

# State of Florida

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



**EFFECTIVE: June 2023**

Rule 1B-24.003(1)(h), *Florida Administrative Code*

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# 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>Criminal Justice Agencies 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>Public Universities and Colleges</b>
<b>GS7</b>	<b>Public Schools Pre-K-12 and Adult and Career Education</b>
<b>GS8</b>	<b>Fire Departments</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 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.

For additional information on records retention and disposition, please refer to *Managing Florida's Public Records* handbook, which, along with all Florida general records schedules, is available on the Department of State's Records Management website at [info.florida.gov/records-management/](http://info.florida.gov/records-management/).

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## I. STATUTORY AUTHORITY

This general records schedule is issued by the Department of State's Division of Library and Information Services in accordance with the statutory provisions of Chapters 119 and 257, *Florida Statutes*.

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 public records is authorized under law.

Chapter 257, *Florida Statutes*, establishes the Florida State Archives and the Records and Information Management Program under the direction of the Division of Library and Information Services 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 records creation and recordkeeping, and it requires all agencies to appoint a Records Management Liaison Officer (RMLO).

## 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: 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 - The term "audit" is defined by Section 11.45, *Florida Statutes*, as encompassing financial, operational and performance audits. The Florida Auditor General's Office describes these audits as follows:
  1. Financial audit means an examination of financial statements in order to express an opinion on the fairness with which they are presented in conformity with generally accepted accounting principles and an examination to determine whether operations are properly conducted in accordance with legal and regulatory requirements. Financial audits must be conducted in accordance with auditing standards generally accepted in the United States and government auditing standards as adopted by the Florida Board of Accountancy. 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*. When applicable, the scope of financial audits shall encompass the additional activities necessary to establish compliance with the Single Audit Act Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other applicable federal laws.
  2. Operational audit means an audit conducted to evaluate management's performance in establishing and maintaining internal controls, including controls designed to prevent and detect fraud, waste and abuse, and in administering assigned responsibilities in accordance with applicable laws, administrative rules, contracts, grant agreements and other guidelines. Operational audits must be conducted in accordance with government auditing standards. Such audits examine internal controls that are designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of financial records and reports, and safeguarding of assets, and identify weaknesses in those internal controls.
  3. Performance audit means an examination of a program, activity or function of a governmental entity conducted in accordance with applicable government auditing standards or auditing and evaluation standards of other appropriate authoritative bodies. The term includes an examination of issues related to a number of defined criteria.

The Records Management Program does not track or maintain information on which audits apply to which records in which agencies. 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 Act, 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 regarding which specific records your agency should retain for audit purposes.

**Because conceivably any record in any agency might be required for audit, we are no longer including the “provided applicable audits have been released” language on selected retention items. Each agency is responsible for ensuring that any and all auditable records are maintained for as long as necessary to meet that agency’s audit requirements.**

- 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, which are 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, and 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 officially establishes the *minimum* length of time that the record series must be retained. **This retention applies to the agency’s record (master) copy of the records - those public records specifically designated by the custodian as the official record. The retention period for duplicates – copies of records that are not the official record of an agency – is always “Retain until obsolete, superseded, or administrative value is lost” (“OSA”) unless otherwise specified. Therefore, we are no longer including the OSA retention statement for duplicates in each retention item.**

- 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 a significant proportion 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. For example, along with using the GS1-SL, public universities and colleges should use the *GS5 for Public Universities and Colleges* for program records unique to their functions and activities. Similarly, along with using the GS1-SL, State Attorneys should

use the *GS2 for Criminal Justice Agencies and Medical Examiners* and property appraisers should use the *GS12 for Property Appraisers*. Please see the Forward for a complete list of general records schedules, and 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 schedule with the longer retention requirement shall take precedence.

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 records that are not in a general schedule. Individual records schedules may **only** be used by the agency for which they were established.

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 website at [info.florida.gov/records-management/forms-and-publications/](http://info.florida.gov/records-management/forms-and-publications/).

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. If you have an individual schedule that requires a longer retention, contact the Records Management Program for guidance.

- 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 an appropriate retention schedule for the records does not exist, one must be established by following the procedures listed above for individual records schedules.

