

# State of Florida

## ***GENERAL RECORDS SCHEDULE GS11 FOR CLERKS OF COURT***



**JANUARY 1, 2010**

Florida Department of State  
State Library and Archives of Florida

Tallahassee, Florida

850.245.6750

<http://dlis.dos.state.fl.us/RecordsManagers>

# GENERAL RECORDS SCHEDULE GENERAL INFORMATION AND INSTRUCTIONS

## FOREWORD

The **general records schedules** established by the Department of State are intended for use by state, county, city, and special district public records custodians. If you are unsure of your organization's status as a "public agency," consult your legal counsel and/or the Florida Attorney General's Office for a legal opinion. The Department of State publishes the following general records schedules:

<b>GS1-SL</b>	<b>State and Local Government Agencies</b>
<b>GS2</b>	<b>Law Enforcement, Correctional Facilities, and District Medical Examiners</b>
<b>GS3</b>	<b>Election Records</b>
<b>GS4</b>	<b>Public Hospitals, Health Care Facilities and Medical Providers</b>
<b>GS5</b>	<b>Universities and Community Colleges</b>
<b>GS7</b>	<b>Public Schools Pre-K-12, Adult and Vocational/Technical</b>
<b>GS8</b>	<b>Fire Departments</b>
<b>GS9</b>	<b>State Attorneys</b>
<b>GS10</b>	<b>Public Defenders</b>
<b>GS11</b>	<b>Clerks of Court</b>
<b>GS12</b>	<b>Property Appraisers</b>
<b>GS13</b>	<b>Tax Collectors</b>
<b>GS14</b>	<b>Public Utilities</b>
<b>GS15</b>	<b>Public Libraries</b>

All Florida public agencies are eligible to use the GS1-SL, which provides retention periods for the most common administrative records such as routine correspondence and personnel, payroll, financial, and legal records. General records schedules GS2 through GS15 are applicable to program records of specific functional areas, such as elections administration, tax collecting, or law enforcement, each of which has unique program responsibilities and thus unique records retention requirements. The GS2 through GS15 should be used in conjunction with the GS1-SL to cover as many administrative and program records as possible. The **GS11 General Records Schedule for Clerks of Court** covers county administrative records commonly created and/or maintained by the Clerk of the Circuit Court in each Florida county. The GS11 **does not** cover Judicial Branch records in the Clerk's custody pursuant to the Florida Supreme Court's decision that the Department of State, as an Executive Branch agency, has no authority to regulate records retention for the Judicial Branch (No. 84513, *Times Publishing v. Ake*, 660 So.2d 255 (Fla. 1995)). See **Florida Rules of Judicial Administration** for Judicial Branch records retention requirements.

The retention periods set forth in the general records schedules are based on federal and state laws and regulations, general administrative practices, and fiscal management principles. Please note that these are **minimum** retention periods; public agencies may retain their records longer at their discretion. In fact, certain accreditation committees may have standards that require longer retention periods. Contact your accrediting organization for more information on their requirements. In addition, federal, state, or local laws and regulations regarding recordkeeping and records retention for specific agencies or specific types of records might require a longer retention than indicated in this general schedule. Agencies should be aware of all laws and regulations relating to their records and recordkeeping requirements. However, remember that a public agency is **not** permitted to **reduce** the retention periods stated in a general records schedule.

General Records Schedule GS11 for Clerks of Court

For additional information on records retention and disposition, please refer to *The Basics of Records Management* handbook, which, along with all Florida general records schedules, is available on the Department of State's *Services for Records Managers* Web site at:

<http://dlis.dos.state.fl.us/RecordsManagers/>

To obtain an individual printed copy or electronic copy, fax your request to 850.245.6795, Attention: Receptionist, contact the Records Management Program at 850.245.6750, or e-mail [recmgt@dos.state.fl.us](mailto:recmgt@dos.state.fl.us).

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## I. STATUTORY AUTHORITY

This general records schedule is issued by the Department of State, State Library and Archives of Florida, in accordance with the statutory provisions of Chapters 119 and 257, Florida Statutes. **This schedule covers county administrative records commonly created and/or maintained by the Clerk of the Circuit Court in each Florida county. This schedule does not cover Judicial Branch records in the Clerk's custody pursuant to the Florida Supreme Court's decision that the Department of State, as an Executive Branch agency, has no authority to regulate records retention for the Judicial Branch (No. 84513, *Times Publishing v. Ake*, 660 So.2d 255 (Fla. 1995)). See *Florida Rules of Judicial Administration* for Judicial Branch records retention requirements.**

Chapter 119, Florida Statutes, defines the terms "public records," "custodian of public records," and "agency," as well as the fundamental process by which disposition of said records is authorized under law.

Chapter 257, Florida Statutes, establishes the Florida State Archives and Records Management Program under the direction of the Division of Library and Information Services, Department of State, and specifically provides for a system for the scheduling and disposition of public records. Chapter 257 also authorizes the Division to establish and coordinate standards, procedures, and techniques for efficient and economical record making and keeping, and requires all agencies to appoint a Records Management Liaison Officer.

