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Notices, Legal			PLUS: 1 Year(s)
Public Access: <i>General</i>			THEN: Destroy (General)
SRS-1556.1108.63	Use for directions or commands, delivered during the course of	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Orders	a proceeding that do not serve as final decisions. Includes scheduling orders, evidentiary rulings, and similar temporary or		PLUS: 3 Year(s)
Public Access: <i>General</i>	provisional rulings. For final orders, agreements, or stipulations, use "Decisions."		THEN: Destroy (General)
SRS-1556.1108.67	Use for requests for hearings regarding intention to suspend.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Petitions			PLUS: 3 Year(s)
Public Access: <i>Redact</i>			THEN: Destroy (Shred)
SRS-1556.1108.126	Use for all written statements, claims, and defenses made by	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Pleadings	parties. Includes answers, counterclaims, briefs, memoranda, motions, or similar findings by either party.		PLUS: 3 Year(s)
Public Access: <i>Redact</i>			THEN: Destroy (Shred)
SRS-1556.1108.36	Use for supplemental records created or received during the	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Supporting material	course of a proceeding. Includes pre-trial testimony, additional filings, certifications, hearing recordings, transcripts, receipts,		PLUS: 3 Year(s)
Public Access: Redact	and similar records.		THEN: Destroy (Shred)

SRS-1556.1108 was approved by the Vermont State Archivist on 1/26/2023 pursuant to 3 V.S.A. § 117.

## SRS-1711.1000: Judiciary Transitory Records

SRS-1711.1000: This schedule is reserved for records that are created and received in the course of business by the Judiciary that are transitory in nature meaning that that they are: (1) are only needed for a limited period of time in order to complete a routine action or prepare or update a formal or ongoing record; (2) not subject to any legal recordkeeping requirements, explicit or implied; and (3) administratively obsolete after a specific action or process is complete.

Classification: Judiciary (GENERAL)

Retention: Transitory records shall be retained by the Vermont Judiciary as specified in this schedule and in accordance with the Vermont Judiciary Records

and Information Management Policy.

Record Category/Type	Applicability/Use:	Appraised Value:	Retention/Disposition:
SRS-1711.1000.187	Use for blank forms or other pre-printed worksheets that have	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Blanks	no markings, are not written or printed on and have not been filled out.		PLUS: 0 Year(s)
Public Access: <i>Review</i>	ined dat.		THEN: Destroy (General)
SRS-1711.1000.28	Use for any correspondence, produced or received, that is	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Correspondence (Routine)	routine in nature and not subject to any specific legal requirements. Includes transmittal letters that do not add		PLUS: 0 Year(s)
Public Access: <b>Review</b>	information to that contained in the transmitted material and correspondence from other agencies that is received for general information purposes only.		THEN: Destroy (General)
SRS-1711.1000.37	Use for preliminary or tentative versions of a document. Drafts	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Drafts	that are acted upon or put into practice must be retained according to their intended record type (i.e. policies) as listed in		PLUS: 0 Year(s)
Public Access: Review	another general record schedule or an agency-specific record schedule.		THEN: Destroy (General)
SRS-1711.1000.60	Use for brief statements of a fact or experience, written down for	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Notes	review, or as an aid to memory, or to inform someone else. Includes short, informal notes such as phone messages.		PLUS: 0 Year(s)
Public Access: Review	includes short, informal notes such as phone messages.		THEN: Destroy (General)

SRS-1711.1000.74  Publications  Public Access: Review	Use for reproduced or published material received from other offices which require no action and are not required for documentary purposes. Includes catalogues, trade journals, other publications or papers received which require no action and are not part of a case upon which action is being taken or will be taken.	Temporary (Administrative)	RETAIN UNTIL: Obsolete PLUS: 0 Year(s) THEN: Destroy (General)
SRS-1711.1000.80	Use for sources of information that were intended primarily for	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Reference sources	consultation and, if used to prepare or update a formal or ongoing record, are cited as needed. Includes duplicate,		PLUS: 0 Year(s)
Public Access: <i>Review</i>	informational, extra, unofficial, or informal copies of records that were kept only for convenience or quick reference.		THEN: Destroy (General)
SRS-1711.1000.139	Use for requests and responses for forms, publications, records,	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Requests	and other agency information that do not require administration review before, or further action after, the form, publication,		PLUS: 0 Year(s)
Public Access: <i>Review</i>	record, or other agency information is provided.		THEN: Destroy (General)
SRS-1711.1000.104	Use for forms, checklists and other worksheets used to prepare	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Worksheets	or update a formal or ongoing record or informally track workflow.		PLUS: 0 Year(s)
Public Access: Review			THEN: Destroy (General)

SRS-1711.1000 was approved by the Vermont State Archivist on 1/26/2023 pursuant to 3 V.S.A. § 117.

#### SRS-1839.1108: Protection Order Cases

SRS-1839.1108: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the adjudication of judicial protection orders (15 V.S.A. § 1101); relief from abuse orders for vulnerable adults (Title 33, Chapter 69, Subchapter 2); extreme risk protection orders (Title 13, Chapter 85, Subchapter 2); and civil stalking and sexual assault orders (12 V.S.A. § 5133).

