

# 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.