## II. DETERMINING RETENTION REQUIREMENTS

In determining public records retention requirements, four values must be considered to ensure that the records will fulfill their reason for creation and maintenance. These values are administrative, legal, fiscal, and historical. These four values have been evaluated in depth to determine the retention requirements of the records listed in this general records schedule.

There are two particular financial factors that may impact the retention period of an agency's records:

- A. Audits - Audits are the means by which independent auditors examine and express an opinion on financial statements and, as applicable, report on public agencies' compliance with laws, regulations, and internal controls. Audit requirements for state financial assistance provided by State of Florida agencies to nonstate entities are established by the Florida Single Audit Act, Section 215.97, Florida Statutes.

There are various types of audits. Performance audits examine the economy and efficiency and/or effectiveness of applicable programs, activities, or functions. Financial audits include (1) an examination of financial statements in order to express an opinion on the fairness with which they present financial position, results of operations, and changes in financial position in conformity with generally accepted accounting principles; (2) an examination to determine whether operations are properly conducted in accordance with legal and regulatory requirements; and (3) an examination of any additional financial information necessary to comply with generally accepted accounting principles. As applicable, the scope of the financial audit shall include any additional auditing activities necessary to comply with the term "financial audit" as defined and used in *Government Auditing Standards*, as amended. Also as applicable, the scope of a financial audit shall encompass the additional activities necessary to establish compliance with the Single Audit Act Amendments of 1996, Public Law 104-156 (31 USCA ss. 7501 to 7507); United States Office of Management and Budget (OMB) Circular A-133; and other applicable federal law.

The Records Management Program does not track or maintain information on which

audits apply to which records in which agencies. Retention schedules are written to alert agencies that certain records **might** be required for audit purposes. Different agencies are subject to different types of audits at different times, and each agency is responsible for knowing what audits might be conducted and retaining needed records for that purpose. For instance, some agencies might be subject to the Federal Single Audit, while others are not. In general, any records relating to finances or financial transactions might be subject to audit.

Audits may be conducted by the Florida Auditor General, independent public accountants, or other state or federal auditors, as well as grant funding agencies and national or statewide professional accreditation or certification groups. Your finance office, your legal office, and the Auditor General's Office are good sources of information as to which specific records of your agency should be retained for audit purposes.

- B. Grants - Any public agency receiving local, state, or federal grant money will need to be familiar with grantor-agency requirements.

### III. SCHEDULING AND DISPOSITION OF PUBLIC RECORDS

The procedures for scheduling and disposition of public records, applicable to all public agencies, consist of two separate but related actions:

- A. Establishing a Records Retention Schedule - A retention schedule describing the records and setting the minimum retention period is required for each record series. A record series, as defined in Rule 1B-24, *Florida Administrative Code*, is "a group of related public records arranged under a single filing arrangement or kept together as a unit (physically or intellectually) because they consist of the same form, relate to the same subject or function, result from the same activity, document a specific type of transaction, or have some other relationship arising from their creation, receipt, or use." Examples of series that agencies might maintain are Personnel Files, Client Case Files, Project Research Files, Equipment Maintenance and Repair Records, or Procurement Files. Each record series might contain records in a variety of forms and formats that collectively document a particular program, function, or activity of the agency. The records retention schedule establishes officially the **minimum** length of time that the record series must be retained.
  - 1. **General records schedules** establish retention requirements for records documenting administrative and program functions common to several or all government agencies, such as personnel, accounting, purchasing, and general administration. General records schedules can cover up to 75-80 percent of an agency's record series. The *General Records Schedule GS1-SL for State and Local Government Agencies* can be used by all state and local agencies in determining their records retention requirements.

Certain agencies can use other general records schedules in conjunction with the GS1-SL. General records schedules have been established for program records of specific functional areas. For example, the *GS5 for Universities and Community Colleges* establishes retention requirements for program records unique to the functions and activities of those types of institutions; the *GS9 for State Attorneys* establishes retention requirements for program records unique to State Attorneys' offices; and the *GS12 for Property Appraisers* establishes retention requirements for program records unique to Property Appraisers' offices. Please contact the Records Management Program to verify which general records schedules are appropriate for use by your agency.

If a similar record series is listed in two general record schedules, the retention requirements contained in the program schedule shall take precedence. For

instance, if a record series is listed in both the GS1-SL and the GS3, elections offices should abide by the retention requirements cited in the GS3.

REMEMBER: The retention period stated in the applicable schedule is the **minimum** time a record must be maintained. If two or more record series are filed together, the combined file must be retained through the longest retention period of those records.

2. **Individual records schedules** establish retention requirements for records that are unique to particular agencies. These schedules are used for the 20-25 percent of an agency's records that are not in a general schedule. To establish an individual records schedule, an agency must submit a Request for Records Retention Schedule, Form LS5E105REff.2-09, to the Records Management Program for review and approval. This "105" form is available on the Records Management Web site at <http://dhis.dos.state.fl.us/recordsmgmt/publications.cfm>.

