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Illinois Secretary of State
Illinois State Archives
Records Management Division

**Managing Your Records
& the Local Records Act:
A Quick Guide for
Disposing of Local Records**

2019

Office of the Secretary of State
Division of Archives & Records
Records Management Section – Local Records Unit
Margaret Cross-Norton Building
Springfield, IL 62756
217-782-7075

The Local Records Act (50 ILCS 205) regulates the preservation or disposal of the public records of all units of local government in Illinois. The law's purpose is to provide a mechanism for the retention of those records that are necessary for the proper functioning of government, the destruction of obsolete and valueless records, and the archival preservation of those records that have long-term research values but are not necessary for the routine operations of local government. By disposing of obsolete records and by preserving archival materials, valuable storage space can be freed for the ever-increasing quantities of current records, which are vital for the daily business of local officials.

Records management legislation is designed to promote efficiency and economy in the recordkeeping practices of local government. In Illinois, no public record may be disposed of without the approval of the appropriate records commission. The Records Management Section of the Illinois State Archives is responsible for assisting state and local government agencies with the disposal of records.

What is a public record under the "Local Records Act"?

"Public record" means any book, paper, map, photograph, digitized electronic material or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein.

Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of public record.

(Source: P.A. 89-272, eff. 8-10-95.)

Are faxes, videos, emails and instant messages, etc. records?

When the information contained in the fax, email or instant message or the information recorded on the DVD, CD, video or cassette tape fits the definition above, it is a public record subject to the provisions of the "Local Records Act" regardless of the media the data is maintained in.

Records are no longer maintained just on paper or microfilm. Data can be stored on many types of media including cassette tapes, magnetic tapes, floppy disks, hard-drives, CDs, DVDs, etc.

Effective Jan. 1, 2001, the Local Records Act (50 ILCS 205) was amended to allow Local Government agencies to reproduce existing public records in a digitized electronic format with the intent to dispose of the original records. This practice is only allowable if the electronic records are reproduced on a "durable medium that accurately and legibly reproduces the original record in all details," and "that does not permit additions, deletions, or changes to the original document images."

The digital records must be stored in an electronic records management system (ERIM) that is in compliance with Illinois Administrative Code Title 44 Part 4000.80 i. This is to ensure that the digital records are "retained in a trustworthy manner so that the records, and the information contained in the records, are accessible and usable for subsequent reference at all times while the information must be retained [life-cycle]."

Each agency is also under the obligation to file a Records Disposal Certificate with the appropriate Local Records Commission before any original record may be disposed of and before the reproduced digital record is disposed of.

How to legally dispose of records:

1. Each agency must have an Application for Authority to Dispose of Local Records (APP) approved by the appropriate Local Records Commission before submitting a Disposal Certificate for any record. Please contact your Local Records Field Representative if you do not have an APP. They will prepare an APP for your agency and there is no charge for this assistance. (See sample application in this document.)
2. After the APP has been approved by the Local Records Commission, it will become your agency's Records Retention Schedule and determines the lifecycle of your records.
3. You are now able to dispose of records after the minimum retention period listed for each record series is met, provided no litigation is pending or anticipated and providing all audit requirements (local, state, and federal) have been met and after you have submitted and received an approved Local Records Disposal Certificate from the appropriate Local Records Commission. Please contact your Local Records Field Representative if you need assistance preparing a Disposal Certificate.
4. Disposal Certificates must be submitted to the Local Records Commission authorizing the destruction at least 60 days before the date the agency wishes to dispose of the records. Wait until the Disposal Certificate is in hand before scheduling the destruction of records.
5. REMEMBER: Tampering with public records is covered under 720 ILCS 5/32-8. A person who knowingly and without lawful authority alters, destroys, defaces, removes or conceals any public record commits a Class 4 felony. (Source: Public Act 77-2638.)
6. If you intend to microfilm or digitize any records, the Local Records Commission has established standards/rules for microfilming, digitizing and digital storage. Copies of the standards may be printed out from our webpage. If you do not have access to the internet and need copies of the regulations, please call our office at 217-782-7075 and ask to have copies mailed to your office.
7. If you need assistance with any of these processes please call our office at 217-782-1080 and ask to have an appointment scheduled with a Local Records Field Representative.

