

# State Trial Court Records

## Section 2.3—Records of Proceedings

### Concepts Behind the Schedule for Records of Proceedings

- Concepts applicable to case files are also generally applicable to records of proceedings; therefore, retention of these records should be directly related to case file retention.

### Rules Regarding Records of Proceedings

2.300

- The following general rules apply:
  - 1.100 (Implementation responsibility)
  - 1.101 (Rules, procedures, schedules apply to Oregon Judicial Department records)
  - 1.102 (State Court Administrator's authority to suspend or revise)
  - 1.103 (Retention periods are **minimum** requirements)
  - 1.104 (Records that fit in multiple categories or no category)
  - 1.105 (Retention periods apply to “record copy” only, unless otherwise specified)
  - 1.106 (Description does not dictate custody, name or media, or how maintained)
  - 1.107 (Descriptions do not imply paper records)
  - 1.108 (Descriptions do not indicate whether record is subject to disclosure)
  - 1.109 (Reproduction of records and their evidentiary effect)
  - 1.110 (Recreatable electronic record printouts)
  - 1.111 (Records destruction methods)
  - 1.112 (Suspending disposal of records)
  - 1.113 (Records created in 1920 or earlier)
  - 1.114 (Documentation required when records relinquished to another repository)
  - 1.115 (Discard orders)
  - 1.116 (Working drafts, notes, queries, data files)

2.301

- Disposal of records of proceedings is suspended by the following:
    - Written request by party/attorney (UTCRC 1.140)
    - Order of the court on request of any party or on the court's own motion
- ▶▶▶▶ **NOTICE OF APPEAL** in the corresponding case

2.310

### Court Reporter Notes (Including Audio/Video Recordings)

|                     |                                                                                                                                                                                    |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Description</b>  | The official court reporter’s notes, required to be prepared and filed under ORS 8.340, created using shorthand, mechanical or electronic typing device, or audio/video recording. |
| <b>Related Laws</b> | ORS 7.120, 7.125 (1995 replacement part), 8.340(5), 8.350, 8.360, 19.250(3), 19.370, 19.375, 19.385                                                                                |
| <b>Retention</b>    | If the court reporter notes or recording includes multiple cases, retain until the retention period has run for non-WOLFE records on all cases included.                           |

**Civil (including water rights), Contempt, Mental Health, and Probate Case Types:** Retention requirement runs until 5 years after creation.

**Offense Case Types:** Retention requirement runs until 10 years after creation.

**Domestic Relations and Juvenile Case Types:** Retention requirement runs until 25 years after creation.

**Not Identifiable to Specific Case:** Retention requirement runs until 20 years after creation.

---

2.311

## Tape Log

|                     |                                                                                                                                  |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>Description</b>  | The official log of audio/video recorded court proceedings that identifies speakers, specific events, and nature of proceedings. |
| <b>Related Laws</b> | None identified                                                                                                                  |
| <b>Retention</b>    | Same as corresponding tape.                                                                                                      |

---

2.312

## Transcript

|                     |                                                                                                                                                                                                                                                                                       |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Description</b>  | A document containing the written transcription of an audio/video recording or court reporter notes. <i>Does not include transcripts submitted as physical evidence for a trial or hearing. (Refer to section 2.4 on Exhibits, Evidence, and Similar Records.)</i>                    |
| <b>Related Laws</b> | ORS 7.120, 7.125 (1995 replacement part), 8.340(5), 8.350, 8.360, 19.250(3), 19.370, 19.375, 19.385                                                                                                                                                                                   |
| <b>Retention</b>    | <b>Water Rights Cases:</b> Permanent.<br><br><b>Adoptions:</b> Discard when preparing case file for transfer to State Archives.<br><br><b>All Others:</b> Has the same retention as non-WOLFE records in the corresponding case file, whether or not maintained within the case file. |

---