

Agency Function and Records Summary

Department of Law Office of the Attorney General

The elective office of Attorney General is established by the Constitution of Kentucky. Sections 91 and 93 of the Constitution provide that the duties of the Attorney General, as well as other constitutional officers, shall be prescribed by law. Other sections of the Constitution that pertain to the Attorney General include Section 94 (petition to have Governor declared disabled); Section 87 (service as acting Governor); Section 92 (qualifications); Section 95 (time of election); and Section 96 (compensation).

KRS Chapter 15 provides with specificity the duties of the Attorney General and the functions of the Department of Law. KRS 15.020 establishes the following duties: Act as the chief law officer of the Commonwealth, and the agencies and political subdivisions thereof; Act as the legal adviser of all state officers and governmental agencies and furnish opinions upon request pertaining to their official duties; Prepare drafts of written instruments for public use; Exercise all common law duties of the Office of the Attorney General as may be modified by statutory law; Appear for the Commonwealth in all cases in the Supreme Court or Court of Appeals of interest to the Commonwealth, and commence all actions or enter his appearance in all cases, hearings and proceedings in and before all other courts, tribunals, or commissions in or out of state; and Attend to all litigation and legal business in or out of state required of him by law, or in which the Commonwealth has an interest, and any litigation or legal business that any state officer or agency may have in connection with, or growing out of, his or its official duties, except where it is made the duty of the commonwealth's attorney or county attorney to represent the Commonwealth.

Additions to the Schedule

- Series 06826, Mediation Files

Proposed retention: Retain in Agency for one (1) year after case closure and transfer to the State Records Center for four (4) years, then destroy. Total retention is five (5) years.

Rationale: This series has primary administrative value because it documents mediation findings to pending administrative action when a hearing officer is acting as a mediator.

- Series 06827, Hearing Officer Training Files

Proposed retention: Retain in Agency ten (10) years, then destroy.

Rationale: This series has primary administrative value because it documents the required training for hearing officers.

Deletions from the Schedule

The following series is being deleted as the records are no longer created and retention has been met, or the agency no longer has responsibility for creating and retaining the records:

- Series 04321, Child Support Client File

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

Law, Department of
Attorney General
Civil Division
Civil and Environmental Law - Administrative Hearings

Record Group
Number
1630C

Series	Records Title and Description	Function and Use
06826	Mediation Files	This series documents mediation findings that are generated when parties to a pending administrative action ask a hearing officer to act as a mediator. This is a service provided to government boards and agencies, recognizing that some cases can be more effectively resolved through mediation.
	Access Restrictions	
	Contents	Series may contain: filings from administrative actions, correspondence to the client agency and private party or parties, filings of the parties, the mediator's report of the outcome of the mediation case.
	Retention and Disposition	Retain in Agency until one (1) year after case closure and transfer to the State Records Center for four (4) years, then destroy. Total retention is five (5) years.
06827	Hearing Officer Training Files	This series documents the number of hours approved for hearing officer training as required by KRS 13B.030(4) and 40 KAR 5:010. The Administrative Hearings Branch conducts two (2) trainings a year. A hearing officer may receive training outside of the Branch and may request a letter from the Branch that certifies which classes count toward their continuing education.
	Access Restrictions	
	Contents	This series may contain: hearing officer name, number of credit hours, class information, class date, letters to hearing officers that certify/approve outside training, class manual
	Retention and Disposition	Retain in Agency ten (10) years, then destroy.

19. CONTENTS (Documents in this file? Information on this form? Data Elements in this computer file, etc.)
 Series may contain: filings from administrative actions, correspondence to the client agency and private party or parties, filings of the parties, the mediator's report of the outcome of the mediation case.

20. INPUT RECORDS (What records flow into, or provide information to create this record?)

21. OUTPUT RECORDS (What records flow out of the information in this record series?)

22. VITAL RECORD? Yes/No 23. If Yes, VITAL RETENTION PERIOD?

24. VITAL RECORDS PROTECTION INSTRUCTIONS

25. ACCESS RESTRICTIONS? Yes/No If yes, explain restrictions and attach copy of authority (KRS, KAR, CFR, etc.)

26. IS RECORD SUBJECT TO AUDIT? If yes, list AUDITING AGENCY (Federal, State, Internal?) 27. AUDIT RETENTION REQUIREMENT

28. LEGAL RETENTION REQUIREMENT? (Yes/No) If yes, cite statute and state length of retention period required.

ANALYSIS

29. APPRAISAL CRITERIA Years

X Administrative Retention Value	5
Legal Retention Value	
Fiscal Retention Value	
Research Retention Value	
Intrinsic Retention Value	

30. RATIONALE FOR RETENTION
 This series has primary administrative value because it documents mediation findings to pending administrative action when a hearing officer is acting as a mediator.