Sample Application for Authority to Dispose of Local Records Retention Schedule

Inquiries and Applications to:

Local Records Unit
 Illinois State Archives
 Margaret Cross Norton Building
 Springfield, IL 62756
 (217)782-7075

Application No. 15:008

APPLICATION FOR AUTHORITY TO DISPOSE OF LOCAL RECORDS

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COUNTY Will	CITY Shorewood	ZIP 60404	LOCAL RECORDS COMMISSION APPROVAL <hr style="width: 80%; margin: auto;"/> <i>Paul C. Schmitz</i> CHAIRMAN <hr style="width: 80%; margin: auto;"/> <i>David Joens</i> DIRECTOR, STATE ARCHIVES <hr style="width: 80%; margin: auto;"/> <i>January 6, 2015</i> DATE
AGENCY Troy Township			
ADDRESS 25448 Seil Road			
PHONE (815) 744-1968			
I hereby request authority to dispose of local government records according to the schedule below. I certify that any microfilm or digitized copies will be made in accordance with standards of the Local Records Commission and will be adequate substitutes for the original records.			
<hr style="width: 80%; margin: auto;"/> <div style="display: flex; justify-content: space-between;"> <i>Kristin Dawn Cross</i> Signature of Agency Head <i>December 9, 2014</i> Date </div> <hr style="width: 80%; margin: auto;"/> <div style="text-align: center;"> Kristin Dawn Cross </div>			

RECORDS LISTED ON THIS APPLICATION MAY BE DISPOSED OF:

- AFTER THEIR INDIVIDUAL RETENTION PERIOD IS COMPLETE,
- IF THEY ARE CORRECTLY LISTED ON A RECORDS DISPOSAL CERTIFICATE SUBMITTED TO AND APPROVED BY THE LOCAL RECORDS COMMISSION SIXTY (60) DAYS PRIOR TO DISPOSAL,
- PROVIDING ANY LOCAL, STATE, AND FEDERAL AUDIT REQUIREMENTS HAVE BEEN MET,
- AS LONG AS THEY ARE NOT NEEDED FOR ANY LITIGATION EITHER PENDING OR ANTICIPATED.

THIS RECORDS RETENTION SCHEDULE DOES NOT RELIEVE LOCAL GOVERNMENTS OF RETENTION REQUIREMENTS MANDATED BY OTHER STATE AND FEDERAL STATUTES AND/OR REGULATIONS. WHEN SUCH AN OBLIGATION DOES EXIST, THEN THE LONGER RETENTION PERIOD TAKES PRECEDENCE.

DISPOSAL OF RECORDS AFTER MICROFILMING OR DIGITIZING MUST BE NOTED ON THE RECORDS DISPOSAL CERTIFICATE.

THIS APPLICATION AND ANY RELATED RECORDS DISPOSAL CERTIFICATES
ARE TO BE RETAINED PERMANENTLY.

This application supersedes application 94:168.

**Sample Application for Authority to Dispose of Local Records
Retention Schedule**

**APPLICATION FOR AUTHORITY TO
DISPOSE OF LOCAL RECORDS**

Application No. 15:008

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(CONTINUATION SHEET)

CLERK, SUPERVISOR, ADMINISTRATION, SENIORS AND AGENCY WIDE RECORDS

100. APPLICATIONS FOR AUTHORITY TO DISPOSE OF LOCAL RECORDS AND
LOCAL RECORDS DISPOSAL CERTIFICATES
- Dates: 1994-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological
- Recommendation: Retain permanently.
101. ACCIDENT, INCIDENT AND INJURY REPORTS
- Dates: 1994-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological
- Recommendation: Retain for seven (7) years, then dispose
of.
102. ADMINISTRATIVE CORRESPONDENCE AND MISCELLANEOUS CORRESPONDENCE
INCLUDING EMAIL CLASSIFIED AS GENERAL CORRESPONDENCE AND NOT
RELATED TO ANOTHER RECORDS SERIES
- Dates: 1867-
Volume: 65 Cu. Ft.
Annual Accumulation: 5 Cu. Ft.
Arrangement: Chronological/Alphabetical
- Recommendation: Retain for one (1) year then dispose of
records no longer possessing any further
administrative, fiscal, legal, and/or
historical value.
103. ACCOUNTS PAYABLE AND RECEIVABLE RECORDS
- Dates: 1876-
Volume: 125 Cu. Ft.
Annual Accumulation: 4 Cu. Ft.
Arrangement: Chronological
- Recommendation: Retain daily, weekly and monthly reports
for two (2) years, then dispose of.
Retain annual reports for seven (7) years,
then dispose of.