Agencies must maintain internal **records disposition documentation**, including retention schedule number, retention schedule item number (including, when needed, the suffix 'a' for the record copy or 'b' for duplicates), record series title, inclusive dates, volume in cubic feet of physical records destroyed (for electronic records, record the number of bytes and/or records and/or files if known, or indicate that the disposed records were in electronic form), disposition action (manner of disposition) and date. A form titled *Records Disposition Document*, which is recommended for use in documenting records disposition, is available on the Records Management website at [info.florida.gov/records-management/forms-and-publications/](http://info.florida.gov/records-management/forms-and-publications/). Agencies must maintain this documentation as a permanent record but should **not** submit it to the Records Management Program for review or approval.

#### IV. DISTINGUISHING BETWEEN THE DIFFERENT TYPES OF RETENTION PERIOD REQUIREMENTS

When trying to determine when records are eligible for disposition, agencies must be aware of the different types of retention requirements. For instance, records with a retention of “3 anniversary years” will have a different eligibility date from records with a retention of “3 fiscal years” or “3 calendar years.”

A. Anniversary Year - from a specific date

Example: 3 anniversary years

If a record series has a retention of “3 anniversary years,” the eligibility date would be 3 years after the ending date of the series.

B. Calendar Year - January 1 through December 31

Example: 3 calendar years

If a record series has a retention of “3 calendar years,” the eligibility date would be 3 years after the end of the calendar year of the last record in the series.

C. Fiscal Year - depends on agency type

- State government agencies, school districts - July 1 through June 30
- Local government agencies - October 1 through September 30

Example: 3 fiscal years

If a record series has a retention of “3 fiscal years,” the eligibility date would be 3 years after the end of the fiscal year of the last record in the series.

D. Months or Days

Examples: 6 months; 90 days

If a record series has a retention of “6 months,” the eligibility date would be 6 months after the ending date of the record series.

If a record series has a retention of “90 days,” the eligibility date would be 90 days after the ending date of the record series.

E. Retain until obsolete, superseded, or administrative value is lost (OSA)

With this retention, a record is eligible for disposition whenever it is no longer of any use or value to the agency or when it has been replaced by a more current record. The retention could vary from less than one day to any length of time thereafter.

F. Triggering Event

With this retention, records become eligible for disposition upon or after a specific triggering event.

Examples:

Retain until **youth turns age 25**.

Retain for **life of the structure**.

3 anniversary years **after final action**.

**Example: Calculating Eligibility Dates**

If the **ending date** for a specific record series is **7/31/2017**, when are these records eligible for disposition under different retention period types?

Retention Period	Start Counting From	Add # of Years	Retain Through
3 anniversary years	7/31/2017	+3	= 7/31/2020
3 fiscal years (local govt.)	9/30/2017	+3	= 9/30/2020
3 fiscal years (school district)	6/30/2018	+3	= 6/30/2021
3 calendar years	12/31/2017	+3	= 12/31/2020

**V. ARCHIVAL VALUE**

- A. **State Agencies** - The State Archives of Florida identifies records having enduring historic, administrative or fiscal value that may be eligible for permanent preservation. If a record series description indicates that the 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 email at [recmgt@dos.myflorida.com](mailto:recmgt@dos.myflorida.com). 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 **“This series 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.

**VI. ELECTRONIC RECORDS**

Records retention schedules apply to records regardless of the format in which they reside. Therefore, records created or maintained in electronic format must be retained in accordance with the minimum retention requirements presented in these schedules. Printouts of standard correspondence are acceptable in place of the electronic files. Printouts of electronic communications (email, instant messaging, text messaging, multimedia messaging, chat messaging, social networking, or any other current or future electronic messaging technology or device) are acceptable in place of the electronic files, **provided that the printed version contains all date/time stamps and routing information.** However, in the event that an agency is involved in or can reasonably anticipate **litigation** on a particular issue, the agency must maintain in native format any and all related and legally discoverable electronic files.



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

- A. Litigation - When a public agency has been notified or can reasonably anticipate 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 and/or records custodian(s) when that hold can be lifted and when the records are again eligible for disposition.
- B. Public Records Requests - Pursuant to Section 119.07(1)(h), *Florida Statutes*, the custodian of a public record who has made an assertion that a requested record is not a public record subject to public inspection or copying pursuant to Chapter 119, *Florida Statutes*, 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." This 30-day requirement **does not** supersede the established records retention schedule(s). Agencies cannot dispose of records at the end of the 30-day period following a public records request unless disposition is authorized by the applicable retention schedule.
- C. Accreditation Standards - Some public agencies receive national or statewide accreditation or certification by professional societies, organizations and associations. Examples include the Joint Commission on the Accreditation of Healthcare Organizations, the Commission on Accreditation for Law Enforcement Agencies and COLA (formerly the Commission on Office Laboratory Accreditation). In an effort to enhance the professionalism of their members, these groups may place additional requirements on public agencies beyond those 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.
- D. Records in Support of Financial, Operational 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 Act (pursuant to 2CFR200.501(a)) 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 Act 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 arising 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.