Classification: Protection orders (Adjudicating)

Retention: Retain decisions, orders, petitions, pleadings, and supporting material until case is completed/closed and any final order has either been withdrawn or has exercised plus an additional fifteen (15) years, then destroy

or has expired, plus an additional fifteen (15) years, then destroy.

Dockets that provide for the systematic and regular recording of proceedings shall be retained until superseded and then permanently preserved. Other records shall be retained as specified in this schedule.

Transitory records created or received as part of the adjudication process may be weeded as appropriate in accordance with SRS-1711.1000 (Judiciary Transitory Record Schedule).

### SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1839.1108 (see APPENDIX E for related legal references)

Record Category/Type	Applicability/Use:	Appraised Value:	Retention/Disposition:
SRS-1839.1108.133	Use for written evidence of protection orders issued or denied	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Decisions	by the court. Includes final orders and modifications of previously issued orders. For directions or commands delivered		PLUS: 15 Year(s)
Public Access: <b>Redact</b>	during the course of a proceeding that do not serve as final orders, use "Orders."		THEN: Destroy (Shred)
SRS-1839.1108.117	Use for dockets, recording books, databases, and similar	Permanent (Archival)	RETAIN UNTIL: Superseded
Dockets	records and systems that provide for the systematic and regular recording of proceedings.		PLUS: 0 Year(s)
Public Access: Redact	<b>.</b>		THEN: Archives
SRS-1839.1108.40	Use for exhibits.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Exhibits			PLUS: 0 Year(s)
Public Access: Redact			THEN: Weed

SRS-1839.1108.60	Use for judge's notes.	Temporary (Legal)	RETAIN UNTIL: Obsolete
Notes			PLUS: 0 Year(s)
Public Access: <b>Exempt</b>			THEN: Destroy (Shred)
SRS-1839.1108.50	Use for certificates of service, notices of filings, and other	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Notices, Legal	notices required by law. Includes returned certified mail.		PLUS: 1 Year(s)
Public Access: Redact			THEN: Destroy (Shred)
SRS-1839.1108.63	Use for directions or commands, delivered during the course of	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Orders	a proceeding that do not serve as final decisions. Includes temporary protection orders, scheduling orders, evidentiary		PLUS: 15 Year(s)
Public Access: <i>Redact</i>	rulings, and similar temporary or provisional rulings. For final decisions related to the issuance of protection orders, use "Decisions."		THEN: Destroy (Shred)
SRS-1839.1108.67	Use for the first document filed in a proceeding. Includes written	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Petitions	complaints, grievances, and similar records that initiate the adjudication process.		PLUS: 15 Year(s)
Public Access: <i>Redact</i>			THEN: Destroy (Shred)
SRS-1839.1108.126	Use for all written statements, claims, and defenses made by	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Pleadings	parties. Includes answers, counterclaims, briefs, memoranda, motions, or similar filings by either party.		PLUS: 15 Year(s)
Public Access: Redact			THEN: Destroy (Shred)
SRS-1839.1108.36	Use for supplemental records created or received during the	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Supporting material	course of a proceeding. Includes pre-trial testimony, additional filings, certifications, hearing recordings, transcripts, receipts,		PLUS: 15 Year(s)
Public Access: Redact	and similar records.		THEN: Destroy (Shred)

SRS-1839.1108 was approved by the Vermont State Archivist on 5/17/2024 pursuant to 3 V.S.A. § 117.

### SRS-1540.1108: Small Claims Cases

SRS-1540.1108: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the adjudication of small claims actions pursuant to 12 V.S.A. § 5531.

Classification: Small claims actions (Adjudicating)

Retention: Retain decisions, orders, petitions, pleadings, and supporting material until case is completed/closed, plus an additional eight (8) years, then

destroy.

Dockets that provide for the systematic and regular recording of proceedings shall be retained until superseded and then permanently preserved.

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records created or received as part of the adjudication process may be weeded as appropriate in accordance with SRS-1711.1000 (Judiciary Transitory Records).

Record Category/Type	Applicability/Use:	Appraised Value:	Retention/Disposition
SRS-1540.1108.133	Use for written evidence of final decisions. Includes final orders,	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Decisions	agreements, or stipulations. For directions or commands delivered during the course of a proceeding that do not serve as		PLUS: 8 Year(s
Public Access: General	final orders, use "Orders."		THEN: Destroy (General)
SRS-1540.1108.117	Use for dockets, recording books, databases, and similar	Permanent (Archival)	RETAIN UNTIL: Superseded
Dockets	records and systems that provide for the systematic and regular recording of proceedings.		PLUS: 0 Year(s)
Public Access: General			THEN: Archives
SRS-1540.1108.40	Use for exhibits.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Exhibits			PLUS: 0 Year(s)
Public Access: <b>Redact</b>			THEN: Weed
SRS-1540.1108.60	Use for judges notes.	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Notes			PLUS: 0 Year(s)
Public Access: <b>Exempt</b>			THEN: Destroy (Shred)

