



Responsible Public Authority : Legal Aid Queensland

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Scope of Disposal Schedule

This schedule applies to the core business records generated by Legal Aid Queensland including records relating to the provision of legal information and advice, grants of legal aid, representation in civil, family and criminal law matters in Queensland and the provision of legal services such as dispute resolution, duty lawyer and community legal centres. It also covers legacy records of the Public Defenders Office which merged with the Legal Aid Commission in 1991.

This Schedule is to be used in conjunction with the *General Retention and Disposal Schedule for Administrative Records (GRDS)*.

References to repealed legislation within this Schedule may be taken to be a reference to current legislation if the context permits.

Authority

Authorisation for the disposal of public records is given under, and subject to, the provisions of s.13 of the *Public Records Act 2002* (the Act). Public records must not be disposed of if disposal would amount to a contravention of s.13.

Revocation of previously issued disposal authorities

Any previously issued disposal authority which applied to disposal classes described in this schedule is revoked. Legal Aid Queensland should take measures to withdraw revoked disposal authorities from circulation.



This includes, but is not limited to:

- QDAN 98/005 – Legal Aid Office, issued 4 October 1994
- QDAN 270 Version 1 – Legal Aid Office, issued 15 January 1998

About this Schedule

All of the retention periods in this approved schedule are the minimum period for which the sentenced records must be maintained.

Additionally, any class may be required to be retained longer if subject to any of the following requirements:

- (i) for any civil or criminal court action which involves or may involve the State of Queensland or an agency of the State
- (ii) because the public records may be obtained by a party to litigation under the relevant Rules of Court, whether or not the State is a party to that litigation
- (iii) pursuant to the *Evidence Act 1977*
- (iv) a temporary disposal freeze issued by the State Archivist, or
- (v) for any other purpose required by law.

This list is not exhaustive.

Documents which deal with the financial, legal or proprietary rights of the State of Queensland or a State related Body or Agency viz-a-viz another legal entity and any document which relates to the financial, legal or proprietary rights of a party other than the State are potentially within the category of public records to which particular care should be given prior to disposal.

Records which are subject to a Right to Information application are to be retained for a period greater than the approved retention period to ensure that all appeal processes have been exhausted under the legislation, even though the records may be due for destruction according to this Schedule at the time of the application (see *General Retention and Disposal Schedule for Administrative Records*).

Records subject to a disposal freeze issued by the State Archivist must be retained until formal notification is given by the State Archivist that the freeze no longer applies.

All record classes in this Schedule can be applied to records in all formats, unless otherwise specified.



For further information on how to apply this Schedule please refer to the *Guideline for the Implementation of Retention and Disposal Schedules*, available from the Queensland State Archives' website.

Transfer of public records to Queensland State Archives

Records covered by a class with the disposal action of 'Retain permanently' should be transferred to Queensland State Archives with the approval of the State Archivist. Records covered by a class with the disposal action of 'Retain permanently by agency' are not eligible for transfer to Queensland State Archives unless re-appraised and assigned a disposal action of 'Retain permanently'.

Agencies are required to submit a transfer proposal containing details of the records under consideration for transfer. Queensland State Archives will assess the transfer proposal before formal approval to transfer is issued. Please refer to the *Guideline on Transferring Public Records to Queensland State Archives* available from the Queensland State Archives' website. The State Archivist reserves the right to revise any previous decisions made with regard to the appraisal and transfer of records. Contact Agency Services at Queensland State Archives on telephone (07) 3131 7777 for further details.

Revision history

QDAN	Date of Approval	Extent of revision
QDAN 98/005	4 October 1994	First issue
QDAN 270 Version 1	15 January 1998	Retrospective conversion to QDAN number
QDAN 270 Version 2	17 May 2011	Comprehensive retention and disposal schedule.



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1. GRANTS OF LEGAL AID

The function of administering and providing grants of aid for disadvantaged Queenslanders for the purchase of legal services. Grants of aid are funded under Commonwealth or State agreements dependent on the matter and are granted according to means and/or merit tests. Legal services are purchased (through the grant of aid) from in house legal teams or preferred-supplier law firms.

