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**Illinois Secretary of State**  
**Illinois State Archives**  
**Records Management Division**

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

**2015**

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 maintain 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 useless 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 record-keeping 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?**

If 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.

The office no longer maintains records simply on paper or on microfilm. Data can be stored on many types of media including cassette tapes, magnetic tapes, floppy disks, hard drives, CDs, DVDs, etc.

Effective January 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."

In addition, the digital records must be "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."

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 can I legally dispose of records?

1. Each agency must submit an "Application for Authority to Dispose of Local Records" to the appropriate Local Records Commission prior to the destruction of any record. (See sample Application in this document.)
2. After the Application has been approved by the Local Records Commission, it will become your agency's Records Retention Schedule.
3. You can then 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.
4. Disposal Certificates must be submitted to the Local Records Commission authorizing the destruction at least thirty (30) days before the date the agency wishes to dispose of the records per Section 400€40 of the Illinois Administrative Code.
5. Tampering with public records (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. Who prepares the Application? A Records Archivist from the State Archives' Local Records Unit will inventory your agency's records at no charge to the agency and submit the application to the Commission.
7. The Records Archivist can also prepare your first Local Records Disposal Certificate at no charge and explain the procedures for preparing the Disposal Certificate.
8. If you already have a schedule and would like assistance in completing the disposal certificate, need to have additional record series added to your current application or need a new application, please call the office at 217-782-1080 and ask to have an appointment scheduled with a Records Archivist.
9. If you intend to microfilm your records, the Local Records Commission has established standards for microfilming. Copies of the standards for microfilming may be printed out from our Web page. If you do not have access to the internet and need copies of the regulations, please call the office at 217-782-7075 and ask to have copies mailed to your office.

## 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 <b>Will</b>	CITY <b>Shorewood</b>	ZIP <b>60404</b>	LOCAL RECORDS COMMISSION APPROVAL
AGENCY <b>Troy Township</b>			<hr style="border: 0; border-top: 1px solid black;"/> <i>Paul C. Schmitz</i> CHAIRMAN
ADDRESS <b>25448 Seil Road</b>			
PHONE <b>(815) 744-1968</b>			
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="border: 0; border-top: 1px solid black;"/> <i>David Joens</i> DIRECTOR, STATE ARCHIVES
<i>Kristin Dawn Cross</i> Signature of Agency Head		<i>December 9, 2014</i> Date	<hr style="border: 0; border-top: 1px solid black;"/> <i>January 6, 2015</i> DATE
<b>Kristin Dawn Cross</b>			

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 *Local Records Disposal Certificate* 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 at [www.cyberdriveillinois.com/departments/archives/records\\_management/lrmdisp.html](http://www.cyberdriveillinois.com/departments/archives/records_management/lrmdisp.html) (under State and Local Records Management). It can be downloaded as a PDF or printed and typed. If you would like to obtain a blank *Local Records Disposal Certificate* in Microsoft/Word format, please send an email to [scowles@ilsos](mailto:scowles@ilsos).

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

- **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 and 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, etc.
- **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 should sign and date the disposal certificate. Please also indicate the title of the person requesting disposal and print the person's name below the signature. Agencies planning to microfilm and dispose of paper records must also sign the microfilm certification statement on the bottom left portion of the *Local Records Disposal Certificate*.

Send the *Local Records Disposal Certificate* to the Local Records Commission, Illinois State Archives, 30 days prior to the disposal date. Retain a copy for your file until an approved copy is returned to your agency.

Do not dispose of materials until the approved copy of the *Local Records Disposal Certificate* is returned to your agency in compliance with Section 4000.40(b) of the rules of the Downstate Local Records Commission and 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. Sign and send certificate to above address thirty (30) days prior to disposal date.
3. Retain records until approved copy is returned.

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	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>			

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.

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:

\_\_\_\_\_  
 Date May 1, 2015  
 \_\_\_\_\_  
 Signature Kristen Dawn Cross 3/1/15  
Date  
 \_\_\_\_\_  
 Kristen Dawn Cross, Township Clerk  
Print name and title on line above

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

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 30 days in advance of when you intend to dispose of the records.