SRS-1540.1108.50	Use for certificates of service, notices of filings, and other	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Notices, Legal	notices required by law. Includes returned certified mail.		PLUS: 1 Year(s)
Public Access: General			THEN: Destroy (General)
SRS-1540.1108.63	Use for directions or commands, delivered during the course of	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Orders	a proceeding that do not serve as final decisions. Includes scheduling orders, evidentiary rulings, and similar temporary or		PLUS: 8 Year(s)
Public Access: <b>General</b>	provisional rulings. For final orders, agreements, or stipulations, use "Decisions."		THEN: Destroy (General)
SRS-1540.1108.67	Use for the first document filed in a proceeding. Includes written complaints, grievances and similiar records that initiate the adjudication process.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Petitions			PLUS: 8 Year(s)
Public Access: <b>General</b>			THEN: Destroy (General)
SRS-1540.1108.126	Use for all written statements, claims, and defenses made by	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Pleadings	parties. Includes answers, counterclaims, briefs, memoranda, motions, or similar filings by either party.		PLUS: 8 Year(s)
Public Access: Redact			THEN: Destroy (Shred)
SRS-1540.1108.36	Use for supplemental records created or received during the	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Supporting material	course of a proceeding. Includes pre-trial testimony, additional filings, certifications, hearing recordings, transcripts, receipts,		PLUS: 8 Year(s)
Public Access: Redact	and similar records.		THEN: Destroy (Shred)

SRS-1540.1108 was approved by the Vermont State Archivist on 1/26/2023 pursuant to 3 V.S.A. § 117.

## **Appendix A: Appraisal Values**

An appraisal value establishes the usefulness or importance of a record after its original purpose has passed. The value of a record also dictates how it must be disposed after retention requirements are met (also see "Retention Requirements"). The appraisal values below represent categories of values that may be assigned to records following the record appraisal process. See "Vermont Archival Records" in the Archives and Records Management Handbook for conditions a record must meet to be appraised as "archival."

Appraisal Value	Description	Usage
Conditional Archival	Records may have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" under special conditions.
Permanent (Archival)	Records have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" and are therefore permanent (archival) records.
Temporary (Administrative)	Records have temporary administrative value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but are needed for administrative reasons.
Temporary (Legal)	Records have temporary legal value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but have legal requirements governing their retention.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.

## **Appendix B: Vermont Rules for Public Access to Court Records**

A public access requirement is the availability of a record for public use and inspection. Except as provided in Vermont Rules for Public Access to Court Records or in statute, the public may inspect or copy all judicial-branch case and administrative records.

Access	Description	Usage
Exempt	Records shall not be provided for inspection or copying pursuant to the Rules.	Assigned to records that are wholly exempt from public inspection and copying pursuant to the Rules.
General	Records may be provided for inspection or copying pursuant to the Rules.	Assigned to records that are not exempt from public inspection and copying pursuant to the Rules.
Redact	Records contain specific information that shall not be provided for inspection or copying pursuant to the Rules.	Assigned to records that contain specific information that is exempt from public inspection and copying pursuant to the Rules and require exempt information to be redacted from the records prior to providing public access.
Review	Records may be provided forinspection or copying pursuant to the Rules but not always.	Assigned to records that are generally not exempt from public inspection and copying pursuant to the Rules but, in limited circumstances, may be exempt. Internal review and/or policy is required.

## **Appendix C: Retention Requirements**

A retention requirement is the length of time a record must be retained by an agency before it may be destroyed or transferred to the State Archives or an agency archives (also see "Disposition Requirements"). The retention requirements below represent events or triggers that cause records to move from an active to inactive state. An "event" is tied to a specific time requirement: i.e. Retain Until "Calendar Year Ends" PLUS 3 Years.

Retention	Description	Usage
Audit Complete	Retain until an audit or verification is complete.	Assigned to records that are actively used or needed until the information contained therein has been audited or verified.
Calendar Year Ends	Retain until the end of the calendar year.	Assigned to records that are actively used or needed until the end of the calendar year.
Completed/Closed	Retain until the activity or process supported by the record is completed.	Assigned to records that are actively used or needed until the activity is formally completed, closed, or finalized (includes appeals).
Expired	Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.	Assigned to records that are actively used or needed until the conditions or requirements are satisfied and complete.
Fiscal Year Ends	Retain until the end of the fiscal year.	Assigned to records that are actively used or needed until the end of the fiscal year.
Life of Asset Ends	Retain for the life of the person, structure, object, organization, etc. that is the subject of the record.	Assigned to records that are actively used or needed for the life of person, structure, object, organization, etc.
Obsolete	Retain until the record is no longer needed and is valueless.	Assigned to records that have limited administrative value and may be purged when they no longer have any administrative value. Agency must develop internal policy that states when records no longer have administrative value.
Superseded	Retain until the record is superseded, updated, or revised.	Assigned to records that will be superseded, updated, or revised.

