

Pennsylvania Appellate Court Records Retention Schedule

§ 209.1. Establishment.

In order to establish procedures and guidance for the various records custodians of the appellate courts of Pennsylvania, the Appellate Court Records Retention Schedule in Appendix A has been approved by the Supreme Court of Pennsylvania and originally promulgated by the Administrative Office of Pennsylvania Courts (AOPC) on April 6, 1990.

§ 209.2. Procedure for the Destruction or Transfer of Appellate Court Records.

(a) Records may be disposed of in accordance with the retention periods listed on the Appellate Court Records Retention Schedule (Schedule) in Appendix A. The Schedule is “permissive” in that court personnel may continue to hold records beyond the stated retention requirements. Records need not be kept in their original form, particularly those requiring long term or permanent retention. Microfilm or PDF/A copies that meet the micrographics or PDF/A standards and the quality control guidelines and related policies approved by the Commonwealth's County Records Committee set forth in the County Records Manual are acceptable substitutes and shall be followed to the extent practicable. When scanning documents there must be an individual responsible for quality control. Copying onto any other media must be approved in advance by the AOPC.

(b) Records not listed for permanent retention may be disposed of in accordance with the Schedule. A record of the destruction, containing the record series titles, date spans, approximate quantities of the records, and date destroyed must be submitted to AOPC. AOPC need not approve destruction of these records. A sample Records Disposal form can be found in Appendix B.

(c) Records listed for permanent retention may not be disposed of without approval by AOPC. Records listed for permanent retention and archival review may not be disposed of without approval by both AOPC and the Pennsylvania Historical and Museum Commission (PHMC).

(1) AOPC approval must be obtained before destroying original records scheduled for permanent retention that have been microfilmed or converted to PDF/A format.

(2) If the records are marked for archival review on the Schedule, approval must also be obtained from both AOPC and the PHMC prior to destruction. Records series marked with an asterisk in the Archival Review column on the Schedule have potential historical value and the

PHMC State Archives may be interested in maintaining original, microfilm and/or PDF/A copies of these series. One form, the form attached in Appendix C, is to be used to obtain approvals.

(d) In some instances, inactive records that have not been microfilmed or converted to PDF/A, and are no longer needed for administrative or legal purposes by the Courts, may be transferred to the State Archives in lieu of permanent retention at the office of origin. Records transferred to the State Archives become the legal property and responsibility of the PHMC. Court officers should contact the PHMC to make arrangements for archival appraisal and the systematic or one-time transfer of individual series on the schedule.

(e) Definitions.

(1) Electronic records: "Electronic records" are information which satisfy the definition of a record as defined below, and have been recorded and stored in an electronic file which is readable by a computer. Electronic files may consist of database records, correspondence, spreadsheets, word processing documents, presentations, digital images, e-mail, reports, and other file types. These files may be stored on cloud-based computer storage such as OneDrive, Google Drive, and DropBox; on data center network attached computer storage such as network shared drives, storage area networks (SANs), network-attached storage (NASs), and electronic filing systems; on stand-alone computer storage such as PC internal hard drives, server hard drives, and solid-state drives; or on removable storage media such as backup tapes, disks, CD-ROMs, DVDs, diskettes, ZIP disks, and USB/Flash drives.

(2) PDF/A: "PDF/A" is an International Organization for Standardization (ISO) standardized version of Adobe PDF specialized for use in archiving. The PDF/A specification ensures that electronic documents can be retained permanently by providing long-term reliability and preservation. The purpose of PDF/A is to accurately display documents in the distant future

even though computer standards and formats will evolve over time. The PDF/A format described in ISO 19005 should be utilized.

(3) Records: As used in this Schedule, the term "records" includes those papers, dockets, books, photographs, or other documentary materials in any form made or received in an appellate court pursuant to law, statute, or rules of court, in connection with transactions of its business and the discharge of its responsibilities. The term includes electronic records as defined above.