See Section 3: LEGAL REPRESENTATION AND SERVICES for records relating to:

- funding provided by Commonwealth or State sources for the provision of legal services such as dispute resolution services, community legal centres, duty lawyer, civil law and war veteran's schemes, and*
- successful grant applications represented in house.*

See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to:

- routine enquiries about grants of legal aid.*
- the development and review of grant funding policies.*
- the development and review of grant funding procedures.*



Reference	Description of records	Status	Disposal Action
1.1	AUDIT <i>The activity of checking financial, quality assurance and operational records to ensure they have been made, kept and maintained in accordance with prescribed Legal Aid Queensland standards.</i>		
1.1.1	Audit reports Records relating to audits undertaken by Legal Aid Queensland into the assessment of work undertaken by in-house legal practitioners or preferred supplier law firms resulting from a financial Grant of Aid. Audits may encompass review of compliance with practice and case management standards, terms and conditions of preferred supplier agreements and Legal Aid Queensland means and merit guidelines. Records may include, but are not limited to: <ul style="list-style-type: none">• substantial or unresolved client complaints• audit notification• audit working papers and reports• arrangement for file transfer• remediation action reports• responses to audit reports.	Temporary	Retain for 3 subsequent audits AND 7 years after last action. <i>Sentences are served concurrently.</i>
1.2	CONTRACTING OUT <i>The activity of providing legal services under written agreements with private law firms in accordance with the Legal Aid Act 1997.</i>		



Reference	Description of records	Status	Disposal Action
1.2.1	<p><i>Preferred supplier agreements</i></p> <p>Records relating to agreements with private law firms for the provision of legal services to members of the public on behalf of Legal Aid Queensland on a preferred supplier basis, in accordance with section 17 of the <i>Legal Aid Act 1997</i>.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• invitation to apply• applications• agreement negotiations• signed agreements for services• agreement variations• complaints against preferred suppliers• show cause notices and recommendations• other documents and correspondence between Legal Aid Queensland and the private law firm	Temporary	Retain for 12 years after expiry or cancellation of agreement, or the death of the sole practitioner.
1.2.2	<p><i>Preferred supplier contract registers</i></p> <p>Entries in the register relating to preferred suppliers contracted to provide legal services on behalf of Legal Aid Queensland.</p> <p>Includes details of:</p> <ul style="list-style-type: none">• name of practitioner(s) and firm• agreement dates	Temporary	Retain for 10 years after expiry or cancellation of agreement.



Reference	Description of records	Status	Disposal Action
1.3	ELIGIBILITY TESTING <i>The activity of developing and applying criteria to assess the suitability of potential clients for grants of legal aid.</i>		
1.3.1	Means and merit criteria Records relating to the formulation of eligibility criteria to assess suitability for the granting of legal aid and ensure that funding is allocated to those who are least able to afford a lawyer. This includes the development of: <ul style="list-style-type: none">• means test• funding guidelines• legal merits test. <i>See reference numbers 1.4.2 and 3.1.1 – 3.1.7 for successful grant applications and for cases represented in house.</i>	Permanent	Retain permanently.
1.3.2	Means and merit instructions Master set of instructions related to eligibility testing for the granting of legal aid.	Permanent	Retain permanently
1.3.3	Means and merit clause codes Master set of approval and refusal clause codes used by Legal Aid Queensland to notify a client of the scope of legal assistance provided or the reasons for refusal of an application.	Temporary	Retain for 10 years after superseded.
1.4	GRANT FUNDING <i>The activity of managing grant funding from State and Commonwealth for the provision of legal services.</i>		



Reference	Description of records	Status	Disposal Action
1.4.1	<p><i>Grant funds received</i></p> <p>Records relating to the receipt and administration of grant funds received from Commonwealth and State sources for use as grants of legal aid.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• applications for Commonwealth and State funding• budget revenue and expenditure estimates• agreements• acknowledgement• notifications• variations. <p><i>See reference number 1.5.2 for performance management reports relating to grants of legal aid.</i></p>	Temporary	Retain 7 years after expiry or cancellation of agreement.



Reference	Description of records	Status	Disposal Action
1.4.2	<p><i>Grants of aid (successful)</i></p> <p>Records relating to the administration and management of successful grants of aid where representation occurs in-house or is allocated to a preferred supplier.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• applications• client appealing decisions• changes to financial circumstances• complaints from other party• request to transfer solicitor• transfer to another court• variation or termination of legal assistance by client or solicitor• refusal to pay costs• internal and external review of decisions• tax invoices• contribution notices and payment receipts. <p><i>See reference numbers 3.1.1 – 3.1.7 for records of legal cases represented in house.</i></p>	Temporary	Retain for 7 years after last action.



Reference	Description of records	Status	Disposal Action
1.4.3	<p>Grants of aid (unsuccessful)</p> <p>Records relating to unsuccessful application for grants of aid.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• applications• means and merit assessments• notifications• notifications under s.20 of the <i>Children's Court Rules 1997</i>• internal and external reviews of decision.	Temporary	Retain for 3 years after last action.
1.5	<p>REPORTING</p> <p><i>The activity of demonstrating the performance of Legal Aid Queensland against agreed targets and outcomes.</i></p>		
1.5.1	<p>Raw data</p> <p>Raw statistical data used to generate official reports or responses in relation to Commonwealth or State funds provided to Legal Aid Queensland for the granting of legal aid.</p>	Temporary	Retain for 10 years after last action.



