

STATE RECORDS

of South Australia

Operational Records Disposal Schedule

Legal Services Commission of South Australia

RDS 2026/03 Version 1

Effective Dates: 20 October 2026 to 20 October 2036

This operational records disposal schedule (RDS) authorises disposal of official records (including destruction and transfer of records to State Records custody) as a determination in accordance with section 23(2) of the *State Records Act 1997*.

RDS No	RDS 2026/03 Version 1
Disposal Schedule Type	Operational Records Disposal Schedule
Agency	Legal Services Commission of South Australia
Records Scope	Records documenting the functions of: • Client Information Management • Community Legal Education • Commission Management • Firms and Practitioner Panel Management • Grants of Legal Aid • Legal Information Advice and Advocacy • Legal Representation
Records Coverage Dates	1 January 1978 – ongoing
Effective Dates	20 October 2026 to 20 October 2036
Status	Determined by Director State Records and approved by State Records Council on 14 July 2026
Associated RDS	Previous RDS 2009/14 v1 expired 30 June 2019

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Introduction

Scope

This RDS applies to official records in all formats including (but not limited to) those that were born digital in databases, email systems, office applications, digital cameras and video as well as physical records on film, tape and other analogue media. Any common records of Government Agencies are covered under General Disposal Schedule for State Government Agencies (GDS 30).

This RDS excludes:

- all pre-1901 records. These are permanent in accordance with a motion approved by the State Records Council on 19 February 2008
- records of permanent value already in State Records custody
- destruction of physical records badly damaged by fire, flood, mould, etc, and neglect of physical, digital records which makes them unreadable and inaccessible
- records to be transferred as part of a privatisation or sale to a non-government organisation
- records not adequately covered within the scope of this RDS

If records fall into any of the above exclusions, please contact State Records for advice.

Objectives

The purpose of this RDS is to authorise the disposal of records in accordance with the *State Records Act 1997* including:

- records of enduring evidential or informational value that cannot be destroyed and must be preserved for future reference (identified as permanent - retain as state archives) in accordance with State Records appraisal criteria and
- authorising the destruction of records not of enduring evidential or information value (identified as temporary) after they have been retained a minimum period.

Relationship to other disposal schedules

The General Disposal Schedule for State Government Agencies in South Australia (GDS 30, as amended) should be used by State Government agencies for common records documenting activities such as HR, financial management, policy and procedures.

Hardcopy source records dating from 1 January 2005 that are converted to digital format (digitised) as part of business processes can be disposed of under General Disposal Schedule 21 (GDS 21) where the conditions outlined in GDS 21 are met.

State Records issue general disposal schedules from time to time to implement disposal freezes, restricting disposal of records which might otherwise be authorised for destruction. To see the latest schedules implementing disposal freezes check State Records website <https://www.archives.sa.gov.au/managing-information/general-disposal-schedules-gds>.

Interpretation

This RDS establishes minimum periods before temporary value digital and physical records can be legally destroyed and identifies records of permanent value to be transferred to State Records' custody.

Status/Disposal action definitions

- **Permanent – retain as State archives**
The disposal action 'Retain as State archives' is used to identify those records of enduring evidential or informational value that cannot be destroyed and must be preserved for future reference. The permanent retention of these records as State archives has been identified in accordance with the State Records' appraisal criteria. These records are required to be transferred to State Records in accordance with State Records Transfer Standard (as amended).
- **Temporary – retain a minimum of *[list specific period of time]* then destroy.**
The disposal action 'temporary' is used to identify records not of enduring evidential or informational value. These records are not considered to have continuing value to the agency or the State but must be retained for a minimum period. They can be destroyed after reaching this minimum period, and once any other disposal considerations have been taken into account.

Retain a record of records destroyed under this RDS

Agencies must keep their own record of all records destroyed under this RDS, noting the relevant disposal schedule entry and the authorisation for destruction. Temporary records should only be destroyed with the approval of the CE or delegate in accordance with the *Destruction of Official Records Guideline* issued by State Records of South Australia.

