

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

**FILED**  
SEP 25 2007  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

IN THE MATTER OF

DISPOSAL OF SCANNED  
DOCUMENTS

ORDER

Public Administrative Order  
No. 07 - AO - 2 - P

Local Rule 5.3.i provides: "The electronic filer of a document that contains the signature of a non-lawyer or has potential evidentiary value in a case must maintain possession of the original paper version of the document during the pendency of the case and for five years after the filing of the document." The Clerk of Court has requested clarification of this local rule as it relates to documents signed by defendants in criminal cases and seeks authorization to dispose of the original paper version of documents signed by defendant(s) that have been scanned into the CM/ECF system and filed electronically by the Clerk's Office. These documents include, but are not limited to: CJA-23 Financial Affidavits, Waiver of Counsel, Waiver of Indictment, Waiver of Interstate Agreement on Detainers, Waiver of Minimum Time to Trial, Waiver of Preliminary Exam or Detention Hearing, Waiver of Presence at Arraignment, Waiver of Presentence Investigation Report, Waiver of Rule 5.c.3 Hearing, Waiver of Speedy Trial, Waiver of Trial by Jury, Notice and Consent re Entry of Plea of Guilty, Notice and Consent re Place of Holding Court, Consent to Inspection of PSI, Consent to Magistrate Judge Disposition on Motion, and Consent to Trial Before U.S. Magistrate Judge.

On December 8, 2006, this Court established a modified scanned document disposal policy in accordance with the policy of the National Archives and Records Administration (NARA), Public Administrative Order No. 06-AO-6-P. The present policy establishes that paper documents which are scanned in their entirety into the CM/ECF system are maintained for one year, after which

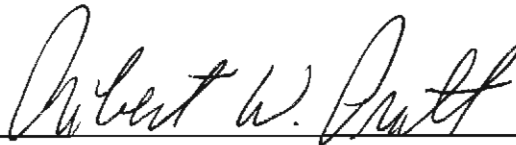
they may be disposed of by the Clerk's Office without further notice to any party or to the Court. By this Administrative Order, the documents described above which are scanned into the CM/ECF system, after verification and quality control checks, may be disposed of in the same way by the Clerk's Office.

The following paper documents which are scanned into the CM/ECF system will be returned to the U.S. Attorney's Office: Criminal Complaint and Affidavit, Plea Agreement, Statement in Advance of Plea, Search/Seizure Warrant Applications and Affidavits and the Returns (executed or unexecuted), Applications for Pen Register, Subscriber Services Information, Authority to Install an Electronic Tracking Device, and Application for Tax Payer Information.

The following documents will be maintained in the Clerk's Office after they are scanned into the CM/ECF system and will not be destroyed: Indictments, Informations and Grand Jury Vote Sheets.

IT IS SO ORDERED.

Dated this 25<sup>th</sup> day of September, 2007



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**ROBERT W. PRATT, Chief Judge**  
United States District Court  
Southern District of Iowa