(4) Retain permanently: Records designated for permanent retention or acceptable facsimiles (i.e., microfilm or PDF/A), as defined by the County Records Committee and/or the AOPC, may not be destroyed under any circumstances. Permanent records may be transferred to a records center in which case the prothonotary of the appellate court would maintain custodial control of the records, or they may be transferred to the legal custody of the PHMC.

(5) Final disposition:

(i) The final adjudication by the Pennsylvania appellate courts for cases in which appeals are not taken to the United States Supreme Court; or

(ii) the final adjudication by the United States Supreme Court.

If the final adjudication of the United States Supreme Court or of the Pennsylvania Supreme Court remands the case to another appellate court, the case will be treated as an open case in the court to which the remand is directed.

§ 209 APPENDIX A. Appellate Courts Records Retention Schedule

Section I.—Appellate Courts (General)			
<i>Series</i>	<i>Description</i>	<i>Retention</i>	<i>Archival Review</i>
1.	<i>Appellate Case files</i>		
	These files include appeals commenced by notice of appeal, petition for review, petition for allowance of appeal, petition for permission to appeal nunc pro tunc, and petition for permission to appeal an interlocutory order. Contained in these files are all pleadings and papers filed ancillary to the appeal.	Retain for one (1) year after final disposition.	
2.	<i>Appellate Briefs</i>		
	Includes briefs filed by appellants, appellees and amicus curiae. All three appellate courts send copies of each brief filed in an appellate matter to the State Library and Jenkins Memorial Law Library in Philadelphia. The Supreme Court also sends copies to those entities listed in Pa. R.A.P. 3191. Should this procedure change, the State Archives must be notified.	Retain until filing of decision.	
3.	<i>Memorandum Opinions</i>		
	All unpublished nonprecedential memorandum decisions or unreported memorandum opinions of the Superior or the Commonwealth Court.	Retain Permanently.	*
4.	<i>Original Jurisdiction</i>		
	These files include papers filed in civil matters both at law and equity including but not limited to affidavits, agreements, answers, assignments, awards, bills, bonds, certificates, complaints, decrees, executions, exemplifications, memoranda, notes, notices, opinions, orders, petitions, petitions for review, powers of attorney, praecipes, reports, returns of	1. All matters involving title to real estate shall retained permanently.	
		2. Equity, declaratory judgment, mandamus. Retain for two (2) years after final disposition.	
		3. Matters marked withdrawn or discontinued. Retain for	

<p>service, rules, subpoenas, stipulations, transfers, waivers, writs of summons, petitions to enforce, and petitions for access to confidential information.</p>	<p>one (1) year after disposition.</p>	
	<p>4. Matters dismissed for failure to prosecute. Retain for one (1) year after disposition.</p>	
	<p>5. Matters filed pursuant to the Election Code. Retain for one (1) year after disposition.</p>	
	<p>6. Liquidation and Rehabilitation matters under the Insurance Department Act. Retain for two (2) years after final discharge of the Insurance Commissioner as rehabilitator or liquidator.</p>	<p>* Petitions for liquidation and/or rehabilitation and petitions for final discharge to be reviewed for historical value.</p>

Section II--Supreme Court of Pennsylvania

<i>Series</i>	<i>Description</i>	<i>Retention</i>	<i>Archival Review</i>
1.	<i>Allocatur Dockets Prior to 1980 After 1981</i>		
	Case information and Record of Contents of case files in which allowance of appeal has been sought pursuant to Pa. R.A.P. 1111 et seq.	Retain Permanently.	*
2.	<i>Appeal Docket</i>		
	Case information and Record of Contents of case files of direct appeals and granted petitions for allowance of appeal.	Retain Permanently.	
3.	<i>Miscellaneous Docket</i>		
	Case information and Record of Contents of case files other than appeals and petitions for allowance of appeal (N. B. During 1980 and 1981 petitions for allowance of appeal were included on this docket) and some administrative orders.	Retain Permanently.	*
4.	<i>Disciplinary Docket</i>		
	Case information and Record of Contents of attorney discipline files, record of orders promulgating or changing rules pertaining to attorney conduct, and record of appointments to the Client Security Fund Board.	Retain Permanently.	*
5.	<i>Disciplinary Board Appointment Docket (Bd. Of Governance)</i>		
	Record of Appointment Orders.	Retain Permanently.	*
6.	<i>Judicial Inquiry and Review Board (J.I.R.B.) Docket</i>		