Reference	Description of records	Status	Disposal Action
1.5.2	<p>Finance reports – grant funding compliance</p> <p>Financial management reports prepared by Legal Aid Queensland to comply with conditions placed on the receipts of grants of legal aid funding from the Commonwealth and State governments.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• periodic reports• performance reports.	Temporary	Retain 7 years after last action.
1.5.3	<p>Consolidated statistics</p> <p>Consolidated workload statistics relating to grants of legal aid funded from either Commonwealth or State.</p>	Temporary	Retain 5 years after last action.



2. LEGAL INFORMATION AND ADVICE

The function of providing free legal information or advice about most personal legal problems, the law and the legal system. Information and advice can be accessed through a variety of channels including online services, telephone, face to face or through a community access point. The provision of referral services also falls under this function.

See Section 3: LEGAL REPRESENTATION AND SERVICES for records relating to:

- funding provided by Commonwealth or State sources for the provision of legal services such as dispute resolution services, community legal centres, duty lawyer, civil law and war veteran's schemes, and
- successful grant applications represented in-house.

See Section 5: LEGACY RECORDS for records relating to legal advice no longer provided by Legal Aid Queensland, including advice relating to civil divorce schemes and the preparation of Wills.

Reference	Description of records	Status	Disposal Action
2.1	<p>LEGAL ADVICE</p> <p><i>Activities relating to the provision of free legal advice about most personal legal problems including charges of a criminal nature, issues about children or civil matters such as: housing, debt and consumer issues, welfare benefits, employment, access to community services including health and education.</i></p> <p><i>Legal advice is concerned with the provision of legal options, including referrals, available to the client, it does not include representation. See reference numbers 3.1.1 – 3.1.7 for records of legal cases represented in house.</i></p>		
2.1.1	<p>Legal advices (PACE alerts)</p> <p>Advice sheets documenting the advice provided by Legal Aid Queensland solicitors to a client in relation to Passenger Analysis Clearance and Evaluation (PACE) Alerts issued by the Australian Federal Police.</p> <p><i>See reference number 3.1.5 for case records relating to matters involving a PACE Alert.</i></p>	Temporary	Retain until the child reaches the age of 18 years.



Reference	Description of records	Status	Disposal Action
2.1.2	<p>Legal advices</p> <p>Advice sheets documenting the advice provided by Legal Aid Queensland solicitors to a client in relation to their case.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• electronic and paper-based advice sheets• correspondence• entries in the legal advice business system.	Temporary	Retain 7 years after last action.
2.2	<p>COMMUNITY EDUCATION AND INFORMATION</p> <p><i>The activity of providing information and education materials including pamphlets, books and brochures. See the General Retention and Disposal Schedule for Administrative Records for records relating to publications subject to legal deposit.</i></p>		
2.2.1	<p>Information materials</p> <p>Master copies of information and education materials issued by Legal Aid Queensland.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• fact sheets• self help kits• guides e.g. guide to family law, guide to sentencing• Head Note• ad-hoc reports eg. homelessness and street offences• best practice guidelines and legal practitioner's guides.	Temporary	Retain for 10 years after superseded.



3. LEGAL REPRESENTATION AND SERVICES

The function of providing legal representation and services for person's involved in civil, criminal and family law matters. Civil matters relate to criminal injuries compensation, consumer law disputes, anti-discrimination law, farm finance and administrative appeals. Criminal matters relate to persons charged with criminal offences before all courts in Queensland. Family matters relate to child support, child protection, domestic violence and family law and also includes child representation in family law and child protection law.

Social workers also provide services for the preparation of reports and support services in civil, criminal and family law matters.

This function also includes the provision of duty lawyer services for those appearing in court after being charged with a criminal offence and those people self-representing before the Family Court of Australia and the Federal Magistrates Court.

See Section 1: GRANTS OF LEGAL AID for audits undertaken by Legal Aid Queensland into the assessment of work by in-house practitioners or preferred suppliers, and for records relating to the administration of grants.

See Section 2: LEGAL INFORMATION AND ADVICE for advice sheets and referrals provided to clients by a Legal Aid solicitor.