Records become eligible for disposition action once they have met the retention requirements specified in an established retention schedule and any other applicable requirements (e.g., litigation). The individual schedule remains effective until there is a change in series content or until other factors are introduced that would affect the retention period, at which time a new individual records retention schedule should be submitted for approval. If a new general records schedule is later established that requires an equal or longer retention period for the same records, that general records schedule supersedes the individual records schedule.

- B. Final Disposition of Public Records - Section 257.36(6), Florida Statutes, states that, "A public record may be destroyed or otherwise disposed of only in accordance with retention schedules established by the division." This means that all records, regardless of access provisions, must be scheduled before disposition can occur (see Sections 119.07-119.0714, Florida Statutes, regarding access provisions). Agencies must identify an appropriate general records schedule or individual records schedule for any records being disposed of. If a retention schedule for the records does not exist, then one must be established by following the procedures listed above for "Establishing a Records Retention Schedule."

Records Disposition Documentation - Agencies must maintain internal documentation of records disposition including retention schedule number, retention schedule item number, records series title, inclusive dates, and volume (in cubic feet) of records destroyed. A form titled *Records Disposition Document*, which is recommended for use in documenting records disposition, is available on the Records Management Web site at <http://dhis.dos.state.fl.us/recordsmgmt/publications.cfm>. Agencies must maintain this documentation as a permanent record, but should **not** submit it to the Records Management Program for review or approval.

#### IV. ARCHIVAL VALUE

- A. **State agencies** - The State Archives of Florida will analyze record series to identify records having enduring historic, administrative, or fiscal value that may be eligible for permanent preservation. If a record series description states, "**These records may have archival value**," the state agency must contact the State Archives of Florida for archival review before disposition of the records. The RMLO or other agency representative should contact the Archives by telephone at 850.245.6750 or by e-mail at [recmgt@dos.state.fl.us](mailto:recmgt@dos.state.fl.us). The Archives will provide guidance for the transfer of the records to the State Archives or other appropriate disposition of the records. For records indicating both a **Permanent** retention **and** possible archival value, agencies should

contact the State Archives after five years for archival review and guidance as to whether, when, and how to transfer the records to the Archives.

- B. **All other agencies** - When preparing to dispose of records that have met their required retention, carefully consider the potential historical research value of those records. Some records that do not have a permanent retention still might have enduring value to your community as evidence of the interactions between government and citizens and as sources of information about local government, society, and culture. For your convenience, we have indicated that “**These records may have archival value**” for series that are most likely to have such historical or archival value. Not all such records will be determined to be archival; conversely, some records without this statement in the series description might have archival value. Records of historical value to your community should be preserved locally for the benefit of historians and other researchers. Technical assistance in determining archival value is available from State Archives staff at 850.245.6750.

## V. ELECTRONIC RECORDS

Records retention schedules apply to records regardless of their physical format. Therefore, records created or maintained in electronic format must be retained in accordance with the minimum retention requirements presented in these schedules, whether the electronic records are the record copy or duplicates. Printouts of standard correspondence in text or word processing files are acceptable in place of the electronic files. Printouts of e-mail files are acceptable in place of the electronic files, provided that the printed version contains the complete header information, including all date/time stamps, routing information, etc.

## VI. FACTORS THAT MAY INFLUENCE THE DISPOSITION OF RECORDS

- A. **Litigation** - When a public agency has been notified that a potential cause of action is pending or underway, that agency should **immediately** place a hold on disposition of **any and all** records related to that cause. Your agency’s legal counsel should inform your Records Management Liaison Officer when that hold can be lifted and when the records are again eligible for disposition.
- B. **Public Records Requests** - According to Section 119.07(1)(h), Florida Statutes, the custodian of a public record may not dispose of a record “for a period of 30 days after the date on which a written request to inspect or copy the record was served on or otherwise made to the custodian of public records by the person seeking access to the record. If a civil action is instituted within the 30-day period to enforce the provisions of this section with respect to the requested record, the custodian of public records may not dispose of the record except by order of a court of competent jurisdiction after notice to all affected parties.”
- C. **Accreditation Standards** - Some public agencies receive national or statewide accreditation or certification by professional societies, organizations, and associations. Examples may include the Joint Commission on the Accreditation of Healthcare Organizations, the Commission on Accreditation for Law Enforcement Agencies, and the Commission on Office Laboratory Accreditation. In an effort to enhance the professionalism of their members, these groups may place heavier burdens on public agencies than those that are mandated under state or federal law. Agencies may therefore choose to maintain their records for a longer period of time than required by established records retention schedules in order to meet accreditation standards. However, records cannot be disposed of before the minimum retention period dictated by the records retention schedules, even if the accrediting organization requires a shorter retention period.