31. AGENCY RETENTION
 1

32. DISPOSITION INSTRUCTIONS:
 Retain in Agency until one (1) year after case closure and transfer to the State Records Center for four (4) years, then destroy. Total retention is five (5) years.

33. RECORDS CENTER RETENTION: 4	34. ARCHIVES CENTER RETENTION	35. TOTAL RETENTION 5
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Cathrine Giles	Date
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PRD 320 Rev. 4/86 Record Description and Analysis Public Records Division Department for Libraries and Archives		1. RECORD GROUP CODE 1630C 2. SERIES NO. 06827 3. ORIGINATING AGENCY Law, Department of 4. ADMINISTRATIVE UNIT Attorney General 5. SUBUNIT Civil Division SECTION Civil and Environmental Law - Administrat DATE 11/07/2016 PHONE NO. 502.696.5300	
COMPILER Corey Bellamy			
IDENTIFICATION AND DESCRIPTION			
6. TITLE OF RECORD Hearing Officer Training Files		7. VARIANT TITLE Continuing Education for 13B Training Files	
8. RECORD IS: <input type="radio"/> Original <input type="radio"/> Duplicate	9. LOCATION(S) OF ALTERNATIVE COPIES (Original or Duplicate(s))		
10. INFORMATION SUMMARIZED IN:			
11. MEDIUM (If Machine Readable Record, Complete and Attach Form PRD 320M) Paper Electronic OTHER:			
12. ARRANGEMENT/SORT SEQUENCE (Alpha, Numeric, Chronological, Random, etc.): Explain in detail. Chronologically by Year			
13. INDEX/FINDING AID(S)			
14. DATE SPAN:	In Agency From 1996 To present	State Records Center From To	State Archives From: To
15. VOLUME:	In Agency 20 cf	State Records Center	State Archives
16. ANNUAL ACCUMULATION < 1 cf	17. REFERENCE RATE (Number of times you use each year's accumulation) 1st Year: 6 2nd Year: 6 3-5 Years: 1 More than 5 years: 1		
18. FUNCTION AND USE (What purpose is/was record created? What activity, process or transaction does it document This series documents the number of hours approved for hearing officer training as required by KRS 13B.030(4) and 40 KAR 5:010. The Administrative Hearings Branch conducts two (2) trainings a year. A hearing officer may receive training outside of the Branch and may request a letter from the Branch that certifies which classes count toward their continuing education.			

19. CONTENTS (Documents in this file? Information on this form? Data Elements in this computer file, etc.)
 This series may contain: hearing officer name, number of credit hours, class information, class date, letters to hearing officers that certify/approve outside training, class manual

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21. OUTPUT RECORDS (What records flow out of the information in this record series?)

22. VITAL RECORD? Yes/No 23. If Yes, VITAL RETENTION PERIOD?

24. VITAL RECORDS PROTECTION INSTRUCTIONS

25. ACCESS RESTRICTIONS? Yes/No If yes, explain restrictions and attach copy of authority (KRS, KAR, CFR, etc.)

26. IS RECORD SUBJECT TO AUDIT? If yes, list AUDITING AGENCY (Federal, State, Internal?) 27. AUDIT RETENTION REQUIREMENT

28. LEGAL RETENTION REQUIREMENT? (Yes/No) If yes, cite statute and state length of retention period required.

ANALYSIS

29. APPRAISAL CRITERIA Years

X Administrative Retention Value	10
Legal Retention Value	
Fiscal Retention Value	
Research Retention Value	
Intrinsic Retention Value	

30. RATIONALE FOR RETENTION
 This series has primary administrative value because it documents the required training for hearing officers.

31. AGENCY RETENTION
 10

32. DISPOSITION INSTRUCTIONS:
 Retain in Agency ten (10) years, then destroy.

33. RECORDS CENTER RETENTION:	34. ARCHIVES CENTER RETENTION	35. TOTAL RETENTION
Cathrine Giles		10
		Date