## VIII. REFORMATTING STANDARDS AND REQUIREMENTS

Unless otherwise prohibited by law or rule, the record copy of public records as defined by Section 119.011(12), *Florida Statutes*, 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.
- 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.

**IX. RECORDS VOLUME CONVERSION TO CUBIC FOOT MEASUREMENTS**

Cassette tapes, 200	1.0 cubic foot
Letter-size file drawer	1.5 cubic feet
Legal-size file drawer	2.0 cubic feet
Letter-size 36" shelf	2.0 cubic feet
Legal-size 36" shelf	2.5 cubic feet
Magnetic Tapes, 12	1.0 cubic foot
3 x 5 cards, ten 12" rows	1.0 cubic foot
3 x 5 cards, five 25" rows	1.0 cubic foot
4 x 6 cards, six 12" rows	1.0 cubic foot
5 x 8 cards, four 12" rows	1.0 cubic foot
16mm microfilm, 100 rolls	1.0 cubic foot
35mm microfilm, 50 rolls	1.0 cubic foot
Map case drawer, 2" x 26" x 38"	1.1 cubic feet
Map case drawer, 2" x 38" x 50"	2.2 cubic feet
Roll storage, 2" x 2" x 38"	0.1 cubic foot
Roll storage, 2" x 2" x 50"	0.2 cubic foot
Roll storage, 4" x 4" x 38"	0.3 cubic foot
Roll storage, 4" x 4" x 50"	0.5 cubic foot

(One roll of microfilm contains approximately 1.0 cubic foot of records.)

Cubic foot calculation: (Length" x Width" x Height") ÷ 1,728 = cubic feet

## **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: Permanent.**

### **DOCUMENTARY STAMP RECORDS**

**Item #92**

This record series consists of records 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*, Documents taxable, generally, 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: 5 fiscal years after payment.**

### **ERRORS AND INSOLVENCIES REPORTS**

**Item #5**

This record series consists of reports 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 report, and Rule 12D-13.008, *Florida Administrative Code*, Discounts, Errors, Double Assessments, and Insolvencies Report. 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: Permanent.**

### **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: 5 fiscal years upon expiration of renewal.**

### **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*, Due date and payment of nonrecurring tax, 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: 5 fiscal years after payment.**

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

**Item #41**

This record series consists of 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*, Record of license and certificate. 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. Records created pursuant to *Florida Statutes* Section 382.021, Department to receive marriage licenses; Sections 28.222(2) and (3)(h), Clerk to be county recorder; Section 741.09, Record of license and certificate; and Section 741.10, Proof of marriage where no certificate available.

**RETENTION: Permanent.**

### **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: 5 fiscal years after application submitted.**

### **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*, Marriage fee reduction for completion of premarital preparation course, 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:** Retain until obsolete, superseded, or administrative value is lost.

**MARRIAGE RECORDS: SUPPLEMENTAL DOCUMENTATION**

**Item #42**

This record series consists of supplemental documentation for marriage licenses. The series may include, but is 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 waiving the waiting period; and certificate for consent of marriage.

**RETENTION:** 1 fiscal year after date of application for marriage license.

**MURPHY ACT RECORDS**

**Item #56**

This record series documents the sale of property under Chapter 18296, Laws of Florida, 1937, known as the Murphy Act. The Murphy Act provides for the sale of tax certificates and the lands on which they were levied. The series may include, but is not limited to, state-held tax certificates on which deeds were issued, correspondence and deed reports.

**RETENTION: Permanent.**

**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*, Clerk to be county recorder. 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*, Probate records; recordation; 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: Permanent.**

**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*, Clerk to be county recorder. 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: Permanent.**

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

**Item #70**

This record series consists of daily alphabetical or numerical listings 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:** 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. The series documents such information as 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:** 5 fiscal years.