Compliance with the Determination

Failure to comply with this determination, or any directions in it, falls under Section 17 of the *State Records Act 1997*.

For more information

Refer to State Records sentencing, transfer and destruction guidelines on our website at www.archives.sa.gov.au.

State Records Contact Details

Contact details

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No	Function/Activity	Description including Records Examples	Status	Disposal Action
1	CLIENT INFORMATION MANAGEMENT	The function of managing client information obtained by Legal Services during the provision of legal representation, advocacy, advice, or other specialist services.		
1.1	Data Administration	<i>The activities associated with maintaining and using the data that is held in a system, either automated or manual. Includes the maintenance of data dictionaries and the application of vital records and counter disaster plan objectives to safeguard against data loss or corruption. (KAAA)</i>		
1.1.1	Data Administration	Client records managed and maintained in the Legal Services grants (currently LAW Office or successor system) or practice management system where clients received grants of aid or in-house legal representation and advocacy services. Can contain: • client name, DOB and address history • application dates (received, closed, disposal) • primary matter type • file number. See Item 7 (various) for management of the in-house legal representation file.	TEMPORARY	Retain a minimum of 105 years after date of birth, then destroy.
1.1.2	Data Administration	Client records managed and maintained in the Legal Services grants or practice management system where clients did not receive services relating to grants of aid or in-house legal representation and advocacy services Can contain: • client name, DOB and address history • type of service e.g. Discrete Assistance Advice.	TEMPORARY	Retain a minimum of 5 years after action completed, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
		See Item 7 (various) for management of the in-house legal representation file.		
2	COMMUNITY LEGAL EDUCATION	The function of providing a wide range of educational activities to promote an understanding by the public of their rights, powers, privileges, and duties. See GDS 30 v3 (as amended): 3.1 (various) COMMUNITY RELATIONS – Addresses (Presentations) for other addresses delivered by LSC. See GDS 30 v3 (as amended): 3.2 (various) COMMUNITY RELATIONS – Arrangements for administrative arrangements for training courses, information sessions and talks. See GDS 30 v3 (as amended): 3.3 (various) COMMUNITY RELATIONS – Conferences for conferences organised by the LSC. See GDS 30 v3 (as amended): 3.4 (various) COMMUNITY RELATIONS – Enquiries for general enquiries. See GDS 30 v3 (as amended): 3.5 (various) COMMUNITY RELATIONS – Events for the arrangement and management of events. See GDS 30 v3 (as amended): 12.3 PUBLICATION MANAGEMENT – Production for the preparation of publications.		
2.1	Education Programs	<i>Activities associated with the development and delivery of education programs to promote an understanding by the public of their rights, powers, privileges, and duties.</i> See GDS 30 v3 (as amended): 5.17 (various) EMPLOYEE MANAGEMENT - Training for the delivery of other training.		
2.1.1	Education Programs	Records relating to developing the content of legal education and information sessions, programs, projects, and accredited training courses delivered to external parties. Can include services targeting Aboriginal, Culturally and Linguistically Diverse or Disability Justice Reform education.	PERMANENT	Retain as State archives.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
2.1.2	Education Programs	Records relating to attendance at training courses, information sessions or talks delivered by Legal Services.	TEMPORARY	Retain a minimum of 5 years after action completed, then destroy.
3	COMMISSION MANAGEMENT	The function of administering formal relationships or initiating business development opportunities between Legal Services and stakeholders including the private sector, State and Federal government authorities or the broader community.		
3.1	Business Development	<i>Activities related to managing the process for applying or obtaining special funding to undertake new initiatives by Legal Services.</i> See GDS 30 v3 (as amended): 6.6 (various) FINANCIAL MANAGEMENT – Grant Funding for other grant funding.		
3.1.1	Business Development	Records documenting the activity of seeking and bidding for special funding to undertake new initiatives or create new business opportunities. Includes budget bids, business proposals, consultancy reports and tender submissions.	TEMPORARY	Retain a minimum of 10 years after action completed, then destroy.
3.2	Program and Project Management	<i>Activities related to the development, coordination and management of projects and programs specific to Legal Services operational functions which also includes planning, implementation, monitoring and evaluation.</i>		
3.2.1	Program and Project Management	Records related to the development, implementation, monitoring and evaluation major programs or projects. Records include, but are not limited to: • project initiation brief • business case • project review • project scope • project plan	TEMPORARY	Retain a minimum of 25 years after completion/cessation of project, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
		• implementation plans • stakeholders engagement plans and • liaison with stakeholders. See Item 3.2.2 for minor projects, or other programs or projects.		
3.2.2.	Program and Project Management	Records related to the development, implementation, monitoring and evaluation of minor projects or other programs or projects. Records include, but are not limited to: • project initiation brief • business case • project review • project scope • project plan • implementation plans • stakeholders engagement plans and • liaison with stakeholders. See Item 3.2.1 for major programs or projects.	TEMPORARY	Retain a minimum of 10 years after action completed, then destroy.
3.3	Complaint Management	<i>The activities associated with the management of complaints against Legal Services, decisions, services or staff.</i> See GDS 30 v3 (as amended): 3.10 (various) COMMUNITY RELATIONS – Public Reaction for other complaints. See GDS 30 v3 (as amended): 5.7 (various) EMPLOYEE MANAGEMENT – Discipline for the management of staff disciplinary action.		