	Case information and Record of Contents of files pertaining to the discipline of members of the judiciary, and record of orders appointing members to the Judicial Inquiry and Review Board.	Retain Permanently.	*
7.	<i>Criminal Procedural Rules Docket</i>		
	Record of orders promulgating or changing Rules of Criminal Procedure, and orders appointing members to the Criminal Procedural Rules Committee.	Retain Permanently.	*
8.	<i>Civil Procedural Rules Docket</i>		
	Record of orders promulgating or changing Rules of Civil Procedure, and orders appointing members to the Civil Procedural Rules Committee.	Retain Permanently.	*
9.	<i>Appellate Rules Docket</i>		
	Record of orders promulgating or changing Rules of Appellate Procedure, and orders appointing members to the Advisory Committee on Appellate Court Rules or Appellate Court Rules Committee.	Retain Permanently.	*
10.	<i>Judicial Administration Docket</i>		
	Record of orders issued on subjects involving judicial administration throughout the Commonwealth, and orders promulgating or changing Rules of Judicial Administration.	Retain Permanently.	*
11.	<i>Supreme Court Docket</i>		
	Record of orders promulgating or changing (former) Supreme Court rules, and Bar Admission Rules, and orders appointing members to the Pa. Commission on Sentencing, and to the Pa. Board of Law Examiners.	Retain Permanently.	*
12.	<i>Court Administrator Docket</i>		
	Record of orders dealing with the State Court Administrator's Office, and orders appointing members to the Judicial Auditing Agency.	Retain Permanently.	*

13.	<i>Magisterial Docket—Rules</i>		
	Record of orders promulgating or changing rules of civil procedure in the minor courts and rules of conduct for magisterial district judges, district justices and magistrates; and orders appointing members to the Minor Court Civil Procedural Rules Committee or Minor Court Rules Committee.	Retain Permanently.	*
	<i>--Magisterial Districts</i>		
	Record of petitions and orders dealing with apportioning and reapportioning magisterial districts.	Retain Permanently.	*
14.	<i>Judicial Classification Docket</i>		
	Record of petitions and orders assigning commissioned judges to divisions of the Court of Common Pleas in their judicial district.	Retain Permanently.	
15.	<i>Judicial Assignment Index</i>		
	Alphabetical index to orders assigning senior judges to judicial duties and assigning commissioned judges to sit in different judicial districts.	Retain Permanently.	
16.	<i>Special Masters Docket</i>		
	Record of petitions and orders for the appointment of special masters.	Retain Permanently.	*
17.	<i>Roll of Attorneys</i>		
	List of the names of attorneys admitted to practice law in the Commonwealth, with date of admission and names of sponsors.	Retain Permanently.	*
18.	<i>Legal Interns Docket</i>		
	Record of requests and approval for law students to engage in the limited and supervised practice of law.	Retain Permanently.	*
19.	<i>Juvenile Masters Docket</i>		
	Record of motions and approvals of attorneys authorized to act as masters under the Juvenile Act in Courts of Common Pleas.	Retain Permanently.	

