505F-HEARINGS & APPEALS

Dept # **I407I** Department Name **HEARINGS & APPEALS**

RDA #	RDA Title	Retention	Disposition	PII
00001000.	**PROBATION AND PAROLE REVOCATION HEARING, CASE FILES**	**EVT+7**	**DEST**	**Y**

Case files contain the official record of hearings held before the Division of Hearings and Appeals for cases referred by the Department of Corrections concerning the recommended revocation of probation/extended supervision and/or parole of individual probationers/parolees.

Case files include, but are not limited to, case numbers, court records, court orders, prison records, revocation summary, 429 hearing request, hearing notices, exhibits, video and digital evidence, correspondence, and audio hearing.

RETENTION: EVENT (case closed) + 7 years and destroy confidential

00100000.	**PROBATION AND PAROLE REVOCATION CASES - CLOSED, NO HEARING**	**EVT+1**	**DEST**	**Y**

The Division of Hearings and Appeals (DHA) receives approximately 10,000 hearing requests a year from the Department of Corrections (DOC). About 60% of these cases never go to hearing. Instead, they are closed because DOC or the probationer/parolee withdraws the request for hearing or an alternative to revocation is arranged. As no decision is issued by DHA, there is nothing to appeal after these files are closed.

Case files include, but are not limited to, case numbers, court records, court orders, prison records, revocation summary, 429 hearing request, hearing notices, exhibits, video and digital evidence, and correspondence.

RETENTION: EVENT (Cases closed) + 1 year and destroy confidential

00101000.	**PUBLIC ASSISTANCE AND SOCIAL SERVICE - CLOSED, NO HEARING**	**EVT+3**	**DEST**	**Y**

The Division of Hearings and Appeals-Public Assistance and Social Services Unit ("DHA-PASS") manages nearly 50 separate case-types including 6 Foodshare sub-types and 32 Medical Assistance sub-types. The Division of Hearings and Appeals-Public Assistance and Social Services Unit interact with 11 regional consortiums and well over 72 county and tribal agencies, as well as multiple significant sub-agencies of the Division of Health Services (DHS) and Department of Children and Families (DCF) proper.

There are cases where no hearing was held because the petitioner withdrew the request for hearing or the case was abandoned. As no decision was issued by DHA for these cases, there is nothing to appeal after these files are closed.

Case files include, but are not limited to, appeal requests, denial, reduction or discontinuation notices, hearing notices, agency and petitioner exhibits and correspondence.

Confidential; Wis. Stat. § 49.83

RETENTION: EVENT (Request withdrawn or Abandoned) + 3 years and destroy confidential

00321000.	**WORK/FAMILY SERVICES HEARINGS**	**EVT+7**	**DEST**	**Y**

The Division of Hearings and Appeals-Public Assistance and Social Services Unit ("DHA-PASS") manages nearly 50 separate case-types including 6 Foodshare sub-types and 32 Medical Assistance sub-types. The Division of Hearings and Appeals-Public Assistance and Social Services Unit interact with 11 regional consortiums and well over 72 county and tribal agencies, as well as multiple significant sub-agencies of the Division of Health Services (DHS) and Department of Children and Families (DCF) proper.

The Division of Hearings and Appeals-Public Assistance and Social Services Unit timely and efficiently manages the continuation of public assistance benefits and the implementation of fair hearing decisions under two major public assistance programs administered by DHS and reviewed by DHA in fair hearings as requested by citizens.

The hearings and final decisions in FoodShare and Medical Assistance cases and a variety of smaller public assistance programs like WI Shares, Adoption Assistance, Funeral & Cemetery benefits, Wisconsin Works, Kinship Care, State SSI Supplemnetal Benefits, Caretaker Supplement benefits, Subsidized Guardianship and the Low-Income Energy Assistance Program concern thousands of recipients and dozens of sub-agencies every year.

Case files include, but are not limited to, appeal requests, denial, reduction or discontinuation notices, hearing notices, agency and petitioner exhibits, correspondence, and hearing audio.

Confidential; Wis. Stat. § 49.83

RETENTION: EVENT (final decision issued) + 7 years and destroy confidential

RDA #	RDA Title	Retention	Disposition	PII
00290000.	ARBITRATION EXHIBITS	EVT+4	DEST	N

This record series contains exhibits introduced at arbitration hearings conducted by the Board under Wis. Stats. § 289.33. The exhibits may include correspondence, maps, blueprints. landfill design sketches, photographic aerial views of potential landfill sites, and graphs. Retention is based on the potential need for access by the courts under Wis. Stats. § 788.09 and 788.15.

RETENTION: EVENT (End of appeal process) + 4 years and destroy

RDA #	RDA Title	Retention	Disposition	PII
00295000.	SOLID AND HAZARDOUS WASTE CASE FILES	EVT+20	SHSW	N

This record series contains information pertaining to the negotiation-arbitration process in the siting of solid and hazardous waste facilities as required by Wis. Stats. § 289.33 and Wis. Admin Code WFSB chapters 1-12.

All information brought forth by any party to a case will be retained under the terms of this RDA. Information consists of requests for local approvals, siting resolutions, economic interest statements (or their equivalents), notice to begin negotiations, notice of change in local committee membership, notice of parties waiving right to participate in the process, request for mediation, default petitions, arbitrability petitions, arbitration petitions, legal memos, board decisions, court ruling(s), settled agreements, and pertinent correspondence.

Retention is based on the potential need for access by the Board, the Department of Natural Resources, and the courts. The records are potential sources of evidence for future enforcement action in the event of groundwater contamination. As such, they need to be retained in conjunction with the DNR's records for a significant period of time to cover the extensive life cycle of a waste facility: approval: 6-8 years; site life: 10-15 years; long-term care by the owner: 20-30 years; state's care period: 10-20 years. In addition, expansions to a facility are allowed, which are limited to a cap of 15 years of active site life, but there is no set limit on the number of expansions.

RETENTION: EVENT (Case closure/start of state care) + 20 years and transfer to State Archives (WHS)

RDA #	RDA Title	Retention	Disposition	PII
00298000.	MEDIATOR REGISTRATIONS	CR+20	DEST	Y

This record series contains completed mediator registrations forms. The Board's mediator list is comprised of names taken from these forms. The board, after receiving a request for the appointment of a mediator, submits to the parties a list of five names from the mediator list. These records may also contain resumes and correspondence exchanged between the board and potential mediators.

Some personally identifiable information in these records, such as social security numbers and financial account numbers, may be confidential. See 5 U.S.C. § 552a and Wis. Stats.§ 19.36(10)(a) and (13).

RETENTION: EVENT (Creation) + 20 years and destroy confidential

RDA #	RDA Title	Retention	Disposition	PII
00379000.	ADMINISTRATIVE AND PROGRAMMATIC FILES	CR+4	DEST	N

This record series contains documentation of activities in support of the Waste Facility Siting Board. Materials related to specific cases are addressed separately. These records include, but are not limited to:

1) Research and data gathering to support the programmatic and policy functions of the Board. They may include surveys and summaries of local ordinances and processes, data concerning the costs and time to reach local agreements, etc. Correspondence related to research and data gathering is also included. When this information is presented to the Board it becomes part of the record of the associated board meeting.
2) Various logs and listings describing the work and scheduling of cases coming before the Board.
3) Materials describing the negotiation/arbitration process employed by the Board.
4) Operational policies and procedural manuals governing the Board and its staff.
5) Internal communications between board and agency staff.

Records are frequently created in both electronic form and paper form.

RETENTION: EVENT (Creation) + 4 years and destroy