See the General Retention and Disposal Schedule for Administrative Records for records relating to:

- routine enquiries about legal representation.*
- the development and review of legal practice policies.*
- the development and review of legal practice procedures.*



Reference	Description of records	Status	Disposal Action
3.1	<p>CASE MANAGEMENT</p> <p><i>The activity of providing representation for disadvantaged Queenslanders in criminal, family and civil matters.</i></p> <p><i>Records may include, but are not limited to:</i></p> <ul style="list-style-type: none"> • applications • case notes / file notes • trial and sentence lists • court documents • police reports • appeals • correspondence • initial grant of aid • legal advice • assessment reports • stakeholder liaison minutes • records of phone conversations • requests for information • copies of subpoenaed documents • client details • duty lawyer reports • conference reports • media reports • notice of assistance • court transcripts • photographs 		
3.1.1	<p>Accepted cases (precedent and significant cases)</p> <p>Records relating to cases in which legal aid is provided by a Legal Aid Queensland solicitor for criminal, family and civil law matters where determinations are established for the first time.</p> <p>Factors that can determine a permanent retention include:</p> <ul style="list-style-type: none"> • the case was taken to the High Court • the case established a legal precedent • the case was controversial or attracted a high level of public interest or notoriety. 	Permanent	Retain permanently.



Reference	Description of records	Status	Disposal Action
3.1.2	<p>Accepted cases (dangerous prisoners)</p> <p>Records relating to cases in which legal aid is provided by a Legal Aid Queensland solicitor for matters related to dangerous prisoners as described under the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i>.</p> <p>Includes notifications under ss.37-38 of the <i>Dangerous Prisoners (Sexual Offenders) Act 2003</i>.</p>	Permanent	Retain permanently by Legal Aid Queensland.
3.1.3	<p>Accepted cases (life and indefinite sentences)</p> <p>Records relating to cases in which legal aid is provided by a Legal Aid Queensland solicitor and where a sentence is pronounced as life or indefinite.</p>	Temporary	Retain until offender reaches the age of 90 years.



Reference	Description of records	Status	Disposal Action
3.1.4	<p>Accepted cases (child representation – non-offenders)</p> <p>Records relating to cases in which legal aid is provided by a Legal Aid Queensland solicitor for matters relating to:</p> <ul style="list-style-type: none">• child protection• criminal injury claims and consumer protection cases involving children• cases where the Children’s Court has ordered a child to be separately represented by a lawyer under ss.20-21 of the <i>Children’s Court Rules 1997</i>• cases where the court has decided it is in the best interests of the child to have an independent children’s lawyer under s.68 of the <i>Family Law Act 1975</i>. <p>This class includes family law cases where an independent children’s lawyer is appointed and in the case of child protection where the child is separately represented.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• orders and notifications under s.20 of the <i>Children’s Court Rules 1997</i>• applications under ss.9-10 of the <i>Legal Aid Queensland Act 1997</i>. <p>See reference number 3.1.6 for case files relating to child offenders.</p>	Temporary	Retain until the child or youngest child reaches the age of 25 years.
3.1.5	<p>Accepted cases (PACE alerts)</p> <p>Records relating to cases in which legal aid is provided by a Legal Aid Queensland solicitor for family matters resulting in a Passenger Analysis and Clearance Evaluation (PACE) Alert.</p> <p>See reference number 2.1.1 for records relating to legal advice concerning PACE Alerts.</p>	Temporary	Retain until the child reaches the age of 18 years.



Reference	Description of records	Status	Disposal Action
3.1.6	<p>Accepted cases (child offenders)</p> <p>Records relating to cases in which legal aid is provided by a Legal Aid Queensland solicitor for matters conducted in the Children’s Court, for juveniles who commit criminal offences while under the age of 17 years.</p> <p>This class includes matters of a routine and typical criminal nature in addition to drugs, murder and manslaughter.</p> <p><i>See reference number 3.1.3 for cases where a child receives a life or indefinite sentence.</i></p> <p><i>See reference number 3.1.4 for records relating to representation of children who are not offenders, e.g. child protection cases.</i></p> <p><i>Some cases (regardless of sentence length) may become historically valuable to the state of Queensland in terms of precedent or significance and should be retained under reference number 3.1.1.</i></p>	Temporary	Retain for 7 years after sentence period expires.
3.1.7	<p>Accepted cases (all areas of law)</p> <p>Records relating to cases in which legal aid is provided by a Legal Aid Queensland solicitor for routine and typical criminal, family and civil matters such as:</p> <ul style="list-style-type: none"> • domestic violence • mental health • personal injuries • manslaughter • drugs • anti-discrimination • war veterans • murder • child support • criminal injuries • social security • major fraud. <p>This class also includes cases resulting in a court order, cases resulting in a suspended sentence and cases where no sentence is recorded.</p> <p>This record class includes cases funded under the Civil Law Legal Aid Scheme and War</p>	Temporary	Retain for 7 years after sentence period expires or finalised date.



