

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

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COURT RECORD RETENTION TIME FRAMES Civil, Criminal Small Claims, Family Law, Probate, Juvenile and Traffic

This list is not all-inclusive.

Please refer to Government Code Section 68152 and California Rule of Court, rule 10.855 for further information.

The following are the *minimal* retention times. The court may retain files for a longer period unless destruction is required by law.

Civil and Small Claims Actions

1-Year Retention

- Fully dismissed actions (one year from dismissal).

10-Year Retention

- Any civil or small claims action with a judgment (from date of entry of judgment or renewal).

Permanent Retention

- Unlimited Civil judgments.
- Unlimited Civil cases subject to Rule 10.855 of the California Rules of Court.
- Eminent Domain cases.

Harassment

- Same period as duration of the injunction and any renewals, then retain the injunction as a judgment; 60 days after expiration of the temporary restraining order. Restraining orders may last up to 3 years unless renewed.

Minor's Compromise

- Same period as the duration of the underlying action, plus 10 years after the minor reaches 18 years of age.

Unlawful Detainer

- One year if judgment is for possession of the premises; 10 years if judgment is for money.

Family Law Actions

Domestic Violence

- Same period as duration of the restraining or other orders and any renewals, then retain the restraining or other orders as a judgment; 60 days after expiration of the temporary protective or temporary restraining order.

30-Year Retention

- Family Law.

Permanent Retention

- Paternity files.
- All judgments.

Probate Actions

10-Year Retention

- Conservatorship (10 years after termination).
- Guardianship (10 years after minor reaches age of 18).

30-Year Retention

- Mental Health.

Permanent Retention of Records

- Adoption.
- Change of Name.
- Probate.

Minor's Compromise

- Same period as the duration of the underlying action, plus 10 years after the minor reaches 18 years of age.

Juvenile Actions (Welfare and Institutions Code § 389(c), 781(d), 826)

Dependency

- When Minor reaches age 28.

Delinquency

- When Minor reaches age 38 (except for WIC 707 offenses which require permanent retention).

Status Offenses

- When Minor reaches age 21.

Informal Juvenile and Traffic Court Offenses and Education Code Infractions

- Follow the same guidelines as Traffic and Criminal Actions

Adoptions

- Permanent Retention

Sealed Records

- Five years after sealing

Traffic and Criminal Actions

2-years (from date of conviction or from date of arrest if no conviction)

- Misdemeanor alleging a marijuana violation under subdivision (b), (c), (d), or (e) of Section 11357 of the Health and Safety Code, or subdivision (b) of Section 11360 of the Health and Safety Code.

3-years

- Misdemeanor alleging violation of Vehicle Code (except as otherwise specified).
- Infraction, except as otherwise specified.

5-years

- Misdemeanor, except as otherwise specified.
- Misdemeanor alleging a violation of Sections 14601, 14601.1, 20002, 23104, or 23109 of the Vehicle Code.

10-years

- Misdemeanor alleging a violation of Sections 23103, 23152, or 23153 of the Vehicle Code.

75-years

- Misdemeanor action resulting in a requirement that the defendant register as a sex offender.
- Felony, except as otherwise specified.

Permanent Retention

- Capital felony.