20.	<i>Miscellaneous Files</i>		
	These files include all initial filings which are not petitions for allowance of appeal or direct appeal items, and the subsequent filings and correspondence ancillary thereto. Historically some administrative matters were included in these files. Disciplinary matters shall be retained as prescribed in Section II: Item 20, disciplinary rules shall be retained as prescribed in Section II: Item 23, and Disciplinary Board Appointment order shall be retained as prescribed in Section II: Item 22. Other administrative matters shall be retained as prescribed elsewhere in the schedule.	Retain for two (2) years after final disposition.	
21.	<i>Disciplinary Files--Court Files</i>		
	These files include the pleadings filed with the Supreme Court, and the Court's orders in cases involving attorney discipline.	Retain for one hundred (100) years after initial filing.	*
	<i>--Board Records</i>		
	These papers are the actual records of disciplinary proceeding received from the Disciplinary Board and are analogous to a lower court record. They are not returned to the Board at the close of the case.	Retain for one hundred (100) years after initial filing.	*
	<i>--Transfers to Inactive Status (D.D.171)</i>		
	These files include the voluntary requests from attorneys to be transferred to inactive status, and the Court's order in response thereto.	Retain for one hundred (100) years after initial filing.	*
	<i>--Transfers Under Rule 219 (D.D.318)</i>		
	This file contains the list received from the Disciplinary Board of those attorneys who have failed to comply with registration requirements and related Court orders.	Retain for one hundred (100) years after initial filing.	*

22.	<i>Disciplinary Board Appointment Orders</i>		
	These files contain the orders of the Court appointing members to the Disciplinary Board (previously known as Board of Governance) and the associated correspondence.	Retain for ten (10) years.	
23.	<i>Disciplinary Rules Files</i>		
	These files contain the orders of the Court promulgating or changing rules pertaining to attorney discipline and conduct, and the associated correspondence.	Retain for seventy-five (75) years.	
24.	<i>J.I.R.B. Files--Court Files</i>		
	These files contain the papers filed with the Supreme Court by the J.I.R.B. and by the respondent in cases involving allegations of misconduct by members of the judiciary, with the associated orders and correspondence.	Retain for seventy-five (75) years.	
	<i>--Board Records</i>		
	These papers are the actual records of the proceedings before the J.I.R.B., and are analogous to a lower court record. They are not returned at the close of the case.	Retain for seventy-five (75) years.	
25.	<i>Attorney Applications for Admission</i>		
	These papers include the certifications from the Pa. Board of Law Examiners and the applications and motions for admission for individuals seeking admission to the bar.	Retain for one hundred (100) years.	
26.	<i>Name Change Records</i>		
	These papers include the correspondence with the Pa. Board of Law Examiners and the district offices of the Supreme Court recording the change of name of any attorney admitted to practice law within the Commonwealth.	Retain for one hundred (100) years.	
27.	<i>Certificate of Good Standing Correspondence</i>		

	These papers include requests from attorneys for the issuance of Certificates of Good Standing and associated correspondence.	Retain for two (2) years.	
28.	<i>Legal Intern Applications</i>		
	These papers include the recommendation for individual law students to engage in the limited and supervised practice of law, pursuant to Pa. B.A.R. 321, and letters approving such practice.	Retain for five (5) years.	
29.	<i>Civil Rules Files</i>		
	These files contain the orders of the Court promulgating or changing Rules of Civil Procedure and orders appointing members of the Civil Procedural Rules Committee with the associated correspondence.	Retain for seventy-five (75) years.	
30.	<i>Criminal Rules Files</i>		
	These files contain the orders of the Court promulgating or changing Rules of Criminal Procedure and orders appointing members to the Criminal Procedural Rules Committee with the associated correspondence.	Retain for seventy-five (75) years.	
31.	<i>Appellate Rules Files</i>		
	These files contain the orders of the Court promulgating and changing Rules of Appellate Procedure and court calendars and associated correspondence.	Retain for seventy-five (75) years.	
32.	<i>Judicial Administration Files</i>		
	These files contain the orders of the Court involving the Rules of Judicial Administration and other administrative orders and the associated correspondence.	Retain for seventy-five (75) years.	
33.	<i>Supreme Court Rules</i>		