No	Function/Activity	Description including Records Examples	Status	Disposal Action
		See GDS30 v3 (as amended): 5.11 (various) EMPLOYEE MANAGEMENT – Performance Management for staff performance management.		
3.3.1	Complaint Management	Records of complaints received related to the professional conduct of a practitioner (Legal Services or Private Panel Practitioner) in the provision of legal aid services that: - generating substantial media interest and debate and/or - resulting in changes to agency policy or procedures.	PERMANENT	Retain as State archives.
3.3.2	Complaint Management	Records of complaints received related to the professional conduct of a practitioner (Legal Services or Private Panel Practitioner) in the provision of legal aid services which resulted in investigation.	TEMPORARY	Retain a minimum 10 years after action completed, then destroy.
3.3.3	Complaint Management	Records of complaints received related to the professional conduct of a practitioner (Legal Services or Private panel practitioner) in the provision of legal aid services resulting in a routine letter response.	TEMPORARY	Retain a minimum 5 years after action completed, then destroy.
4	FIRMS AND PRACTITIONER PANEL MANAGEMENT	The function of managing Legal practitioners in the provision of legal aid services.		
4.1	Audit	The activities associated with officially checking fiscal, quality assurance and operational records, systems, or processes to confirm services have been provided in compliance with requirements.		
4.1.1	Audit	Records relating to audits of Legal Services Practitioner Panel members with respect to claims for payment; compliance with practice standards; compliance with the terms and conditions of a service provision agreement; compliance with the organisation's guidelines, policies, and delegations; and	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
		substantial or unresolved complaints concerning service delivery. Records include, but are not limited to: • request for documents • briefing notes and internal memos • meeting notes • correspondence with practitioner and professional association; or • reports of findings.		
4.2	Case Management (Panels)	<i>Records that relate to individual members of the Legal Services Legal Practitioner Panels. Includes the process of managing applications to and membership of General and Specialist Panels as well as handling complaints from or about panel members.</i>		
4.2.1	Case Management (Panels)	Final/master versions of information packages for practitioner panel applicants and appointees. Records include, but are not limited to: • information for new and current applicants • associated practice standards and service agreements • information/guidance for Panel Referees, etc.	PERMANENT	Retain as State archives.
4.2.2	Case Management (Panels)	Records relating to the management of Legal Services Practitioner Panel membership for General and Specialist Panels. Records include, but are not limited to: • Applications for inclusion to panel membership • Appeals against decisions to refuse inclusion or removal from panels	TEMPORARY	Retain a minimum of 10 years after action completed, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
		Management of complaints or grievances against a panel member.		
4.2.3	Case Management (Panels)	Records relating to administrative arrangements concerning the panel applications and appointments. Records include, but are not limited to: - correspondence on routine matters - mailing lists - task lists.	TEMPORARY	Retain a minimum of 5 years after action completed, then destroy.
5	GRANTS OF LEGAL AID	The function of managing the allocation of grants of legal aid. Includes the processing of applications for legal aid, and the application of policies, practices and procedures governing the grants of legal aid.		
5.1	Grant Management	<i>The activities associated with processing applications for legal assistance for civil, criminal, and family law matters and the administration of the Legal Services grants of aid management.</i> <i>A grant of aid may be issued to an in-house or external (assigned) legal practitioner.</i> See Item 5.1.5 for refused applications. See Item 7 (various) for management of the in-house legal representation file.		
5.1.1	Grant Management	Records relating to the administration of the Grant file for a successful grant of aid for the provision of legal services (in-house or assigned) where the funding threshold is exceeded (high cost/expensive cases), special/exceptional circumstances funding is granted, or the case generated substantial public interest. Also covers grant files that progress to the High Court or set legal precedent.	TEMPORARY	Retain a minimum of 105 years after date of birth, then destroy.
5.1.2	Grant Management	Records relating to the administration of successful applications for grants of aid for the provision of legal services.	TEMPORARY	Retain a minimum of 7 years after action