- D. Records in Support of Financial or Performance Audits - These records should be retained in accordance with the following guidelines provided by the Florida Office of the Auditor General:

Records must be retained for **at least** three fiscal years (most financial records must be retained for a minimum of five fiscal years in accordance with guidelines of the Department of Financial Services and the Office of the Auditor General). **If subject to the Federal Single Audit (pursuant to 31 USC, Section 7502, and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, Subpart E) or other federal audit or reporting requirements, records must be maintained for the longer of the stated retention period or three years after the release date of the applicable Federal Single Audit or completion of other federal audit or reporting requirements.** Finally, if any other audit, litigation, claim, negotiation, or other action involving the records has been started before the expiration of the retention period and the disposition of the records, the records must be retained until completion of the action and resolution of all issues which arise from it. However, in no case can such records be disposed of before the three fiscal year minimum.

- E. Federal, state, or local laws and regulations regarding recordkeeping and records retention for specific agencies or specific types of records might require a longer retention than indicated in this general schedule. Agencies should be aware of all laws and regulations relating to their records and recordkeeping requirements.

## VII. RECORDS MANAGEMENT STANDARDS AND REQUIREMENTS

Unless otherwise prohibited by law or rule, the record copy may be reformatted to microfilm or electronic form as long as the requirements of Rule 1B-26.003 or 1B-26.0021, *Florida Administrative Code*, are met.

- A. Electronic Recordkeeping is defined in Rule 1B-26.003, *Florida Administrative Code*, which provides standards and guidelines for creation and maintenance of record (master) copies of public records in electronic form. Public records are those as defined by Section 119.011(12), Florida Statutes.
- B. Microfilm Standards are defined in Rule 1B-26.0021, *Florida Administrative Code*, which provides standards for microfilming of public records to ensure that the film, photography methods, processing, handling, and storage are in accordance with methods, procedures, and specifications designed to protect and preserve such records on microfilm.

## VIII. RECORDS VOLUME CONVERSION TO CUBIC FOOT MEASUREMENTS

Cassette Tapes (200)	1.0 cu. ft.
Letter-size, drawer or box	1.5 cu. ft.
Legal-size, drawer or box	2.0 cu. ft.
Letter-size, 36" shelf	2.0 cu. ft.
Legal-size, 36" shelf	2.5 cu. ft.
Magnetic Tapes (12)	1.0 cu. ft.
3 x 5 card, ten 12" rows	1.0 cu. ft.
3 x 5 card, five 25" rows	1.0 cu. ft.
4 x 6 card, six 12" rows	1.0 cu. ft.
5 x 8 card, four 12" rows	1.0 cu. ft.
16mm microfilm, 100 rolls	1.0 cu. ft.
35mm microfilm, 50 rolls	1.0 cu. ft.

(1 roll of microfilm contains approximately 1.0 cu. ft. of records.)

## **RECORDS RETENTION SCHEDULES**

### **ABSTRACT OF TITLE RECORDS**

**Item #1**

This record series consists of information extracted from real property records showing the description of property, the names of the grantors and grantees, mortgagors and mortgagees, the nature of the instrument, and other information as may be deemed advisable. Records are created pursuant to Chapter 703, Florida Statutes, Abstracts of Title.

#### **RETENTION:**

- a) Record copy. **Permanent.**
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

### **DOCUMENTARY STAMP RECORDS**

**Item #92**

This record series consists of reports, logs, journals, and balance sheets relating to documentary stamps collected and sold by the Clerk of the Circuit Court on recorded and unrecorded documents maintained by the Clerk of Court pursuant to Section 201.01, Florida Statutes, which authorizes documentary stamp taxes on various documents, legal instruments, etc. The series may include, but is not limited to, logs or journals of documentary stamps sold and collected; copies of reports sent to the Department of Revenue pursuant to Section 201.12, Florida Statutes, Excise Tax on Documents, Duties of clerks of the circuit court; and worksheets used to balance the documentary stamps sold by the Clerk of Court.

#### **RETENTION:**

- a) Record copy. 5 fiscal years after payment provided applicable audits have been released.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

### **ERRORS AND INSOLVENCIES LIST**

**Item #5**

This record series consists of a report created by the Tax Collector's Office, and approved by the Board of County Commissioners pursuant to Section 197.492, Florida Statutes, Errors and insolvencies list, and Rule 12D-13.008, *Florida Administrative Code*, Errors and Insolvencies List. The report is filed with the Clerk of the Circuit Court and shows the discounts, errors, double assessments, and insolvencies for which credit is given, including in every case except discounts, the names of the parties on whose account the credit is allowed.

#### **RETENTION:**

- a) Record copy. **Permanent.**
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

### **HOME SOLICITATION PERMITTING RECORDS**

**Item #11**

This record series consists of applications filed with the Clerk of the Circuit Court for home solicitation permits pursuant to Section 501.022, Florida Statutes, Home solicitation, sale; permit required. The series may include, but is not limited to, sworn applications; photographs of applicant; fingerprint cards; correspondence sent to the Florida Department of Law Enforcement, Sheriff's Office, and applicant; miscellaneous forms used by the Clerk to document the progress of the file; permit application; decision regarding the approval or disapproval for issuing a permit; and any indexes to the records.