	These files contain the orders of the Court pertaining to the former Supreme Court Rules, the Bar Admission Rules, and appointments to the Pa. Commission on Sentencing and the Pa. Board of Law Examiners.	Retain for seventy-five (75) years.	
34.	<i>Court Administrator Files</i>		
	These files contain orders of the Court pertaining to court administration and the Court Administrator's Office.	Retain for seventy-five (75) years.	
35.	<i>Judicial Classifications Files</i>		
	These files contain the petitions, orders and correspondence pertaining to the assignment of commissioned judges within the judicial district in which they were commissioned.	Retain for twenty-five (25) years.	
36.	<i>Judicial Assignment Orders</i>		
	These orders are maintained in loose-leaf books in sequential order. The orders assign senior judges to duties and reassign commissioned judges to other judicial districts.	Retain for twenty-five (25) years.	
37.	<i>Magisterial Files--Rules</i>		
	These files contain orders and correspondence pertaining to rules of procedure in minor courts and rules of conduct for magisterial district judges, district justices, and magistrates.	Retain for seventy-five (75) years.	
	<i>--Magisterial Districts</i>		
	These files contain correspondence, petitions, orders, and census data pertaining to the apportionment of magisterial districts.	Retain until a new order is entered.	
38.	<i>Judicial Discipline Matters</i>		
	Case information and Record of Contents of files pertaining to the discipline of members of the judiciary, and records of orders appointing members to the Court of Judicial Discipline and Judicial Conduct Board.	Retain Permanently.	*

Section III--Superior Court of Pennsylvania

<i>Series</i>	<i>Description</i>	<i>Retention</i>	<i>Archival Review</i>
1.	<i>Admission Docket</i>		
	Prior to 1972 attorneys had to be separately admitted to practice before the Superior Court.	Can be given to archives immediately.	*
2.	<i>Superior Court Rules Docket</i>		
	Includes those rules promulgated by the Superior Court which are relevant to practice before the Court.	75 years.	*
3.	<i>Appeals Docket</i>		
	The dockets of all cases in the Superior Court which have been assigned an appellate case number.	Retain Permanently.	*
4.	<i>Miscellaneous Docket</i>		
	The docket of all cases in the Superior Court which are not given appellate numbers.	Retain Permanently.	*
5.	<i>Miscellaneous Files</i>		
	The cases are docketed in the Superior Court upon filing of a petition when no appeal has been docketed. The files contain all papers and pleadings ancillary to the petition.	1 year after disposition.	
6.	<i>General Docket</i>		
	The docket of all petitions seeking the interception of communications via pen register.	Retain Permanently.	
7.	<i>Wiretap Docket</i>		
	The docket of all petitions seeking the interception of oral communication other than by pen register.	Retain Permanently.	
8.	<i>Wiretap and Pen Register Files</i>		

	These files are sealed by Court Order and are kept in a protective vault. They contain the tapes, transcripts and inventories of intercepted communications.	10 years by statute.	
9.	<i>Session Minutes</i>		
	The summary of the judges and attorneys who participated in a particular Superior Court session as well as the cases which comprised the session.	Retain Permanently.	*
10.	<i>Memorandum Opinions</i>		
	All unpublished non precedential memorandum decisions and opinions.	Retain Permanently.	*

Section IV--Commonwealth Court of Pennsylvania

<i>Series</i>	<i>Description</i>	<i>Retention</i>	<i>Archival Review</i>
1.	<i>Appeals from Board of Finance and Revenue Files</i>		
	These files include petitions for review of decisions of the Board of Finance and Revenue and all related papers, with the exception of bonds filed pursuant to Pa. R.A.P. 1734.	Retain for one (1) year after final disposition.	
2.	<i>Bonds (Bd. of Fin. and Rev. Cases)</i>		
	All bonds filed in appeals from decisions of the Board of Finance and Revenue pursuant to Pa. R.A.P. 1734.	Retain for five (5) years after final disposition.	
3.	<i>Commonwealth Docket</i>		
	Case information relating to all appeals filed with the Commonwealth Court. The Commonwealth docket also contains information regarding original jurisdiction actions commenced in the Commonwealth Court prior to January 1, 1989. Finance and Revenue appeals were included prior to that time as well.	Retain Permanently.	*
4.	<i>Miscellaneous Docket</i>		
	Case information for matters commenced in the Commonwealth Court other than appellate matters. Miscellaneous Docket contains case information regarding original jurisdiction matters after December 31, 1988. The Miscellaneous docket also contains case information regarding petitions for permission to appeal and petitions for permission to appeal nunc pro tunc prior to December 31, 1988.	Retain Permanently.	*
5.	<i>Finance and Revenue Docket</i>		

