

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

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FILE RETENTION TIME FRAMES

Civil, Small Claims, Family Law, Probate, and Juvenile

This list is not all-inclusive.

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

Civil and Small Claims Actions

1-year

- Fully dismissed actions (one year from dismissal).

10-years

- Limited Civil judgments (from date of entry of judgment or renewal).
- Small Claims judgments (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.

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-years

- Family Law.

Permanent Retention

- Paternity files.
- All judgments.

Probate Actions

10-years

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

30-years

- Mental Health.

Permanent Retention of Files

- 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

Unless the court determines otherwise, juvenile court records shall be ordered destroyed five years after sealing, or when a dependent reaches the age of 28 or a ward reaches the age of 21 or 38. (Welfare and Institutions Code § 389(c), 781(d), 826).

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Traffic and Criminal

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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).
- Misdemeanor, infraction, or civil action alleging a violation of the regulation and licensing of dogs under Sections 30951-30956, inclusive, of the Food and Agricultural Code or violation of any other local ordinance.
- 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.

7-years

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

75-years

- Felony, except as otherwise specified.

Permanent Retention

- Capital felony.