## **Appendix D: Disposition Requirements**

A disposition requirement is how an agency must dispose of a record from its legal custody once retention requirements have been met. Disposition is based on the record's appraisal value. If the record has been appraised as non-archival it will be destroyed after retention requirements are met. If appraised as archival the record will be transferred to the State Archives or agency archives for permanent preservation and access. The disposition requirements below represent actions that an agency must take once a record has met its retention requirements.

Disposition	Description	Usage
Archives	Retain permanently. These records are eligible for transfer to the State Archives or agency archives.	Assigned to records that have been appraised as having archival value and are therefore permanent records.
Confirm	Confirm disposition with the Vermont State Archives and Records Administration after retention requirement has been met.	Assigned to records that are maintained in a centralized database or information system or are appraised as conditional archival.
Destroy (General)	Destroy by recycling or deleting the record.	Assigned to records that have been appraised as non-archival and are not exempt from public access. Agency discretion advised for general record schedules.
Destroy (Shred)	Destroy by shredding (includes electronic shredding).	Assigned to records that have been appraised as non-archival and are exempt from public access or contain sensitive information.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.
Weed	Separate records that meet the conditions of a "Vermont Archival Record" from those that do not (temporary).	Assigned to records that have been appraised as conditional archival. Upon weeding the temporary records from the archival records, transfer archival records to Archives and destroy temporary records.

# **Appendix E: Legal References**

SRS-1556.1108:	Civil Suspensions		Review for Exe	emption?
23 V.S.A. § 1205		Civil suspension; summary procedure		No
23 V.S.A. § 4		Definitions [related to motor vehicles]		No
4 V.S.A. § 32		Jurisdiction; criminal division		No
9 V.S.A. § 2440		Social security number protection		Yes
CVR 14-050-005		Financial responsibility insurance		No
V.R.C.P. 10		Form of pleadings [related to rules of civil procedure]		No
V.R.C.P. 11		Signing of pleadings, motions, and other papers; representations to court; sanction rules of civil procedure]	s [related to	No
V.R.C.P. 16		Pretrial procedure; formulating issues [related to rules of civil procedure]		No
V.R.C.P. 16.2		Scheduling orders [related to rules of civil procedure]		No
V.R.C.P. 26		General provisions governing discovery [related to rules of civil procedure]		Yes
V.R.C.P. 27		Discovery before action or pending appeal [related to rules of civil procedure]		No
V.R.C.P. 30		Depositions upon oral examination [related to rules of civil procedure]		No
V.R.C.P. 31		Depositions upon written questions [related to rules of civil procedure]		No
V.R.C.P. 32		Use of depositions in court proceedings [related to rules of civil procedure]		No
V.R.C.P. 34		Production of documents and things and entry upon land for inspection and other p [related to rules of civil procedure]	urposes	No
V.R.C.P. 35		Physical and mental examination of persons [related to rules of civil procedure]		No
V.R.C.P. 36		Requests for admission [related to rules of civil procedure]		No
V.R.C.P. 37		Failure to make discovery: sanctions [related to rules of civil procedure]		No

V.R.C.P. 40	Calendar; assignment; continuances; disqualification [related to rules of civil procedure]	No
V.R.C.P. 41	Dismissal of actions [related to rules of civil procedure]	No
V.R.C.P. 42	Consolidation; separate trials [related to rules of civil procedure]	No
V.R.C.P. 43	Evidence [related to rules of civil procedure]	No
V.R.C.P. 44	Proof of official record [related to rules of civil procedure]	No
V.R.C.P. 5	Service and filing of pleadings and other papers [related to rules of civil procedure]	No
V.R.C.P. 60	Relief from judgement or order [related to rules of civil procedure]	No
V.R.C.P. 7	Pleadings allowed; form of motions	No
V.R.C.P. 77	Superior courts and clerks [related to rules of civil procedure]	No
V.R.C.P. 79	Books and records kept by the clerk and entries therein [related to rules of civil procedure]	No
V.R.C.P. 79.1	Appearance and withdrawal of attorneys [related to rules of civil procedure]	No
V.R.C.P. 79.2	Recording court proceedings [related to rules of civil procedure]	No
V.R.C.P. 80.5	Criminal division procedures for civil license suspensions and penalties for DWI	No
Vt. Pub. Acc. Ct. Rec. 6	Case records [related to public access to court records]	Yes
Vt. Pub. Acc. Ct. Rec. 9	Limiting or granting access to court records	No

SRS-1839.1108:	Protection Order Cases	Review for Exemption?
12 V.S.A. § 5132	Jurisdiction and venue [related to orders against stalking or sexual assault]	No
12 V.S.A. § 5133	Requests for an order against stalking or sexual assault	No
12 V.S.A. § 5134	Emergency relief [related to orders against stalking or sexual assault]	No
12 V.S.A. § 5135	Service [related to orders against stalking or sexual assault]	No