In 2015, 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 2013 or earlier	2013
2 years	You May Dispose of Records Dated December 2012 or earlier	2012
3 years	You May Dispose of Records Dated December 2011 or earlier	2011
4 years	You May Dispose of Records Dated December 2010 or earlier	2010
5 years	You May Dispose of Records Dated December 2009 or earlier	2009
6 years	You May Dispose of Records Dated December 2008 or earlier	2008
7 years	You May Dispose of Records Dated December 2007 or earlier	2007
8 years	You May Dispose of Records Dated December 2006 or earlier	2006
9 years	You May Dispose of Records Dated December 2005 or earlier	2005
10 years	You May Dispose of Records Dated December 2004 or earlier	2004
11 years	You May Dispose of Records Dated December 2003 or earlier	2003
12 years	You May Dispose of Records Dated December 2002 or earlier	2002
13 years	You May Dispose of Records Dated December 2001 or earlier	2001
14 years	You May Dispose of Records Dated December 2000 or earlier	2000
15 years	You May Dispose of Records Dated December 1999 or earlier	1999
60 years	Student Permanent Records: Year Student Graduated, Withdrew from District, or Transferred	1954
22 Months	You May Dispose of Federal Election Records Dated November 2014	On or after September 30, 2016

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 displays the homepage of the Illinois Secretary of State website. At the top, there is a navigation bar with links for ABOUT US, SERVICES, PUBLICATIONS, NEWS, DEPARTMENTS, CONTACT US, and a SEARCH box. Below this is a banner featuring a photo of Jesse White, the Secretary of State, and the text "JESSE WHITE SECRETARY OF STATE" alongside the Illinois State Seal. The URL "WWW.CYBERDRIVEILLINOIS.COM" is visible on the right side of the banner.

The main content area is divided into several sections:

- Trending Now!**: A section with a dropdown arrow and a "v" icon, containing a featured article about Temporary Visitor Driver's Licenses (TVDL) for non-visa status individuals, with links for scheduling appointments in multiple languages.
- eServices**: A vertical menu with categories: Driver's License, Vehicles, Business, and Featured Video.
- Facility Finder**, **License Plates Renewal**, **LifeGoesOn**, **E-mail My Renewal Notice**, and **Pick-a-Plate**: A vertical column of service icons on the right side.
- Quick Links**: A section at the bottom with a grid of links including Adult Driver Education, Illinois Handbook of Government, Rules of the Road, and others.

At the very bottom, there is a footer with links for Terms of Use, Privacy Policy, Land of Lincoln Screensaver, National Center for Missing & Exploited Children, and Amber Alert. A logo for "PHONE TICKET DROP IT AND DRIVE" is also present.

Click on Departments (located at the top of the page), then Illinois State Archives, then State and Local Records Management. Or, under "Quick Links" (located at the bottom of the page), click on Illinois State Archives, then 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 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](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](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](http://www.cyberdriveillinois.com/departments/archives/records_management/lrc_downstate_meeting_schedule.html)
- Filmed Records Certification Act (50 ILCS 210)  
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=700&ChapAct=50%20ILCS%20210&ChapterID=11&ChapterName=LOCAL+GOVERNMENT&ActName=Filmed+Records+Certification+Act>
- Filmed Records Destruction Act (50 ILCS 215)  
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=701&ChapAct=50%20ILCS%20215&ChapterID=11&ChapterName=LOCAL+GOVERNMENT&ActName=Filmed+Records+Destruction+Act>
- Guidelines for Using Electronic Records  
[http://www.cyberdriveillinois.com/departments/archives/records\\_management/electrecs.pdf](http://www.cyberdriveillinois.com/departments/archives/records_management/electrecs.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](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, Lake and McHenry County)  
630-293-5734  
[scolaizzi@ilsos.net](mailto:scolaizzi@ilsos.net)

Jean Hynes — (Cook, Kendall and Will County)  
708-873-7280  
[jhynes@ilsos.net](mailto:jhynes@ilsos.net)

Deneena Norton — (east-central Illinois)  
312-814-4445  
[dnorton1@ilsos.net](mailto:dnorton1@ilsos.net)

Dave Wooten — (north-western Illinois)  
309-796-1219  
[dwooten@ilsos.net](mailto:dwooten@ilsos.net)

Sandy Lucas — (south-central Illinois)  
217-558-7219  
[slucas@ilsos.net](mailto:slucas@ilsos.net)

Mike Hall — (southern Illinois)  
618-327-8464  
[mhall@ilsos.net](mailto:mhall@ilsos.net)

### At the Archives

Robert C. Boots, CRM, Archival Program Administrator  
Records Management (State and Local) Section Manager  
217-782-1082  
[rboots@ilsos.net](mailto:rboots@ilsos.net)

Sheila Cowles, Administrative Assistant — Records Management Section (Processes Disposal Certificates)  
217-782-1080  
[scowles@ilsos.net](mailto:scowles@ilsos.net)

Kris Stenson, Electronic Records Archivist (Can assist with questions related to electronic records)  
217-557-1085  
[kstenson@ilsos.net](mailto:kstenson@ilsos.net)