**Sample Application for Authority to Dispose of Local Records
Retention Schedule**

**APPLICATION FOR AUTHORITY TO
DISPOSE OF LOCAL RECORDS**

Application No. 15:008

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(CONTINUATION SHEET)

104. ANNEXATIONS, DEDICATIONS, VACATION, EASEMENT, RIGHT OF WAY, SUBDIVISIONS, COVENANTS, QUIT CLAIM DEEDS, LAND ACQUISITION RECORDS
- Dates: 1850-
Volume: 8 Cu. Ft.
Annual Accumulation: Negligible
Arrangement: Chronological
- Recommendation: Retain permanently.
105. ANNUAL BUDGET AND APPROPRIATION ORDINANCES
- Dates: 1945-
Volume: ¼ Cu. Ft.
Annual Accumulation: Negligible
Arrangement: Chronological
- Recommendation: Retain for seven (7) years, then dispose of.
106. ANNUAL TOWNSHIP REPORTS
- Dates: 1959-
Volume: 1 Cu. Ft.
Annual Accumulation: Negligible
Arrangement: Chronological
- Recommendation: Retain for seven (7) years, then dispose of.

Local Records Disposal Certificate

A *Disposal Certificate* and *Continuation Sheet* must be filed with and approved by the Local Records Commission before any records may be destroyed. This form is available at the Archives website, under State and Local Records Management:

(https://www.cyberdriveillinois.com/departments/archives/records_management/lrmdisp.html). Both forms can be downloaded from this site to fill out online, or be printed and then typed.

Instructions for Completing a *Disposal Certificate* for Local Records:

- **Application Number**
On the line in the upper right-hand corner of the form, enter the record application number from the *Application for Authority to Dispose of Local Records*, which lists the records to be disposed of.
- **County**
Enter the name of county.
- **From**
Enter the agency and division.
- **Address**
Enter the address of the agency.
- **Telephone Number and Email Address**
Enter the telephone number or email address of the agency's contact person.
- **Item Number from Application**
Enter the item number from the *Application for Authority to Dispose of Local Records* for each individual item to be disposed of.
- **Record Series Title**
Enter the title of each record series to be disposed of.
- **Inclusive Dates**
List the beginning and ending date span for each record series to be disposed of.
- **Volume of Records to be Destroyed**
If the records are paper, list the volume to be disposed of in cubic feet; if the records are digital, list the volume in kilobytes, megabytes, gigabytes and so on.
 - **Total Volume of Records Destroyed** Enter
the total volume of records for the entire *Disposal Certificate*.
- **Disposal Date**
Enter the date on or after which the records will be disposed of.

At the bottom of the form, the person requesting disposal will sign and date the *Disposal Certificate*. Make sure to indicate the title of the person requesting disposal and print the person's name below the signature. Agencies planning to microfilm/digitize and dispose of paper records must also sign the microfilm certification statement on the bottom left portion of the *Disposal Certificate*.

Send the *Disposal Certificate* to the Local Records Commission, Illinois State Archives, 60 days prior to the disposal date to ensure enough time for processing. Retain a copy for your file until an approved copy is returned to your agency. Completed *Disposal Certificates* can also be scanned and emailed to recordsmgt@ilsos.net. Put "Local Disposal Certificate" in the email subject line.

Do not dispose of materials until the approved copy of the *Disposal Certificate* is returned to your agency in compliance with Title 44 Illinois Administrative Code Section 4000.40(b) of the rules of the Downstate Local Records Commission and Title 44 Illinois Administrative Code Section 4500.40(b) of the rules of the Cook County Local Records Commission.

Sample Disposal Certificate

RECORDS DISPOSAL CERTIFICATE

TO: Local Records Commission
Margaret Cross Norton Building
Springfield, IL 62756
217-782-7075

Directions:

1. Fill in all blanks and columns.
2. Application item numbers must be listed in numerical order.
3. Record series titles must be listed as they appear on application.
4. Sign and send certificate to above address sixty (60) days prior to disposal date.
5. Retain records until approved copy is returned.
6. This form can be found online at <http://www.cyberdriveillinois.com/>.