12 V.S.A. § 5137	Filing orders with law enforcement personnel; department of public safety protection order database	No
13 V.S.A. § 4052	Jurisdiction and venue [related to extreme risk protection orders]	No
13 V.S.A. § 4053	Petition for extreme risk protection order	No
13 V.S.A. § 4054	Emergency relief; temporary ex parte order [related to extreme risk protection orders]	No
13 V.S.A. § 4055	Termination and renewal motions [related to extreme risk protection orders]	No
13 V.S.A. § 4056	Service [related to extreme risk protection orders]	No
13 V.S.A. § 4057	Procedure [related to extreme risk protection orders]	No
13 V.S.A. § 4059	Relinquishment, storage, and return of dangerous weapons	No
15 V.S.A. § 1102	Jurisdiction and venue [related to abuse prevention]	No
15 V.S.A. § 1103	Requests for relief [related to abuse prevention]	No
15 V.S.A. § 1104	Emergency relief [related to abuse prevention]	No
15 V.S.A. § 1105	Service [related to abuse prevention]	No
15 V.S.A. § 1106	Procedure [related to abuse prevention]	No
15 V.S.A. § 1107	Filing orders with law enforcement personnel; department of public safety protection order database	No
15 V.S.A. § 1109	Appeals [related to abuse prevention]	No
33 V.S.A. § 6933	Request for relief [related to abuse prevention for vulnerable adults]	No
33 V.S.A. § 6934	Notice [in hearings related to vulnerable adults]	No
33 V.S.A. § 6935	Findings and order [related to abuse prevention for vulnerable adults]	No
33 V.S.A. § 6936	Emergency relief; hearings [related to abuse prevention for vulnerable adults]	No
33 V.S.A. § 6937	Service [related to abuse prevention for vulnerable adults]	No

33 V.S.A. § 6939	Filing orders with law enforcement personnel; department of public safety protection order database	No
33 V.S.A. § 6941	Appeals [in cases involving vulnerable adults]	No
V.R.C.P. 30	Depositions upon oral examination [related to rules of civil procedure]	No
V.R.C.P. 4	Process [related to rules of civil procedure]	No
V.R.C.P. 79	Books and records kept by the clerk and entries therein [related to rules of civil procedure]	No
V.R.C.P. 79.3	Use of video recording equipment in trial court proceedings [related to rules of civil procedure]	No
V.R.C.P. 80.10	Orders against stalking or sexual assault [related to rules of civil procedure]	No
V.R.Cr.P. 55	Books and records kept by the clerk and entries therein [related to rules for criminal procedure]	No
V.R.F.P. 15	Appearance and withdrawal of attorneys [related to rules for family proceedings]	No
V.R.F.P. 9	Abuse prevention [related to rules for family proceedings]	No
Vt. Pub. Acc. Ct. Rec. 6	Case records [related to public access to court records]	Yes

SRS-1540.1108:	<b>Small Claims Cases</b>		Review for Exe	mption?
12 V.S.A. § 2681		Executions in supreme and superior courts; time [related to enforcement of judgme	nts]	No
12 V.S.A. § 506		Judgments [related to time limitations for commencing legal actions]		No
12 V.S.A. § 5532		Pleadings; fees [related to small claims]		No
12 V.S.A. § 5533		Other procedure [related to small claims procedure]		No
12 V.S.A. § 5534		Attachment; forms [related to small claims]		No
12 V.S.A. § 5535		Jury trial [related to counterclaims in small claims]		No
12 V.S.A. § 5537		Payment of judgments [related to small claims]		No
12 V.S.A. § 5538		Appeals [related to small claims procedure]		No

V.R.C.P. 3.1	Proceedings in forma pauperis [related to rules of civil procedure]	No
V.R.C.P. 79.1	Appearance and withdrawal of attorneys [related to rules of civil procedure]	No
V.R.S.C.P. 10	Appeals [related to small claims]	No
V.R.S.C.P. 11	Waiver of court costs	No
V.R.S.C.P. 12	Satisfaction of judgments [related to small claims]	No
V.R.S.C.P. 2	Jurisdiction; place of suit; filing fee [related to rules of small claims procedure]	No
V.R.S.C.P. 3	Pleadings; service of pleadings [related to rules of small claims procedure]	No
V.R.S.C.P. 4	Motions [related to rules of small claims procedure]	No
V.R.S.C.P. 5	Limited availability of jury trial [related to rules of small claims procedure]	No
V.R.S.C.P. 6	Trial procedure [related to the rules of small claims procedure]	No
V.R.S.C.P. 7	Financial disclosure hearing [related to rules of small claims procedure]	No
V.R.S.C.P. 8	Civil contempt [related to rules of small claims procedure]	No
V.R.S.C.P. 9	Other enforcement of judgments [related to rules of small claims procedure]	No
Vt. Pub. Acc. Ct. Rec. 6	Case records [related to public access to court records]	Yes
Vt. Pub. Acc. Ct. Rec. 9	Limiting or granting access to court records	No

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Vermont State Archives and Records Administration