No	Function/Activity	Description including Records Examples	Status	Disposal Action
		Records include, but are not limited to: • Application for legal aid • means and merit assessment • offer of aid • acknowledgement of costs • requests for payment • Commitment Certificates and Invoices • Legal Services contribution notice • Legal Services payment receipts • notifications • internal review of decisions • external review of decision • Copies of specialist reports obtained as evidence of a transaction to authorise funding • Applications granted funding outside of means, merits and guidelines but do not meet other criteria.		completed, then destroy.
5.1.3	Grant Management	Records relating to the administration of grants files (youth court and family court) for children.	TEMPORARY	Retain a minimum of 45 years after action completed then destroy.
5.1.4	Grant Management	Records relating to Statutory Charges taken by the Legal Services over any real estate to secure full repayment of legal costs. See Item 5.1.1 for Statutory Charge files relating to High Cost/Expensive cases, special/exceptional circumstances or substantial public interest cases.	TEMPORARY	Retain a minimum of 7 years after statutory charge is discharged, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
5.1.5	Grant Management	Records relating to unsuccessful applications for legal aid where a grant of aid is entirely refused and there is no funding raised on the application. Includes the assessment and confirmation of rejection of aid upon appeal. Records include: • application for legal aid • means and merit assessment • refusal of aid letter • internal review of decisions • external review of decisions by appeals committee.	TEMPORARY	Retain a minimum of 5 years after action completed, then destroy.
5.1.6	Grant Management	Records relating to approved grant files in which the client has expressly withdrawn their application for legal aid.	TEMPORARY	Retain a minimum of 5 years after action completed, then destroy.
5.1.7	Grant Management	Legacy records relating to processing requests to waive client contributions. Records include, but are not limited to: • client financial statements supporting their application • correspondence from legal practitioners letters of appeal against decisions.	TEMPORARY	Retain a minimum of 5 years after action completed, then destroy.
5.1.8	Grant Management	Correspondence received from external sources (e.g. private practitioners, members of the public) which does not constitute an application for aid, does not match to an existing grant of aid file and is unable to be formally assessed or actioned. Includes form letter responses advising how to apply for legal aid. Records include, but are not limited to:	TEMPORARY	Retain a minimum of 1 year after action completed, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
		• urgent bail requests • unactionable correspondence.		
5.2	High Cost Case Administration	<i>Activities supporting the administration of managing high cost / expensive cases that exceed the prescribed legal aid funding threshold.</i> See Item 5.1.1 for management of the Grant of Aid. See Item 7 (various) for management of the Representation file		
5.2.1	High Cost Case Administration	Records relating to the administration of managing expensive cases which exceed the prescribed funding threshold. Records include, but are not limited to: • Case Management Plans • Cabinet Submissions • Correspondence with the Attorney-General, Defence Counsel; ministerial briefings, requests for specific funding allowances and reports, tender documentation issued to and responded to by private legal firms bidding to represent the client for the case, financial transactions and advice provided to the successful tenderer on managing the specific case.	PERMANENT	Retain as State archives.
6	LEGAL INFORMATION ADVICE AND ADVOCACY	The process of providing general legal information, advice or advocacy not subject to a formal grant of aid. This includes discrete assistance, ongoing services and duty solicitor services.		
6.1	Discrete Assistance	<i>The activities associated with the provision of information regarding a client's basic legal rights and obligations about a particular situation.</i>		