**PLATS**

**Item #32**

This record series documents the use of lands that have been approved by local government entities and are filed with the Clerk's Office under *Florida Statutes* Chapter 177, Land Boundaries, and Section 337.2735, Recording of municipal maps of reservation for transportation corridors and transportation facilities; establishment of building setback lines; restrictions on issuance of development permits; hearings. These instruments are prepared for recording as prescribed in Section 177.091, *Florida Statutes*, Plats made for recording, and filed in a series of books as prescribed by Section 177.111, *Florida Statutes*, Instructions for filing plat. References to the plats (Book & Page) are found in the "Official Records

Index.”

**RETENTION: Permanent.**

**PUBLIC UTILITY RATE ADJUSTMENT ORDERS**

**Item #65**

This record series consists of copies of rate orders issued by the Florida Public Service Commission to adjust (increase or reduce) utilities rates. The orders are filed with the Clerk of the Circuit Court of each county in which customers are served who are affected by the adjustments in accordance with *Florida Statutes* Section 366.072, Rate adjustment orders, and Section 367.084, Rate adjustment orders.

**RETENTION:** Retain as long as rate is in effect.

**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 series may include, but is not limited to, registration forms, copies of licenses and powers of attorney from each insurer he or she represents as a bail bond agent.

**RETENTION:** 1 anniversary year after expiration of license.

**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*, Tax Collections, Sales, and Liens. The series includes records provided to the Clerk’s Office by the Tax Collector pursuant to Section 197.413, *Florida Statutes*, and other related records, and may include, but is not limited to, 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:** 1 fiscal year after redemption.

**TAX DEED SALE RECORDS**

**Item #74**

This record series documents the sale of tax deeds under Chapter 197, *Florida Statutes*, Tax Collections, Sales, and Liens. 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:** 4 anniversary years after tax deed recorded in Official Records.

**TAX ROLLS**

**Item #75**

This record series consists of final paid tax rolls submitted to the Clerks of the Circuit Court by the Tax Collectors as provided in Department of Revenue Rule 12D-13.015(2)-(3), *Florida Administrative Code*, which requires that, “The tax collector must deliver the original tax roll to the clerk after completing the collection of taxes ... The original tax roll may not be destroyed by the clerk or any other officer or person until written permission has been obtained from the Florida Department of State.”

**RETENTION: Permanent.**

**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:** 5 anniversary years after child reaches the age of majority or final disposition, whichever occurs later.

**VALUE ADJUSTMENT BOARD FILES: APPEAL FILED**

**Item #91**

This record series documents value adjustment board hearings regarding property value assessments, denied exemptions or classifications, ad valorem tax deferrals, portability decisions, and changes of ownership or control when an appeal is filed. 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.” Records created pursuant to *Florida Statutes* Chapter 194,

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Administrative and Judicial Review of Property Taxes, and Chapter 196, Exemption, and Rule 12D-9.034, *Florida Administrative Code*, Requirements for Value Adjustment Board in Administrative Reviews; Uniform Rules for Procedure for Hearings Before Value Adjustment Boards. Retention is pursuant to Rule 12D-9.034, *Florida Administrative Code*, Record of the Proceeding.

**RETENTION:** 5 anniversary years from final action if an appeal is filed in circuit court.

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

**Item #16**

This record series documents value adjustment board hearings regarding property value assessments, denied exemptions or classifications, ad valorem tax deferrals, portability decisions, and change of ownership or control when no appeal is filed. 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." Records created pursuant to *Florida Statutes* Chapter 194, Administrative and Judicial Review of Property Taxes, and Chapter 196, Exemption, and Rule 12D-9.034, *Florida Administrative Code*, Requirements for Value Adjustment Board in Administrative Reviews; Uniform Rules for Procedure for Hearings Before Value Adjustment Boards. Retention is pursuant to Rule 12D-9.034, *Florida Administrative Code*, Record of the Proceeding.

**RETENTION:** 4 anniversary years after final decision provided no appeal is filed in circuit court.

**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:** 20 calendar years after submitted.

## **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 #435, FINANCIAL TRANSACTION RECORDS: DETAIL,  
or *General Records Schedule GS1-SL for State and Local Government Agencies*, Item #436, FINANCIAL TRANSACTION RECORDS: SUMMARY  
For court registry records, child support records, and other court/judicial branch records, refer to retention requirements in ***Florida Rules of General Practice and 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 General Practice and 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



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**\*\*\*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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**ALPHABETICAL LISTING**

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INTANGIBLE PERSONAL PROPERTY TAX REPORTS	Item #43
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
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**NUMERICAL LISTING**

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