Vermont Office of the Secretary of State

www.vermont-archives.org/records/schedules

## **SPECIFIC RECORD SCHEDULE FOR: Superior Court**

Authority:		ard, or damage any record or records in his or her charge, unless specifically archivist pursuant to subdivision 117(a)(5) of Title 3 (1 V.S.A. § 317a). Pursuant e administrative control of the supreme court.	
Scope:		on this record schedule that are produced or acquired during the course of egardless of physical form or characteristics, and includes electronic or digital	
Use:	in this record schedule are being consistently applied. Records that	its own internal policies and procedures to assure that the requirements outlined need to be retained until OBSOLETE must be supported by an internal policy that diciary's administrative needs. Specific Record Schedule (SRS) numbers shall be § 317a.	
Exemptions:	It is the policy of Title 1, Chapter 5, Subchapter 3 of Vermont Statutes Annotated to provide for free and open examination of records consistent with Chapter 1, Article 6 of the Vermont Constitution. All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental officer. Some records listed on this record schedule may be exempt from public inspection and copying for this reason. Security measures to protect records and information from unauthorized access, use, and disclosure are necessary if the records are exempt pursuant to 1 V.S.A. §§ 315-320. Please see Appendix B for Access Requirements and Appendix E for related legal references regarding exemptions from public inspection and copying.		
Retention:	transmission. Duplicate records within the judiciary that are used for retention requirement listed in this schedule or in accordance to an i	equirements for the following records regardless of their media, format, or mode of specific legal, fiscal, or administrative purposes shall be retained using the nternal policy. Any copies of records made only for convenience of reference or nless otherwise directed through an internal policy. Duplicates or copies of records	
Adopted by:	Signature on file. Approved and signed by Robert Greemore, Court Administrator on July 10, 2013.	Date	

### SRS-1482.1108: Environmental Cases

SRS-1482.1108: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the hearing and resolution of legal disputes that relate to permitting the division of a parcel into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any change in the use of any building or other structure, or land, or extension of use of land.

Classification: Land development (Adjudicating)

Retention: Petitions, decisions, and dockets are archival records and shall be retained permanently. Under no circumstances shall these records be destroyed.

Retain pleadings, orders, and supporting materials for five (5) years after the proceeding has closed and then destroy by shredding unless the proceeding has been identified as major or significant. For major or significant adjudicative proceedings, gather all existing records and contact the Vermont State Archives and Records Administration (VSARA) for further appraisal; records must meet the criteria of major or significant in "Vermont Archival Records" to be identified as permanent (archival).

Other records shall be retained as specified in this schedule.

Public Access: Review

### SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1482.1108 (see APPENDIX E for related legal references)

Record Category/Type:	Applicability/Use:	Appraised Value:	Retention/Disposition:
SRS-1482.1108.133	Use for written evidence of final decisions. Includes final orders,	Permanent (Archival)	RETAIN UNTIL: Completed/Closed
Decisions	agreements or stipulations. For directions or commands delivered during the course of a proceeding that do not serve as		PLUS: 5 Year(s)
Public Access: General	final decisions, use "Orders."		THEN: Archives
SRS-1482.1108.117	Use for formal abstracts or listings of all actions and pleadings	Permanent (Archival)	RETAIN UNTIL: Superseded
Dockets	filed pursuant to a proceeding. Includes docket books and similar registers.		PLUS: 0 Year(s)
Public Access: General			THEN: Archives
SRS-1482.1108.40	Use for exhibits.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Exhibits			PLUS: 0 Year(s)
Public Access: General			THEN: Weed

SRS-1482.1108.60	Use for notes taken during a proceeding.	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Notes			PLUS: 0 Year(s)
Public Access: <i>Exempt</i>			THEN: Destroy (Shred)
SRS-1482.1108.50	Use for certificates of service, notices of filings, and other legal	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Notices, Legal	notices. Includes returned certified mail.		PLUS: 0 Year(s)
Public Access: <i>General</i>			THEN: Destroy (Shred)
SRS-1482.1108.63	Use for directions or commands delivered during the course of a	Conditional Archival	RETAIN UNTIL: Completed/Closed
Orders	proceeding that do not serve as final decisions. Includes scheduling orders, evidentiary rulings, and similar temporary or		PLUS: 5 Year(s)
Public Access: <i>General</i>	provisional rulings. For final orders, agreements or stipulations, use "Decisions."		THEN: Confirm
SRS-1482.1108.67	Use for the first document filed in a proceeding. Includes written complaints, grievances and similiar records that initiate the adjudication process.	Permanent (Archival)	RETAIN UNTIL: Completed/Closed
Petitions			PLUS: 5 Year(s)
Public Access: Redact			THEN: Archives
SRS-1482.1108.126	Use for all written statements, claims and defenses made by	Conditional Archival	RETAIN UNTIL: Completed/Closed
Pleadings	parties unless otherwise noted on this record schedule.  Generally includes, where applicable, answers, counterclaims,		PLUS: 5 Year(s)
Public Access: <i>Redact</i>	briefs, memoranda, motions, and similar filings by either party.		THEN: Confirm
SRS-1482.1108.80	Use for sources that are used strictly for reference purposes and	Temporary (Administrative)	RETAIN UNTIL: Obsolete
Reference sources	cannot be considered integral to the proceeding or final decision.		PLUS: 0 Year(s)
Public Access: <i>Exempt</i>			THEN: Destroy (Shred)
SRS-1482.1108.36	Use for supplemental records created or received during the	Temporary (Legal)	RETAIN UNTIL: Completed/Closed
Supporting material	course of a proceeding. Includes pre-trial testimony, additional filings, certifications, hearing recordings, transcripts, receipts,		PLUS: 5 Year(s)
Public Access: Redact	and similar records.		THEN: Destroy (Shred)

SRS-1482.1108 was approved by the Vermont State Archivist on 7/10/2013.