APPLICATION #: 15.008

COUNTY: WILL

FROM: Troy Township

(Agency Division)

ADDRESS: 25448 Seil Road

(Street, P.O. Box)

Shorewood, IL 60404

(City, ZIP Code)

CONTACT TELEPHONE: (815) 744-1968

CONTACT EMAIL: _____

APPLICATION ITEM NO.	RECORD SERIES TITLE	INCLUSIVE DATES (MONTH/YEAR)	VOLUME OF RECORDS (Cu. Ft. or MB/GB)
101	Accident, Incident and Injury Reports	1994-2007	Neg.
103	Accounts Payable and Receivable Records	1900-2007	100 cu. ft.
106	Annual Township Reports	1959-2007	1 cu. ft.
<p><i>Please list each record series in numeric order by the item number from your Application. Do not list any record series on the Disposal Certificate which have not been approved for disposal by the Local Records Commission. If you have records to dispose of which are not listed on your Application then please call our office and request that a field representative add the items to your Application. In some instances it may be necessary to do a new inventory.</i></p>			
			Total Volume from all pages Cu. Ft. <u>101</u> MB/GB _____

If any of the above records are microfilmed, I hereby certify that they have been reproduced in compliance with standards given in Sections 4000.50 and 4500.50 of the Regulations of the Local Records Commissions.

If the records are digitized, I certify that they have been reproduced in compliance with standards given in Sections 4000.70 / 4500.70 and will be maintained in compliance with standards given in Sections 4000.80 / 4500.80 of the Regulations of the Local Records Commissions.

(Signature required only if records have been microfilmed or digitized)

I hereby certify that, in compliance with authorization received from the Local Records Commission, the records listed above will be disposed of on or after:

May 1, 2015

Date
Kristen Dawn Cross
Signature

Approved by ILSOS
03/01/15
Date

Kristen Dawn Cross, Township Clerk
Print name and title on line above

Prepared by: Kristen Dawn Cross

Computing Volume of Records to be Disposed

1 Full letter size drawer	1.5 cu. ft.
1 Full legal size drawer	2.0 cu. ft.
1 Full lateral file size drawer or banker box	2.5 cu. ft.
Less than .25 cu. ft.....	Neg.
Copy paper carton	ca. 1 cu. ft.
Approximately 2,500 sheets of paper	1 cu. ft.

To determine the size of an electronic file, right click on the file name and then left click on properties to determine the KB, MB, GB, or TB.

Computing Retention Periods for Disposal Certificates

In accordance with the Illinois Administrative Code, Section 4000.40, please submit Disposal Certificates at least 60 days in advance of when you intend to dispose of the records.

In 2019, you may submit a Disposal Certificate to dispose of records listed on your *Application for Authority to Dispose of Local Records* for the following calendar years.

If the Retention Period is:	Note	Latest Date of Records
1 year	You May Dispose of Records Dated December 2017 or earlier	2017
2 years	You May Dispose of Records Dated December 2016 or earlier	2016
3 years	You May Dispose of Records Dated December 2015 or earlier	2015
4 years	You May Dispose of Records Dated December 2014 or earlier	2014
5 years	You May Dispose of Records Dated December 2013 or earlier	2013
6 years	You May Dispose of Records Dated December 2012 or earlier	2012
7 years	You May Dispose of Records Dated December 2011 or earlier	2011
8 years	You May Dispose of Records Dated December 2010 or earlier	2010
9 years	You May Dispose of Records Dated December 2009 or earlier	2009
10 years	You May Dispose of Records Dated December 2008 or earlier	2008
11 years	You May Dispose of Records Dated December 2007 or earlier	2007
12 years	You May Dispose of Records Dated December 2006 or earlier	2006
13 years	You May Dispose of Records Dated December 2005 or earlier	2005
14 years	You May Dispose of Records Dated December 2004 or earlier	2004
15 years	You May Dispose of Records Dated December 2003 or earlier	2003
60 years	Student Permanent Records: Year Student Graduated, Withdrew from District, or Transferred	1958
22 Months	You May Dispose of Federal Election Records Dated November 2018	On or after September 30, 2020

The above are sample retention periods. Your *application* may contain retention periods longer than 15 years, which you may compute accordingly.

If you need assistance, please call (217) 782-1080.

VISITING THE SECRETARY OF STATE WEBSITE

<http://cyberdriveillinois.com>

The screenshot shows the homepage of the Illinois Secretary of State website. At the top, there is a navigation menu with links for Services, Publications/Forms, Departments, News, and Contact. The main header features the text "OFFICE OF THE ILLINOIS SECRETARY OF STATE" and a portrait of Jesse White, Secretary of State, next to the Seal of the State of Illinois. Below the header is a search bar and a list of popular items: Facility Finder, License Plates Renewal, Safe Driver Renewal, Corp Search, and New IL License Plates. A maintenance notice states: "Portions of this site will be down for scheduled maintenance on Sunday, November 18, 2018 beginning at 2 a.m. for approximately 4 - 5 hours." Three main content boxes are visible: "License Plates News" with links for Email Renewal and New License Plates Design; "Secure DL" with a link to check license status; and "Illinois Veterans' History Project" with a link to learn more. Below these is an "Online Services" section with a grid of links for various services such as Address Change, License Plates Renewal, and Driver's License Status.

