

FINAL
FISCAL NOTE

Drafting Number: LLS 10-0726

Date: June 18, 2010

Prime Sponsor(s): Rep. Court
Sen. Steadman

Bill Status: Postponed Indefinitely

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TITLE: CONCERNING FILE RETENTION BY ATTORNEYS OF RECORD IN FELONY CRIMINAL CASES.

Summary of Legislation

The bill specifies the following required time periods for an attorney to retain files in a criminal case:

- the life of the defendant for class 1 felonies;
- the life of the defendant for a felony sex offense; and
- five years for all other felonies.

The bill was postponed indefinitely by the House Judiciary Committee on April 8, 2010.

Assessment

The bill is assessed as having no fiscal impact. It standardizes the policies for file retention in criminal cases. Public defenders already have a similar policy and most district attorneys offices also retain files for at least the specified time periods. It is not expected to increase the workload for any state agency.

Departments Contacted

Law

Judicial

District Attorneys