

**ALBANIA JUDICIARY**

**CENTRAL ARCHIVE OF THE JUDICIAL SYSTEM**

**RECORDS RETENTION AND DISPOSITION  
SCHEDULE**

The Minister of Justice has promulgated this schedule after consultation with the Commission of the Expertise for the Central Archive of the Judicial System for the retention and disposition of court records. This schedule groups court records into record series. Each record series is described, and a retention period is set for each series. The retention periods take into account the needs of the Albania Judiciary, the parties appearing before the court, and the historical value of the records for research purposes.

This schedule presents retention and disposition schedules for two case types: **civil cases** and **criminal cases**. Within each case type, records are divided into **case files** and **case management records**.

## CIVIL CASES

### CASE FILES

A case file contains all papers and documents relating to a case. It includes but is not limited to: *Note: when we conduct the in-court inventory of court records, we need to identify as many document types as possible that appear in the case files, and list them here. Please note that these document types are NOT record series. The document types are simply a description of what may be included in the Case File, which IS a record series. An example from New York State includes:*

*Summons; Complaint; Affidavit of Service; Request for Judicial Intervention; Note of Issue; General Preference Application; Stipulation; Jury Demands; Answers; Motions; Orders, including Orders of Protection; Proofs of Publication; Transcripts; Decisions; Judgments; Warrants; Record on Appeal; in Matrimonial cases, a Certification by Attorney; and all other papers which must be filed with the Court.*

SERIES #	RECORD SERIES TITLE	RETENTION PERIOD

*Shown above is a table which records a series number, a record series title, and the retention period for the record series. The simplest example would be a record series with only one title, for example, CIVIL CASE. This is highly unlikely, however. Civil cases include a wide, varied range of issues with significantly different retention periods for each type of issue. For example, civil cases that involve the ownership of property, or that establish parentage and lineage, may have permanent retention periods. Civil cases that involve minor contract disputes or torts may be able to be destroyed within a short period of time.*

*Are there differentiations of civil case types in law, or in the statistical reports? Do the case numbers indicate specific types of civil cases, such as with a letter prefix or suffix? Are there sections of the Civil Procedure Law that apply to specific types of cases? This may help us analyze and present alternatives to the Commission of the Expertise for its consideration and decision.*

*As an example, I am including several types of civil cases from New York State, shown below:*

SERIES #	RECORD SERIES TITLE	RETENTION PERIOD
20090	CONTRACTS	<p>Records of litigation between two or more parties involving contractual issues.</p> <p>Retain for twenty-five years from date of disposition, then destroy, except for a sample to be retained permanently for research purposes</p>
20150	MATRIMONIALS	<p>Records of a divorce or annulment proceeding.</p> <p>Includes certification by attorney attesting to the veracity of the submitted papers.</p> <p>Retain permanently.</p>
20180	PATERNITY	<p>Procedures determining the paternity of a child.</p> <p>Retain permanently.</p>
20220	TORTS	<p>Records of case proceedings determining liability and awarding damages for wrongful acts.</p> <p>a. If case results in a structured settlement, retain for seventy-five years from date of disposition, then destroy, except for a sample to be retained permanently for research purposes.</p> <p>b. All other torts: retain for twenty-five years from date of disposition, then destroy, except for a sample to be retained permanently for research purposes.</p>

## CASE MANAGEMENT RECORDS

Case management records are used to record the filing, interim, and final actions concerning a case, to inform the public of scheduled appearances, and to maintain rosters of individuals or legal entities that may be involved in processing cases.

SERIES #	RECORD SERIES TITLE	RETENTION PERIOD
	Fundamental Civil Register	
	Alphabetical Index of Civil Cases	
	Register of Civil Decision	
	Register of persons, who are removed of, limited or returned their capacity to act	
	Register of Complained Civil Cases	
	Register of Volume of Civil Decisions	
	Register of Trade Companies	
	Register of Physical Persons	
	Register of Non-Governmental Organizations	
	Register of Political Parties	
	Register of State-Owned Enterprises	
	Register of Special Criminal and Civil Cases	
	Register of Material Facts	

*The list of registers and indexes was taken from **ORDER NO. 1830 PERTAINING SPECIFICALLY TO THE REGISTERS AND INDEXES IN THE COURTS***

*In general, registers and indexes have permanent retention periods, because cases and subject matter is not separated by case types as may be the case in Case Files. We will only be able to ascertain this by examination and sampling of the registers and other case management documents that we find on site. It has also been my experience that court managers and staff are very creative in developing their own versions of case management registers and indexes.*

*I will work in the Criminal Cases in the next couple of days and forward it on to you, but I wanted to get my initial thoughts to you for your review and reaction.*