No	Function/Activity	Description including Records Examples	Status	Disposal Action
6.1.1	Discrete Assistance: Advice	Advice notes created by the legal adviser relating to the provision of free legal advice appointment services. Records include but are not limited to: • copies of client documents, and • adviser drafted correspondence.	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.
6.1.2	Discrete Assistance: Anonymous Legal Advice	Records relating to the provision of anonymous legal advice services (online or telephone). Examples include: • Telephone Advice Line (TAL) • Legal Chat Service • 24Legal • PhotoLegal • ask amica.	TEMPORARY	Retain a minimum of 1 year after action completed, then destroy.
6.1.3	Discrete Assistance: Enquiries	Enquiries received from external sources (e.g. members of the public, prisoners, members of parliament) regarding routine services. Records include, but are not limited to: • form letter responses (e.g. advising how to apply for legal aid or directing to service providers).	TEMPORARY	Retain a minimum of 1 year after action completed, then destroy.
6.1.4	Discrete Assistance: Child Support services	Records relating to the provision of advice on child support matters, either face to face or by telephone. Records include but are not limited to: • call back notes from the Child Support Unit.	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
6.1.5	Discrete Assistance: Wills	Records relating to the preparation and storage of wills, including: - instruction copies of wills where it is noted that the will has been provided to the client for execution or copy executed will be held on file - where there is no acknowledgement that a copy of the will is held by the client.	TEMPORARY	Retain a minimum of 105 years after date of birth, then destroy.
6.1.6	Discrete Assistance: Wills	Records relating to general advice regarding wills where there have been no instructions to create a will.	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.
6.1.7	Discrete Assistance: Migration/National Disability Insurance Scheme/Social Security	Records relating to the provision of general advice and minor assistance in migration matters, with a focus on protection visas, family reunification for refugees and migration matters involving family violence, National Disability Insurance Scheme Outreach services and the provision of advice and information in relation to access to or level of supports provided under NDIS. Records relating to the provision of legal information and advice in social security Outreach services that arise under legislation including but not limited to: <i>Social Security Act 1991</i> <i>Social Security (Administration) Act 1999</i> <i>A New Tax System (Family Assistance) Act 1999</i> <i>A New Tax System (Family Assistance) (Administration) Act 1999</i> <i>Paid Parental Leave Act 2010.</i>	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
6.1.8	Discrete Assistance: Allied Health	Records relating to the provision of allied health services including mental health and social work.	TEMPORARY	Retain a minimum of 25 years after action completed, then destroy.
6.1.9	Discrete Assistance: amica	Records relating to the provision of online dispute resolution services via amica.	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.
6.2	Duty Solicitor Services	<i>Records relating to the provision of limited advice or advocacy by Duty Solicitors in Family Law Courts, Magistrates or Youth Courts to persons arrested overnight, seeking advice prior to self-representing or who have not been able to obtain legal help beforehand.</i> <i>Duty solicitors also provide a service to prisoners including answering legal queries, assisting with legal aid applications, or referring to other agencies.</i>		
6.2.1	Duty Solicitor Services	Records relating to the provision of major indictable or significant matter Duty Solicitor services including the overnight bag service.	TEMPORARY	Retain a minimum of 25 years after action completed, then destroy.
6.2.2	Duty Solicitor Services	Records relating to the provision of Duty Solicitor services (Criminal, Family or Civil) Records may include, but are not limited to: • client details • legal advice given • details of charges • relevant court documents.	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.
6.3	Ongoing Services	<i>The provision of ongoing support to clients without taking carriage of the matter in an ongoing, representative capacity. The provision of ongoing services may be provided under a specific funding program or general services.</i>		

