

550-PUBLIC DEFENDER'S OFFICE

Dept #: /1010/ Department Name: ADMINISTRATION

RDA #	RDA Title	Retention	Disposition	PII
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<u>00005000.</u>	<u>SPD BOARD MEETING FILES</u>	<u>CR+20</u>	<u>SHSW</u>	<u>Y</u>
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All SPD Board meeting files which document the formal actions of the State Public Defender Board - both paper and audio recordings.

The Public Defender Board is composed of 9 members appointed by the Governor with the advice and consent of the Senate, to serve staggered 3-year terms. At least 5 members of the Board must be members of the State Bar of Wisconsin. The state public defender is appointed to serve at the pleasure of the Board.

The Office of the State Public Defender consists of 3 units: the Administrative Unit, the Appellate Division, and the Trial Division.

The Board's duties include review and submission of the agency's budget, the promulgation of rules regarding the determination of indigence of persons entitled to be represented, and the promulgation of rules regarding the certification of attorneys for the assigned counsel lists. Rates of compensation for attorneys drawn from the assigned counsel lists are set by statute.

The State Public Defender supervises the operation, activities, policies, and procedures of the Office of the State Public Defender and makes final decisions regarding the handling of cases. The State Public Defender is also responsible for all indigency determinations and assignment of counsel for persons entitled to counsel.

RETENTION: EVENT (Creation) + 20 years and transfer to State Archives (WHS)

<u>00006000.</u>	<u>PRIVATE BAR APPEALS TO BOARD AND EXECUTIVE SESSION FILES</u>	<u>CR+20</u>	<u>DEST</u>	<u>Y</u>
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Any attorneys may appeal the State Public Defender's reduction of any bill submitted by mailing a letter of appeal to the State Public Defender within 30 days of receipt of the reduced payment. The State Public Defender presents the appeal to the Board in accordance with the agency's administrative code. The Board may deliberate the matter in executive session pursuant to the provisions of s. 19.85(1)(a), Wis. Stats. The Board then issues a written decision either affirming or modifying the decision of the State Public Defender. These records would include all documents concerning the appeals.

Executive Session portions of Board meetings will be stored in this records series due to their confidentiality.

Record Series is confidential per s. 977.09 Wis. Stats. and 1.08 Wis. Adm. Code.

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

Dept #: /2000/ Department Name: APPELLATE

RDA #	RDA Title	Retention	Disposition	PII
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<u>00013000.</u>	<u>APPELLATE DIVISION OTHER MATTERS AND PRIVATE BAR CORRESPONDE</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
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Files, including case activity, budget caseload, other matters and disposition summary sheets involving cases for persons represented by staff at the State Public Defender's Office - Appellate Division.

Correspondence and other documents involving private bar attorneys and legal matters regarding client case files.

RETENTION: EVENT (Case closed/attorney terminated/client death) + 7 years and destroy confidential

<u>00018000.</u>	<u>APPELLATE DIVISION FELONIES OTHER THEN CLASS A FELONIES</u>	<u>EVT+50</u>	<u>DEST</u>	<u>Y</u>
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The legal case files of persons pursuing post-conviction relief from any felony other than Class A or Chapter 980 and represented by the staff of the State Public Defender's Office - Appellate Division. The retention time period for these case files is pursuant to Supreme Court Rule 72.

RETENTION: EVENT (Case closed/attorney terminated/client death) + 50 years and destroy confidential

<u>00019000.</u>	<u>APPELLATE DIVISION - CLASS A FELONIES AND CHAPTER 980'S</u>	<u>EVT+75</u>	<u>DEST</u>	<u>Y</u>
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The legal case files of persons pursuing post-conviction relief from a Class A felony conviction or a Chapter 980 petition commitment and represented by the staff of the State Public Defender's Office - Appellate Division. The retention time period for these case files is pursuant to Supreme Court Rule 72.

RETENTION: EVENT (Case closed/attorney terminated/client death) + 75 years and destroy confidential

Dept #: /2000/ Department Name: APPELLATE

<u>RDA #</u>	<u>RDA Title</u>	<u>Retention</u>	<u>Disposition</u>	<u>PII</u>
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<u>00021000.</u>	<u>APPELLATE - TPRS, MISDEMEANORS, MENTAL COMMITMENTS, JUVENILE, &</u>	<u>EVT+20</u>	<u>DEST</u>	<u>Y</u>
The legal case files of persons appealing the conviction, disposition or adjudication of any misdemeanor, termination of parental rights (TPR), mental commitment, juvenile matter and state's appeals and represented by staff of the State Public Defender's Office - Appellate Division.				
RETENTION: EVENT (Case closed/attorney terminated/client death) + 20 years and destroy confidential				

Dept #: /3000/ Department Name: TRIAL DIVISION

<u>RDA #</u>	<u>RDA Title</u>	<u>Retention</u>	<u>Disposition</u>	<u>PII</u>
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<u>00003000.</u>	<u>TRIAL DIVISION JUVENILE CASES</u>	<u>EVT+10</u>	<u>DEST</u>	<u>Y</u>
The legal case files of persons charged with any juvenile matter and represented by staff at the State Public Defender's Office - Trial Division.				
RETENTION: EVENT (Case closed/attorney terminated/client death) + 10 years and destroy confidential				

<u>00004000.</u>	<u>TRIAL CASE FILES - ALL OTHERS</u>	<u>EVT+7</u>	<u>DEST</u>	<u>Y</u>
This RDA contains all trial case files EXCEPT FOR FELONY FILES, JUVENILE FILES, CHAPTER 980, AND TPR FILES.				
Felony files are RDA 17 Juvenile files are RDA 3 Chapter 980 (Class A Felony Files) are RDA 16 TPR files are RDA 22				
All files confidential pursuant to Wis. Stat. 977.09.				
RETENTION: EVENT (Calendar year end that case is closed) + 7 years and destroy confidential				

<u>00016000.</u>	<u>TRIAL DIVISION CLASS A FELONY AND CHAPTER 980 CASES</u>	<u>EVT+75</u>	<u>DEST</u>	<u>Y</u>
The legal case files of persons charged with a Class A felony of Chapter 980 and represented by staff of the State Public Defender's Office - Trial Division. The retention time period for these case files is pursuant to Supreme Court Rule 72.				
RETENTION: EVENT (Case closed/attorney terminated/client death) + 75 years and destroy confidential				

<u>00017000.</u>	<u>TRIAL DIVISION FELONY CASES (OTHER THAN CLASS A AND CHAPTER 980)</u>	<u>EVT+30</u>	<u>DEST</u>	<u>Y</u>
The legal case files of persons charged with any felony other than Class A or Chapter 980 and represented by staff at the State Public Defender's Office - Trial Division. The retention time period for these case files is pursuant to Supreme Court Rule 72.				
RETENTION: EVENT (Case closed/attorney terminated/client death) + 30 years and destroy confidential				

<u>00022000.</u>	<u>TERMINATION OF PARENTAL RIGHTS (TPR) CASES</u>	<u>EVT+20</u>	<u>DEST</u>	<u>Y</u>
The legal case files of persons facing involuntary Termination of Parental Rights (TPR) by the government, who are represented by the State Public Defender. These files are confidential pursuant to Wis. Stat. 977.09.				
RETENTION: EVENT (Calendar year end that case is closed) + 20 years and destroy confidential				