Click on Departments (located at the top of the page), Illinois State Archives, State and Local Records Management.

Or, under "Quick Links" (located at the bottom of the page), click on Illinois State Archives, State and Local Records Management.

Below is a list of resources currently available to assist local agencies with their records.

ILLINOIS STATE ARCHIVES

State and Local Government Records Management Programs

The Records Management Section of the Illinois State Archives is responsible for assisting state and local government agencies with the disposal of records. In Illinois, no public record may be disposed of without the approval of the appropriate records commission.

For information about the procedures to dispose of local government records call 217-782-7075 or 217-782-7076. You may also contact our office through mail, fax, or email.

Records Management Section
Illinois State Archives
Springfield, Illinois 62756
217-557-1928 (fax)

Illinois State Archives Contact Form: http://www.ilsos.gov/ContactFormsWeb/isa_contact.jsp. (Choose Records Management as the subject.)

Local Records Management Services — Local Government Agencies

- Cook County Local Records Commission Meetings
http://www.cyberdriveillinois.com/departments/archives/records_management/lrc_cook_county_meeting_schedule.html
- Cook County Local Records Commission Rules (44 Ill Admin Code Title PART 4500):
<http://www.ilga.gov/commission/jcar/admincode/044/04404500sections.html>
- Destruction of Public Records Penalty (720 ILCS 5/32-8)
<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=072000050HArt%2E+32&ActID=1876&ChapterID=53&SeqStart=74000000&SeqEnd=77100000>
- Downstate Local Records Commission Meetings
http://www.cyberdriveillinois.com/departments/archives/records_management/lrc_downstate_meeting_schedule.html
- Government Records Law and Social Media – Guidance for Illinois Government Agencies
http://www.cyberdriveillinois.com/publications/pdf_publications/ard155.pdf
- Reliable Storage Media for Electronic Records – A Guide for Government Agencies
http://www.cyberdriveillinois.com/publications/pdf_publications/ard153.pdf
- Sustainable File Formats for Electronic Records
http://www.cyberdriveillinois.com/publications/pdf_publications/ard156.pdf
- Illinois School Student Records Act (105 ILCS 10)
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1006&ChapAct=105%20ILCS%2010/&ChapterID=17&ChapterName=SCHOOLS&ActName=Illinois+School+Student+Records+Act>
- Local Records Act (50 ILCS ACT 205)
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=699&ChapAct=50%20ILCS%20205/&ChapterID=11&ChapterName=LOCAL+GOVERNMENT&ActName=Local+Records+Act>
- Local Records Disposal Certificate
http://www.cyberdriveillinois.com/departments/archives/records_management/lrmdisp.html
- Rules of the Downstate Local Records Commission (44 Ill Admin Code Title PART 4000)
<http://www.ilga.gov/commission/jcar/admincode/044/04404000sections.html>

Contact Information

Records Archivists – Local Records

Steve Colaizzi – (Boone, Cook (northwestern), DeKalb, DuPage, Kane, Kendall (northern), Lake, McHenry County, and Will (northern))
630-293-5734
scolaizzi@ilsos.net

Sarah Harris (east-central Illinois)
217-282-3001
sharris@ilsos.net

Deneena Norton (City of Chicago, Cook (south-eastern))
312-814-4445
dnorton1@ilsos.net

Dave Wooten (north-western Illinois)
309-796-1219
dwooten@ilsos.net

Sandy Lucas (south-central Illinois)
217-558-7219
slucas@ilsos.net

Mike Hall (southern Illinois)
618-327-8464
mhall@ilsos.net

At the Archives

Robert C. Boots, CRM, Chief Deputy Director
Records Management (State and Local) Section Manager
217-782-1082
rboots@ilsos.net

Pam Waggoner, Administrative Clerk – Records Management Section
217-782-7075
pwaggoner@ilsos.net

Karen Mizeur, Administrative Clerk – Records Management Section
217-782-1080
kmizeur@ilsos.net

Carol Moreno, Administrative Clerk – Records Management Section
217-782-7076
cmoreno@ilsos.net