No	Function/Activity	Description including Records Examples	Status	Disposal Action
6.3.1	Ongoing Services	Records relating to the provision of ongoing services for clients admitted to specialist Civil Law advocacy services.	TEMPORARY	Retain a minimum of 105 years after date of birth, then destroy.
6.3.2	Ongoing Services	Records relating to Domestic and Family Violence advisory services in relation, but not limited to: • Intervention Orders • Roles and rights • SACAT Housing matters • Family law matters • Child Welfare • Credit, debt and housing.	TEMPORARY	Retain a minimum of 20 years after action completed, then destroy.
6.3.3	Ongoing Services	Records relating to the provision of specialist assistance matters of a routine nature which do not involve mental impairment, domestic and family violence, disability or youth representation.	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.
7	LEGAL REPRESENTATION	The function of providing in-house legal representation to disadvantaged persons subject to an approved grant of aid.		
7.1	Child and Family Counsellor Services	<i>The activities associated with the provision of counsellor and psychiatry services to children and families in family law matters.</i>		
7.1.1	Child and Family Counsellor Services	Child and Family Counsellor files that result in the development of a Psychological Report. Files may include notes of interviews with parents and/or children, court documents, briefs to Child and Family Counsellors, affidavits and assessment tools.	TEMPORARY	Retain a minimum of 105 years after date of birth of the subject of the report, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
7.1.2	Child and Family Counsellor Services	In-house Child and Family Counsellor files relating to parents and/or children. Files may include Court documents, notes of interview, Brief's to Child and Family Counsellors, affidavits, assessment tools, notes, letters and general advice.	TEMPORARY	Retain a minimum of 45 years after action completed, then destroy.
7.2	Civil Law Case Management	<i>The activities associated with providing ongoing legal representation on Civil Law matters.</i> See 5.1 (various) for the assessment of applications for grants of legal aid.		
7.2.1	Civil Law Case Management	In-house Civil Law representation files relating to clients the subject of the legal representation schemes and other matters that arise from time to time under the <i>Mental Health Act 2009</i> and <i>Guardianship and Administration Act 1993</i> .	TEMPORARY	Retain a minimum of 105 years after date of birth, then destroy.
7.2.2	Civil Law Case Management	In-house Civil Law case files of Legal Services relating to the management of cases where legal precedents were established or where cases generated substantial public interest or involves a change in the law.	TEMPORARY	Retain 105 years after date of birth, then destroy.
7.2.3	Civil Law Case Management	In-house Civil Law case files relating to the management of cases where Legal Services funding threshold is exceeded (High-cost cases).	TEMPORARY	Retain 105 years after date of birth, then destroy.
7.2.4	Civil Law Case Management	In-house Civil Law case files relating to the provision of legal representation services provided in migration matters, which may include matters related to: unaccompanied minors, child visa matters where the child is the client of the Legal Services, migration matters as defined by the <i>Migration Regulations Act 1994</i> where domestic or family violence is involved, permanent protection visas and prisoner visa cancellations. In-house Civil Law case files relating to legal representation services provided for internal reviews and appeals regarding	TEMPORARY	Retain 105 years after date of birth, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
		access to or level of support provided under the National Disability Insurance Scheme. In-house Civil Law case files relating to legal representation services provided pursuant to matters relating to Centrelink / Comcare that arise under legislation including but not limited to: • <i>Social Security Act 1991</i> • <i>Social Security (Administration) Act 1999</i> • <i>A New Tax System (Family Assistance) Act 1999</i> • <i>A New Tax System (Family Assistance) (Administration) Act 1999</i> • <i>Paid Parental Leave Act 2010.</i>		