## **Appendix A: Appraisal Values**

An appraisal value establishes the usefulness or importance of a record after its original purpose has passed. The value of a record also dictates how it must be disposed after retention requirements are met (also see "Retention Requirements"). The appraisal values below represent categories of values that may be assigned to records following the record appraisal process. See "Vermont Archival Records" in the Archives and Records Management Handbook for conditions a record must meet to be appraised as "archival."

Appraisal Value	Description	Usage
Conditional Archival	Records may have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" under special conditions.
Permanent (Archival)	Records have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" and are therefore permanent (archival) records.
Temporary (Administrative)	Records have temporary administrative value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but are needed for administrative reasons.
Temporary (Legal)	Records have temporary legal value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but have legal requirements governing their retention.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.

## **Appendix B: Public Access Requirements**

A public access requirement is the availability of a record for public use and inspection pursuant to 1 V.S.A. § § 315-320. Unless exempt from public inspection and copying pursuant to 1 V.S.A. § 317, records are expected to be promptly produced for public inspection upon request. Public agencies shall follow the procedure outlined in 1 V.S.A. § 318. The access requirements below represent actions agencies must take based on specific laws associated with the accessibility of their records. With general record schedules, the default requirement is always REVIEW unless it is clear that certain records or information within a record are exempt from public use and inspection pursuant to 1 V.S.A. § 317. Agencies using general record schedules should defer to their internal policies for specific access requirements.

Access	Description	Usage
Exempt	Records shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317.
General	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are not exempt from public inspection and copying pursuant to 1 V.S.A. § 317.
Redact	Records contain specific information that shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that contain specific information that is exempt from public inspection and copying pursuant to 1 V.S.A. § 317 and require exempt information to be redacted from the records prior to public use, inspection and/or copying.
Review	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320 but not always. Default value for general schedules, which require agencies to establish internal policies.	Assigned to records that are generally not exempt from public inspection and copying pursuant to 1 V.S.A. § 317 but, in limited circumstances, may be exempt. Internal review and/or policy is required.

## **Appendix C: Retention Requirements**

A retention requirement is the length of time a record must be retained by an agency before it may be destroyed or transferred to the State Archives or an agency archives (also see "Disposition Requirements"). The retention requirements below represent events or triggers that cause records to move from an active to inactive state. An "event" is tied to a specific time requirement: i.e. Retain Until "Calendar Year Ends" PLUS 3 Years.

Retention	Description	Usage
Audit Complete	Retain until an audit or verification is complete.	Assigned to records that are actively used or needed until the information contained therein has been audited or verified.
Calendar Year Ends	Retain until the end of the calendar year.	Assigned to records that are actively used or needed until the end of the calendar year.
Completed/Closed	Retain until the activity or process supported by the record is completed.	Assigned to records that are actively used or needed until the activity is formally completed, closed, or finalized (includes appeals).
Expired	Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.	Assigned to records that are actively used or needed until the conditions or requirements are satisfied and complete.
Fiscal Year Ends	Retain until the end of the fiscal year.	Assigned to records that are actively used or needed until the end of the fiscal year.
Life of Asset Ends	Retain for the life of the person, structure, object, organization, etc. that is the subject of the record.	Assigned to records that are actively used or needed for the life of person, structure, object, organization, etc.
Obsolete	Retain until the record is no longer needed and is valueless.	Assigned to records that have limited administrative value and may be purged when they no longer have any administrative value. Agency must develop internal policy that states when records no longer have administrative value.
Superseded	Retain until the record is superseded, updated, or revised.	Assigned to records that will be superseded, updated, or revised.

## **Appendix D: Disposition Requirements**

A disposition requirement is how an agency must dispose of a record from its legal custody once retention requirements have been met. Disposition is based on the record's appraisal value. If the record has been appraised as non-archival it will be destroyed after retention requirements are met. If appraised as archival the record will be transferred to the State Archives or agency archives for permanent preservation and access. The disposition requirements below represent actions that an agency must take once a record has met its retention requirements.

Disposition	Description	Usage
Archives	Retain permanently. These records are eligible for transfer to the State Archives or agency archives.	Assigned to records that have been appraised as having archival value and are therefore permanent records.
Confirm	Confirm disposition with the Vermont State Archives and Records Administration after retention requirement has been met.	Assigned to records that are maintained in a centralized database or information system or are appraised as conditional archival.
Destroy (General)	Destroy by recycling or deleting the record.	Assigned to records that have been appraised as non-archival and are not exempt from public access. Agency discretion advised for general record schedules.
Destroy (Shred)	Destroy by shredding (includes electronic shredding).	Assigned to records that have been appraised as non-archival and are exempt from public access or contain sensitive information.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.
Weed	Separate records that meet the conditions of a "Vermont Archival Record" from those that do not (temporary).	Assigned to records that have been appraised as conditional archival. Upon weeding the temporary records from the archival records, transfer archival records to Archives and destroy temporary records.