#### **RETENTION:**

- a) Record copy. 5 fiscal years upon expiration of renewal provided applicable audits have been released.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

### **INTANGIBLE PERSONAL PROPERTY TAX REPORTS**

**Item #43**

This record series consists of the Clerk's copy of reports sent to the Department of Revenue pursuant to Section 199.135(3), Florida Statutes, which requires that, "No later than 7 working days after the end of each week, each clerk shall transmit to the department all nonrecurring intangible taxes collected during the preceding week, together with a report certifying the amount of tax collected with respect to all instruments upon which the tax was paid."

#### **RETENTION:**

- a) Record copy. 5 fiscal years after payment provided applicable audits have been released.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

### **MARRIAGE RECORDS/APPLICATIONS: LICENSES ISSUED**

**Item #41**

This record series consists of a record of all marriage licenses issued, with the names of the parties and the date of issuance, and upon the return of the marriage license and certificate, the name of the person solemnizing the marriage along with the date of marriage and of return as required by Section 741.09, Florida Statutes. Series may include an index to the licenses issued containing the names, date of marriage, and marriage record book/page number. The original license is forwarded to the Department of Health and a copy is retained by the Clerk of Court. These are to be recorded pursuant to Sections 382.021, 28.222(2), and 28.222(3)(h), Florida Statutes.

#### **RETENTION:**

- a) Record copy. **Permanent.**
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

### **MARRIAGE RECORDS/APPLICATIONS: NO LICENSE RETURNED/LICENSE EXPIRED**

**Item #3**

This record series consists of marriage license applications for which no license was returned within the 60 days allowed

by Section 741.041, Florida Statutes, Marriage license application valid for 60 days, which requires that "Marriage licenses shall be valid only for a period of 60 days after issuance, and no person shall perform any ceremony of marriage after the expiration date of such license."

**RETENTION:**

- a) Record copy. 5 fiscal years after application submitted provided applicable audits have been released.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**MARRIAGE RECORDS: COURSE PROVIDER REGISTRATION RECORDS**

**Item #90**

This record series documents registration with the Clerk of Court of providers of premarital preparation courses. In accordance with Section 741.0305(5), Florida Statutes, each provider must register with the Clerk of the Circuit Court by filing an affidavit in writing attesting to the provider's compliance with the premarital preparation course requirements. The affidavit includes the course instructor's name, contact information, and qualifications, including the license number, if any, or, if an official representative of a religious institution, a statement as to relevant training.

**RETENTION:**

- a) Record copy. Retain until obsolete, superseded, or administrative value is lost.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**MARRIAGE RECORDS: SUPPLEMENTAL DOCUMENTATION**

**Item #42**

This record series consists of records supplemental to marriage licenses including, but not limited to, consent forms and/or pregnancy affidavits submitted with the application for marriage license; copies of the marriage license application; certificate of completion of premarital preparation course; judicial order to marry without parental consent; affidavit for amendment to marriage license; motion/order for hardship waiving the 30 day waiting period; and certificate for consent of marriage.

**RETENTION:**

- a) Record Copy. 1 fiscal year after applying for marriage license.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**MURPHY ACT RECORDS**

**Item #56**

This record series consists of state-held tax certificates on which deeds were issued, correspondence, and deed reports relating to the sale of property under the Murphy Act. Chapter 18296, Laws of Florida, 1937, known as the Murphy Act, provided for the sale of tax certificates, and the lands on which they were levied, to the highest bidder.

**RETENTION:**

- a) Record copy. **Permanent.**
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**OFFICIAL RECORDS**

**Item #57**

This record series consists of all instruments that the Clerk is authorized or required by law to record under Section 28.222, Florida Statutes. All instruments are recorded in one general series called "Official Records" per Section 28.222(2), Florida Statutes. Included in the official records are deeds, leases, mortgages, notices or claims of lien, notices of levy, tax warrants, and other instruments relating to the ownership, transfer, or encumbrance of or claims against real or personal property or any interest in it; extensions, assignments, releases, cancellations, or satisfactions of mortgages and liens, judgments, certificates, declarations of condominium and related exhibits; orders of dismissal and final judgments of the courts in civil actions pursuant to Section 28.29, Florida Statutes; all wills and codicils admitted to probate, orders revoking probate of any wills and codicils, letters of administration, orders affecting or describing real property, final orders, orders of final discharge, and orders of guardianship filed in the Clerk's office pursuant to Section 28.223, Florida Statutes; and any other instrument required or authorized to be recorded. See also "OFFICIAL RECORDS: GENERAL INDEX/FILING REGISTER" and "OFFICIAL RECORDS: RECORD OF INSTRUMENTS FILED DAILY."

**RETENTION:**

- a) Record copy. **Permanent.**
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**OFFICIAL RECORDS: GENERAL INDEX/FILING REGISTER**

**Item #58**

This record series consists of a general alphabetical index maintained by the Clerk in accordance with Section 28.222(2), Florida Statutes. This is a direct and inverse index of all instruments recorded in the Official Record and generally includes date and time of filing, instrument number, kind of instrument, names of parties to the instrument, and other identifying information. See also "OFFICIAL RECORDS" and "OFFICIAL RECORDS: RECORD OF INSTRUMENTS FILED DAILY."