7.2.5	Civil Law Case Management	Records relating to the provision of representation for disadvantaged South Australians in Equal Opportunity or Human Rights matters. Files may include correspondence with the Equal Opportunity Commission or Human Rights Commission (HREOC), assigning of files to in-house or out-house solicitors and invoices.	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.
7.3	Criminal Law Case Management	<i>The activities associated with providing ongoing legal representation to clients on Criminal Law matters.</i> See Item 5.1 (various) for the assessment of applications for grants of legal aid.		
7.3.1	Criminal Law Case Management	In-house case files of Legal Services relating to clients deemed mentally incompetent by the Court subject to Part 8A of <i>Criminal Law Consolidation Act 1935</i> .	TEMPORARY	Retain 105 years after date of birth, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
7.3.2	Criminal Law Case Management	In-house Criminal Law case files of Legal Services relating to the management of cases where legal precedents were established or where cases generated substantial public interest or involves a change in the law.	TEMPORARY	Retain 105 years after date of birth, then destroy.
7.3.3	Criminal Law Case Management	In-house Criminal Law files relating to the management of cases where Legal Services funding threshold is exceeded (High-cost cases).	TEMPORARY	Retain 105 years after date of birth, then destroy.
7.3.4	Criminal Law Case Management	In-house criminal law case files of Legal Services relating to the management of criminal cases for matters related to persons defined as a High-Risk Offender as defined by the <i>Criminal Law (High Risk Offenders) Act 2015</i> . See 7.3.6 for Extended Supervision Orders.	TEMPORARY	Retain a minimum of 50 years after action completed, then destroy.
7.3.5	Criminal Law Case Management	In-house Criminal Law case files of Legal Services relating to the management of Criminal Cases where a sentence is pronounced as life, or indeterminate detention, or where an application has been made for indefinite detention pursuant to the <i>Sentencing Act 2017</i> .	TEMPORARY	Retain a minimum of 105 years after date of birth, then destroy.
7.3.6	Criminal Law Case Management	In-house criminal law case files of Legal Services relating to the management of criminal cases for matters related to persons subject to an interim supervision order or Extended Supervision Order.	TEMPORARY	Retain a minimum of 25 years after action completed, then destroy.
7.3.7	Criminal Law Case Management	In-house criminal law case files of Legal Services relating to the provision of representation in major indictable or significant matters.	TEMPORARY	Retain a minimum of 50 years after action completed, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
7.3.8	Criminal Law Case Management	In-house Criminal Law case files of Legal Services for summary and minor indictable criminal law matters that do not meet the requirements outlined elsewhere in Item 7.3.	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.
7.3.9	Criminal Law Case Management	In-house Criminal Law case files where a grant of aid was initially provided, however the grant of aid was withdrawn or terminated prior to completion of the legal case. Examples of withdrawn or terminated include: • File transferred to an external solicitor. • Client ceased contact. • Client withdrew instructions.	TEMPORARY	Retain a minimum of 7 years after action completed, then destroy.
7.4	Dispute Resolution	<i>The activities associated with lawyer-assisted family dispute resolution where one of the parties is eligible for legal aid.</i> See Item 5.1 (various) for the assessment of applications for grants of legal aid.		
7.4.1	Dispute Resolution	In-house Family Dispute Resolution (FDR) case files. Files may include file notes, conference chairperson report, confidentiality agreement or signed agreements between parties.	TEMPORARY	Retain a minimum of 25 years after action completed, then destroy.
7.5	Family Law Case Management	<i>The activities associated with providing ongoing legal representation to clients on Family Law matters.</i> See Item 5.1 (various) for the assessment of applications for grants of legal aid.		
7.5.1	Family Law Case Management	In-house Family Law representation files relating to matters where children are removed from their families for any reason (Indigenous and non-Indigenous).	PERMANENT	Retain as State archives.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