	This docket contains information regarding appeals from determinations of the Board of Finance and Revenue filed after December 31, 1988.	Retain Permanently.	*
6.	<i>Transfer Docket</i>		
	This docket contains information on all cases transferred to the Commonwealth Court from the Superior Court or Courts of Common Pleas prior to January 1, 1989.	Retain Permanently.	*
7.	<i>Judgment Docket</i>		
	This docket contains an alphabetical listing of all judgments entered in the Commonwealth Court since its inception.	Retain Permanently.	*
8.	<i>Foreign Registry Docket</i>		
	This docket contains information regarding cases filed against foreign governments pursuant to this Court's jurisdiction at 42 Pa.C.S. § 761.	Retain Permanently.	*

Note: Foreign Registry files will be treated in the same manner as other original jurisdiction cases.

§ 209 APPENDIX B. Records Disposal.

SUBJECT: Records Disposal

TO: The Court Administrator of Pennsylvania.

FROM: _____ Prothonotary of the _____ Court

This is to certify that the _____ Court has disposed of the following records:

<i>Item No.</i>	<i>Series Title</i>	<i>Date Span</i>	<i>Quantity</i>	<i>Date Destroyed</i>
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Prothonotary

Adopted Nov. 24, 1990. Revised April 27, 2023.

§ 209 APPENDIX C. COURT RECORDS DISPOSAL CERTIFICATION REQUEST

1. COURT _____	8. RETENTION PERIOD IN SCHEDULE _____
2. OFFICE OF ORIGIN _____	PAGE AND SECTION IN SCHEDULE _____
3. ADDRESS _____ _____	9. QUANTITY ___ TOTAL CUBIC FEET No. of cartons _____ length _____ width _____ height _____ (OF AVERAGE CARTON) No. of volumes _____ length _____ width _____ height _____ No. of file drawers _____ legal _____ letter _____ woodruff _____ Other _____
4. CONTACT PERSON _____	5. PHONE _____
6. APPROVAL REQUESTED FOR: ____ Records Destruction ____ Records Transfer to PHMC	
7. RECORD TITLE AND INCLUSIVE DATES (One series per form)	10. HAVE RECORDS BEEN MICROFILMED OR CONVERTED TO PDF/A FORMAT? Yes _____ No _____ Size: 16mm 35mm ___ Other ___ Form: Roll ___ Cartridge ___ Cassette ___ Fiche ___ Other ___
	LOCATION OF SECURITY COPY _____ _____

11. THIS SECTION IS TO REQUEST AUTHORIZATION TO DISPOSE OF THE RECORDS INDICATED ABOVE. THIS ALSO CERTIFIES THAT ANY SECURITY MICROFILM OR PDF/A DOCUMENTS GENERATED FROM THE RECORDS LISTED ON THIS REQUEST MEET THE MICROGRAPHICS OR PDF/A STANDARDS APPROVED BY THE COUNTY RECORDS COMMITTEE.

SIGNATURE OF COURT OFFICER TITLE

DATE

FOR PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION (PHMC) USE ONLY

APPROVAL IS GIVEN FOR: ___ Destruction ___ Destruction as Amended
___ Transfer to PHMC ___ Disapproved

COMMENTS/AMENDMENTS: _____

SIGNATURE TITLE DATE

FOR AOPC USE ONLY

APPROVAL IS GIVEN FOR: ___ Destruction ___ Destruction as Amended
___ Transfer to PHMC ___ Disapproved

COMMENTS/AMENDMENTS: _____

SIGNATURE TITLE DATE

Submit request in triplicate directly to the AOPC (Suite 1414, 1515 Market St., Philadelphia, Pa. 19102) for those records not marked for archival review. For those records marked for archival review, submit request in triplicate to the PHMC (350 North Street, Harrisburg, Pa. 17120-0090).

Adopted Nov. 24, 1990. Revised April 27, 2023.