**RETENTION:**

- a) Record copy. **Permanent.**
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**OFFICIAL RECORDS: RECORD OF INSTRUMENTS FILED DAILY**

**Item #70**

This record series consists of a daily alphabetical or numerical computer generated listing of instruments recorded in the

official records. The listing may include such information as grantor and grantee names; date, time and type of instrument; official records book and page; and the addresses to which the original documents will be returned. The listing is used to verify all information indexed into the official records and to document the date on which the documents were mailed back to customers. The listing may also be used for looking up book/page and instrument numbers of documents recorded for a given day when the computer systems are down. See also "OFFICIAL RECORDS" and "OFFICIAL RECORDS: GENERAL INDEX/FILING REGISTER."

**RETENTION:**

- a) Record copy. Retain until obsolete, superseded, or administrative value is lost.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**PASSPORT RECORDS: DAILY**

**Item #59**

This record series consists of daily reports of persons applying for passports. Included are applicant's name, amount paid, and receipt number. The series may also include copies of transmittal records that are prepared and sent with completed applications when mailing to the Passport Agency.

**RETENTION:**

- a) Record copy. 5 fiscal years provided applicable audits have been released.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**PLATS**

**Item #32**

This record series consists of documents pertaining to the use of lands that have been approved by a local government entity and are filed with the Clerk under Chapter 177 and Section 337.2735, Florida Statutes. These instruments are prepared for recording as prescribed in Section 177.091, Florida Statutes and filed in a series of books as prescribed by Section 177.111, Florida Statutes. References to the plats (Book & Page) are found in the "Official Records Index."

**RETENTION:**

- a) Record copy. **Permanent.**
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**PUBLIC UTILITY RATE ADJUSTMENT ORDERS**

**Item #65**

This record series consists of a copy of rate orders issued by the Florida Public Service Commission to adjust (increase or reduce) utilities rates. This order is filed with the Clerk of the Circuit Court of each county in which customers are served who are affected by the adjustment in accordance with Sections 364.063, 366.072, and 367.084, Florida Statutes.

**RETENTION:**

- a) Record copy. Retain as long as rate is in effect.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**REGISTRATIONS: BAIL BOND AGENTS**

**Item #71**

This record series documents the registration of bail bond agents with the Clerk's Office as required by Section 648.42, Florida Statutes, Registration of bail bond agents. The records include a copy of the license and the power of attorney from each insurer he or she represents as a bail bond agent.

**RETENTION:**

- a) Record copy. 1 anniversary year after expiration of license.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**TAX CERTIFICATE REDEMPTION RECORDS**

**Item #4**

This record series consists of records relating to the redemption of tax certificates by the titleholder or other interested party under Chapter 197, Florida Statutes. The series includes records provided to the Clerk by the Tax Collector pursuant to Section 197.413, Florida Statutes and other related records, and may include worksheets, title searches, copies of tax certificates, and records relating to the Clerk's responsibility to advertise and to notify applicable persons that the application for tax deed has been made.

**RETENTION:**

- a) Record copy. 1 fiscal year after redemption provided applicable audits have been released.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**TAX DEED SALE RECORDS**

**Item #74**

This record series documents the sale of tax deeds under Chapter 197, Florida Statutes. The series includes records provided to the Clerk by the Tax Collector pursuant to Section 197.413, Florida Statutes, and other related records, including but not limited to records of lands available for taxes, worksheets, title searches, original tax certificates, sheriff services, certificate of advertisement, certificate of mailing notices to title holders and lien holders, copies of correspondence to the Board of County Commissioners regarding surplus monies and claims, surplus claim affidavits, notices and warning statements mailed to title holders and lien holders, and a copy of the recorded tax deed. The series may also include copies of disbursement records such as refunds to applicants, payment of surplus claims, and check requisitions for surplus monies transferred to the Board of County Commissioners. After the property is sold, the tax deed is recorded in the Official Records along with the Clerk's certificate of mailing and newspaper affidavit, and the original tax

deed is released to the successful bidder. Retention is pursuant to Sections 95.191 and 95.192, Florida Statutes, Statute of Limitations for actions on tax deeds.

**RETENTION:**

- a) Record copy. 4 anniversary years after tax deed recorded in Official Records.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**TAX ROLLS**

**Item #75**

This record series consists of the final paid tax roll submitted to the Clerk of the Circuit Court by the Tax Collector as provided in Department of Revenue Rule 12D-13.015(2)-(3), *Florida Administrative Code*, which requires that, "After the tax collector has completed collection of the taxes...he or she shall deliver the original tax roll to the clerk of the circuit court...The original tax roll may not be destroyed by the clerk of the court or any other officer or person until such time as written permission has been obtained from the Division of Archives, History and Records Management."