7.5.2	Family Law Case Management	In-house Family Law representation files where a Legal Services Lawyer represents a client who does not have capacity to provide instructions (i.e. mental incompetence) or where Legal Services is appointed as a litigation guardian by the Public Trustee.	TEMPORARY	Retain 105 after date of birth, then destroy.
7.5.3	Family Law Case Management	In-house Family Law case files of Legal Services where legal precedents were established or where cases generated substantial public interest or involves a change in the law.	TEMPORARY	Retain 105 years after date of birth, then destroy.
7.5.4	Family Law Case Management	In-house Family Law case files of Legal Services involving accusation of child abuse, domestic violence or family violence. Includes but not limited to family law cases relating to: • parenting arrangements. • custody and access/living arrangements. • separation and divorce. • consent orders. • parenting payments/financial support of children. • property settlement. • domestic violence / family violence orders. • child support files.	TEMPORARY	Retain a minimum of 45 years after action completed, then destroy.
7.5.5	Family Law Case Management	In-house Family Law case files of Legal Services relating to child representation in family law matters. This classification includes cases where an independent children's lawyer (ICL) is appointed and in the case of child protection where the child receives separate representation by a Legal Services' Solicitor.	TEMPORARY	Retain a minimum of 45 years after action completed, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
7.5.6	Family Law Case Management	Routine In-house Family Law files of Legal Services that do not meet the requirements outlined elsewhere in Item 7.5. Includes but not limited to family law cases relating to: • parenting arrangements. • custody and access/living arrangements. • separation and divorce. • consent orders. • parenting payments/financial support of children. • property settlement. • child support files.	TEMPORARY	Retain a minimum of 10 years after action completed, then destroy.
7.5.7	Family Law Case Management	In-house Family Law case files where a grant of aid was initially provided, however the grant of aid was withdrawn or terminated prior to completion of the legal case. Examples of withdrawn or terminated include: • file transferred to an external solicitor • client ceased contact • client withdrew instructions.	TEMPORARY	Retain a minimum of 5 years after action completed, then destroy.
7.6	Youth Court Case Management	<i>The activities associated with providing ongoing legal representation to clients on Youth Court matters.</i> See Item 5.1 (various) for the assessment of applications for grants of legal aid. See Item 7.3 (various) for Youth Court files where an application is made for the client to be tried and/or sentenced as an adult.		
7.6.1	Youth Court Case Management	In-house Care and Protection Youth Court files of Legal Services relating to representation of children on Civil or Family Law matters. Matters include, but are not limited to: • In Need of Care (INOC)	TEMPORARY	Retain a minimum of 105 years after date of birth, then destroy.

No	Function/Activity	Description including Records Examples	Status	Disposal Action
		- Guardianship of the Minister (GOM) - Adoption.		
7.6.2	Youth Court Case Management	In-house Youth Court files of Legal Services relating to clients deemed mentally incompetent by the Court subject to Part 8A of Criminal Law Consolidation Act.	TEMPORARY	Retain a minimum of 105 years from date of birth, then destroy.
7.6.3	Youth Court Case Management	In-house Youth Court files of Legal Services relating to the management of cases where legal precedents were established or where cases generated substantial public interest or involve a change in the law.	TEMPORARY	Retain a minimum of 105 years from date of birth, then destroy.
7.6.4	Youth Court Case Management	In-house Youth Court files of Legal Services relating to the management of cases where Legal Services funding threshold is exceeded (High-cost cases).	TEMPORARY	Retain a minimum of 105 years from date of birth, then destroy.
7.6.5	Youth Court Case Management	In-house Youth Court files of Legal Services for routine and typical criminal matters conducted in the Youth Court for juveniles.	TEMPORARY	Retain a minimum of 45 years after action completed, then destroy.