# **Appendix E: Legal References**

SRS-1482.1108:	Environmental Cases	Review for Exemption?
1 V.S.A. § 317(c)(24	[Public record exemption: judicial or quasi-judicial deliberations]	Yes
10 V.S.A. § 6007	Act 250 disclosure statement; jurisdictional determination	No
10 V.S.A. § 6027	Powers [related to the natural resources board and district commissions]	No
10 V.S.A. § 6083	Applications [related to state land use and development plans]	No
10 V.S.A. § 6089	Appeals [related to state land use and development plans]	No
10 V.S.A. § 8003	Applicability [related to authority over environmental enforcement]	No
10 V.S.A. § 8004	Enforcement of Act 250	No
10 V.S.A. § 8007	Assurances of discontinuance	No
10 V.S.A. § 8008	Administrative orders [related to environmental law enforcement]	No
10 V.S.A. § 8009	Emergency administrative orders; request for hearing	No
10 V.S.A. § 8012	Request for hearing [related to environmental law enforcement]	No
10 V.S.A. § 8014	Enforcement of final orders; collection actions	No
10 V.S.A. § 8018	Requests for hearings on landfill closure extension orders	No
10 V.S.A. § 8503	Applicability [related to Environmental Court jurisdiction for appeals of permits]	No
10 V.S.A. § 8504	Appeals to the environmental court	No
24 V.S.A. § 1974a	Enforcement of civil ordinance violations	No
24 V.S.A. § 2255	Grant or denial of application; appeal [related to automotive salvage yards]	No
24 V.S.A. § 2281	Injunctive relief; other remedies	No
24 V.S.A. § 2283	Appeals [related to automotive salvage]	No

24 V.S.A. § 2297a	Enforcement of solid waste ordinance by town, city or incorporated village	No
24 V.S.A. § 2297b	Hearing by environmental division [related to solid waste ordinances]	No
24 V.S.A. § 2793c	Designation of growth centers	No
24 V.S.A. § 4452	Enforcement; remedies [related to land development in noncompliance with local regulations]	No
24 V.S.A. § 4453	Challenges to housing provisions in bylaws	No
24 V.S.A. § 4455	Revocation [related to municipal land use permits]	No
24 V.S.A. § 4464	Hearing and notice requirements; decisions and conditions; administrative review; role of advisory commissions in development review	No
24 V.S.A. § 4469	Appeal; variances	No
24 V.S.A. § 4470	Successive appeals; requests for reconsideration to an appropriate municipal panel	No
24 V.S.A. § 4471	Appeal to environmental division	No
24 V.S.A. § 4472	Exclusivity of remedy; finality [related to appeals of local land use decisions]	No
4 V.S.A. § 1	Unified court system established	No
4 V.S.A. § 1003	Evidence [related to environmental court]	No
4 V.S.A. § 34	Jurisdiction; environmental division	No
4 V.S.A. § 740	Court records; dockets; certified copies	Yes
6 V.S.A. § 4813	Basin management; appeals to the water resources board	No
6 V.S.A. § 4855	Permit appeal [related to agricultural water quality]	No
6 V.S.A. § 4861	Appeal [related to agricultural water quality]	No
V.R.E.C.P. 1	Scope of Rules [related to proceedings in Environmental Division of Superior Court]	No
V.R.E.C.P. 2	General provisions [related to Environmental Division of Superior Court]	No
V.R.E.C.P. 3	Civil Actions [related to matters in Environmental Division of Superior Court]	No

V.R.E.C.P. 4	Review of Environmental Enforcement Orders [related to Environmental Division of Superior Court]	No
V.R.E.C.P. 5	Appeals [related to Environmental Division of Superior Court review of local land use decisions]	No
Vt. Pub. Acc. Ct. Rec. Rule 1	Purpose; Construction [related to public access to court records]	Yes
Vt. Pub. Acc. Ct. Rec. Rule 2	Scope [related to public access to court records]	Yes
Vt. Pub. Acc. Ct. Rec. Rule 3	Definitions [related to public access to court records]	Yes
Vt. Pub. Acc. Ct. Rec. Rule 4	General Policy [related to public access to court records]	Yes
Vt. Pub. Acc. Ct. Rec. Rule 5	Administrative Records [related to public access to court records]	Yes
Vt. Pub. Acc. Ct. Rec. Rule 6	Case Records [related to public access to court records]	Yes
Vt. Pub. Acc. Ct. Rec. Rule 7	Exceptions [related to public access to court records]	Yes
Vt. Pub. Acc. Ct. Rec. Rule 8	Statistical Reports [related to public access to court records]	Yes