**RETENTION:**

- a) Record copy. **Permanent.**
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**TEEN COURT RECORDS**

**Item #13**

This record series documents non-judicial hearings in a diversion/intervention program in which teenage offenders are "tried" by other teenagers. The series may include, but is not limited to, Probable Cause Affidavits; Civil Citations; Teen Court Program introductory letters to parents; letters to victims (restitution); victims' statements; waiver of rights; intake interview summaries; jury sentencing forms; contract agreements; verification of restitution (receipt); letter of apology/essay; TASC (Treatment Alternative for Street Crime) Assessment (Psychosocial Evaluation); community service or jury duty time sheets; successful completion reports (disposition forms); and Department of Juvenile Justice Recommendation to State Attorney's Office. This item **only** covers records from programs in counties in which the Teen Court program is administered by the county and not by the Judicial Branch.

**RETENTION:**

- a) Record copy. 5 anniversary years after child reaches the age of majority or final disposition, whichever occurs later.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**VALUE ADJUSTMENT BOARD FILES: APPEAL FILED**

**Item #91**

This record series consists of files created by the Clerk pursuant to Chapters 194 and 196, Florida Statutes, and Rule 12D-10.003(4)(a), *Florida Administrative Code*. This series may include, but is not limited to, the petition; hearing tapes and/or notes; recommendation of the Special Master; record of decision; notice of adjustment or disapproval; and supporting documents. FOR MINUTES OF THE VALUE ADJUSTMENT BOARD MEETINGS, SEE GS1-SL FOR STATE AND LOCAL GOVERNMENT AGENCIES, ITEM #32, "MINUTES: OFFICIAL MEETINGS."

**RETENTION:**

- a) Record copy. 5 anniversary years from final action if an appeal is filed in circuit court.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**VALUE ADJUSTMENT BOARD FILES: NO APPEAL FILED**

**Item #16**

This record series consists of files created by the Clerk pursuant to Chapters 194 and 196, Florida Statutes, and Rule 12D-10.003(4)(a), *Florida Administrative Code*. This series may include, but is not limited to, the petition; hearing tapes and/or notes; recommendation of the Special Master; record of decision; notice of adjustment or disapproval; and supporting documents. FOR MINUTES OF THE VALUE ADJUSTMENT BOARD MEETINGS, SEE GS1-SL FOR STATE AND LOCAL GOVERNMENT AGENCIES, ITEM #32, "MINUTES: OFFICIAL MEETINGS."

**RETENTION:**

- a) Record copy. 4 anniversary years after final decision provided no appeal is filed in circuit court.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

**WILLS: SAFEKEEPING**

**Item #72**

This record series consists of original wills deposited with the Clerk pursuant to Section 732.901, Florida Statutes, Production of wills. The original will is removed from the safekeeping file and filed with all other pleadings if a probate case is actually filed.

**RETENTION:**

- a) Record copy. 20 calendar years after submitted.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

## **CROSS-REFERENCE**

BAIL BOND AGENTS: REGISTRATIONS

use REGISTRATIONS: BAIL BOND AGENTS

CONDOMINIUM, DECLARATIONS OF – EXHIBITS

use OFFICIAL RECORDS

DEPOSITORY LEDGER REPORTS

use *General Records Schedule GS1-SL for State and Local Government Agencies*, Item #365, RECEIPT/REVENUE RECORDS: DETAIL, and/or GS1-SL #366, RECEIPT/REVENUE RECORDS: SUMMARY. For court registry records, child support records, and other court/judicial branch records, refer to retention requirements in ***Florida Rules of Judicial Administration***.

DOCUMENTARY STAMP/BALANCE SHEETS

use DOCUMENTARY STAMP RECORDS

DOCUMENTARY STAMP REPORTS

use DOCUMENTARY STAMP RECORDS

DOCUMENTARY STAMP LOGS/JOURNALS

use DOCUMENTARY STAMP RECORDS

DRAFTS AND WORKING PAPERS

use *General Records Schedule GS1-SL for State and Local Government Agencies*, Item #242, DRAFTS AND WORKING PAPERS

GAS PIPELINE RECORDS: GAS PIPELINE FILES

use OFFICIAL RECORDS

HOME SOLICITATION RECORDS

use HOME SOLICITATION PERMITTING RECORDS

HOME SOLICITATION RECORDS: INDEX

use HOME SOLICITATION PERMITTING RECORDS

INTANGIBLE TAX REPORTS

use INTANGIBLE PERSONAL PROPERTY TAX REPORTS

MARRIAGE RECORDS: CONSENT FORMS & PREGNANCY AFFIDAVITS

use MARRIAGE RECORDS: SUPPLEMENTAL DOCUMENTATION

PROPERTY APPRAISAL ADJUSTMENT BOARD FILES

use VALUE ADJUSTMENT BOARD FILES: APPEAL FILED  
or VALUE ADJUSTMENT BOARD FILES: NO APPEAL FILED

REGISTRATIONS: BONDSMAN

use REGISTRATIONS: BAIL BOND AGENTS

TAX DEED REDEMPTION RECORDS

use TAX CERTIFICATE REDEMPTION RECORDS

TOURIST DEVELOPMENT TAX RECORDS

use *General Records Schedule GS1-SL for State and Local Government Agencies*, Item #305, TOURIST DEVELOPMENT TAX RECORDS

**CROSS-REFERENCE: JUDICIAL RECORDS**

**For the following items included in previous editions of the GS11, and for all Judicial Branch/Court records, refer to retention requirements in *Florida Rules of Judicial Administration*:**

ACCOUNTS PAYABLE/RECEIVABLE RECORDS: SUPPORTING DOCUMENTS (CHILD SUPPORT/ALIMONY)

ADOPTION CASE FILES

APPLICATIONS: INTERCEPTION OF WIRE AND ORAL COMMUNICATIONS

BANK STATEMENTS: RECONCILIATION (CHILD SUPPORT/ALIMONY)

BOND RECORDS: APPEARANCE

BONDS: RECEIPT RECORDS

BONDS: SURETY/PERFORMANCE OF SERVICE

CASH COLLECTION RECORDS: DAILY (CHILD SUPPORT/ALIMONY)

CASH RECEIPT/REPORT RECORDS: CHILD SUPPORT/ALIMONY

CHECKS: REGISTERS (CHILD SUPPORT/ALIMONY)

CHECKS: STUBS (CHILD SUPPORT/ALIMONY)

CIVIL ACTION CASE FILES

COURT CALENDARS

COURT DOCKETS/NOTES

COURT RECORDINGS (AUDIO/VISUAL): WITH TRANSCRIPT

COURT RECORDINGS (AUDIO/VISUAL): WITHOUT TRANSCRIPT (FELONY CASES)

COURT RECORDINGS (AUDIO/VISUAL): WITHOUT TRANSCRIPT

COURT RECORDS: SEALED

COURT REGISTRY

COURT REPORTERS' NOTES

COURT REPORTS

COURT REPORTS: UNIFORM RECIPROCAL ENFORCEMENT OF CHILD SUPPORT

CRIMINAL CASE FILES: FELONY (ADJUDICATED GUILTY)

CRIMINAL CASE FILES: FELONY (NOT ADJUDICATED GUILTY)

CRIMINAL CASE FILES: FUGITIVE/OUT OF COUNTY WARRANTS

CRIMINAL CASE FILES: MISDEMEANOR/TRAFFIC

DECLARATION NAMING PRE-NEED GUARDIAN

DELAYED BIRTH (APPLICATION/CERTIFICATE/AFFIDAVITS, ETC.)

DEPOSIT SLIPS: CHILD SUPPORT/ALIMONY

DEPOSITORY LEDGER REPORTS: CHILD SUPPORT/ALIMONY

EXHIBITS: CRIMINAL PROCEEDINGS

EXHIBITS: NON-CRIMINAL PROCEEDINGS

FAMILY CASE FILES: ALIMONY/SUPPORT/CUSTODY

FAMILY CASE FILES: NON-ALIMONY/SUPPORT/CUSTODY

GRAND JURY NOTES

GRAND JURY WITNESS REPORTS

GUARDIANSHIP CASE FILES

JOURNALS: CHILD SUPPORT/ALIMONY (SUMMARY)

JURY/GRAND JURY LISTS

General Records Schedule GS11 for Clerks of Court  
\*\*\***CROSS-REFERENCE: JUDICIAL RECORDS**\*\*\*

JURY/GRAND JURY/WITNESS: PAYROLL RECORDS

JURY: REPORTS

JUVENILE CASE FILES: DELINQUENCY/DEPENDENCY

JUVENILE CASE FILES: PARENT PERMANENTLY DENIED CUSTODY

LIEN RECORDS: ENFORCEMENT (MOTOR VEHICLE SALE)

MARINE VIOLATION CASE FILES

MENTAL HEALTH PROCEEDING RECORDS

MONTHLY DISTRIBUTION OF FINES

PROBATE CASE FILES

PROGRESS DOCKETS (COURT RECORDS)

PROGRESS DOCKETS: GENERAL INDEX TO PUBLIC/COURT RECORDS

SEARCH WARRANTS SERVED: NO ARREST/NO CASE FILED

SMALL CLAIMS CASE FILES

SUPPLEMENTAL PLEADINGS

TEEN COURT RECORDS (in counties in which Teen Court is administered by the Judicial Branch)

TRANSMITTAL RECORDS

TRAFFIC INFRACTIONS

UNSATISFIED EXECUTIONS

WIRE TAP: AUDIO RECORDINGS

WITNESS SUBPOENAS/LISTS



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MARRIAGE RECORDS/APPLICATIONS: LICENSES ISSUED	Item #41
MARRIAGE RECORDS/APPLICATIONS: NO LICENSE RETURNED/LICENSE EXPIRED	Item #3
MARRIAGE RECORDS: COURSE PROVIDER REGISTRATION RECORDS	Item #90
MARRIAGE RECORDS: SUPPLEMENTAL DOCUMENTATION	Item #42
MURPHY ACT RECORDS	Item #56
OFFICIAL RECORDS	Item #57
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**NUMERICAL LISTING**

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