Reference	Description of records	Status	Disposal Action
	<p>Veterans' Legal Aid Scheme.</p> <p><i>For representation of children, see reference numbers 3.1.4 and 3.1.6.</i></p> <p><i>Some cases (regardless of sentence length) may become historically valuable to the state of Queensland in terms of precedent or significance and should be retained under reference number 3.1.1.</i></p>		
3.1.8	<p>Transferred cases</p> <p>Records relating to case files of a legally aided client which have been transferred to a private firm or preferred supplier.</p> <p>Reasons for transfer include but are not limited to:</p> <ul style="list-style-type: none">• client relocation• conflict of interest. <p><i>If original records are transferred to a private firm or preferred supplier, copies of transferred records are to be retained in place of the original records.</i></p>	Temporary	Retain for 7 years after last action.
3.1.9	<p>Terminated or withdrawn cases</p> <p>Records relating to case files in which legal aid has been terminated or withdrawn.</p> <p>Reasons for termination or withdrawal include but are not limited to:</p> <ul style="list-style-type: none">• client disappearance• no instructions from client.	Temporary	Retain for 7 years after last action.



Reference	Description of records	Status	Disposal Action
3.1.10	<p>Conference facilitator files</p> <p>Records of the coordination of a family dispute resolution conference, which remain separate from the representation (case) file.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• conference arrangements• conference reports• family reports under s.15.04 of the <i>Family Law Rules 2004</i>• file notes.	Temporary	Retain for the same period as the relevant case file.
3.1.11	<p>Client and third party documents</p> <p>Original legal documents and/or documents of significant personal value which are received by Legal Aid Queensland for the purpose of providing legal services.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• birth certificates• death certificates• title deeds• original accounts• personal references• diaries• marriage certificates• passports• contracts• photographs• personal qualifications	Temporary	Retain copy for case file and return original to the client or third party after case or matter resolved.



Reference	Description of records	Status	Disposal Action
3.2	<p>COMMUNITY LEGAL CENTRES</p> <p><i>The activity of managing funds for the Community Legal Service Program on behalf of both the federal and state governments for the provision of a range of general and specialist legal services to the people of Queensland. Funding is provided from the: Commonwealth Government (Attorney-General's Department), Queensland Government (Department of Justice and Attorney-General) and the Legal Practitioners Interest on Trust Account Fund.</i></p>		
3.2.1	<p>Agreements</p> <p>Records of the State Program Management Service Agreement between Legal Aid Queensland and the Commonwealth Attorney-General's Department.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• joint agreements• Memorandum of Understanding• funding guidelines.	Temporary	Retain for 7 years after expiry or cancellation of agreement.



Reference	Description of records	Status	Disposal Action
3.2.2	<p>Community Legal Centre management</p> <p>Records relating to the management and administration of community legal centres throughout Queensland.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• service agreements• applications for funding• strategic plans• site visits and audits• client satisfaction surveys• deeds of variations• income, expenditure and progress reports• policy and procedures manuals• interviews and meeting notes• reports.	Temporary	Retain for 7 years after expiry or cancellation of agreement.
3.3	<p>DISPUTE RESOLUTION SERVICES</p> <p><i>The activity of providing out of court dispute resolution services where opposing parties and their solicitors are brought together before an independent chairperson. Matters handled through dispute resolution services include family, workplace, public issue and community disputes.</i></p>		



Reference	Description of records	Status	Disposal Action
3.3.1	<p>Panel registers</p> <p>Entries relating to panel registration for the provision of dispute resolutions services. Panels include but are not limited to: family dispute resolution, arbitration, indigenous mediation, valuers.</p> <p>Includes details of:</p> <ul style="list-style-type: none">• name of practitioner• practitioner ID• registration number.	Temporary	Retain for 10 years after expiry or cancellation of agreement.
3.4	<p>DUTY LAWYER SERVICES</p> <p><i>The activity of providing advice and representation on the first appearance at court, without a formal grant of legal aid, for people charged with criminal offences in Queensland and all aspects arising from the Family Law Act 1975. Criminal duty lawyer services are provided in the following instances: straight-forward pleas of guilty, breaches of probation, breaches of bail, extradition proceedings, remands, applications for bail, disqualified driving charges, third drink driving charges.</i></p>		



Reference	Description of records	Status	Disposal Action
3.4.1	<p>Duty lawyer</p> <p>Records relating to duty lawyer services for people appearing in Magistrates or Children's Court on criminal matters, or for people appearing in the Family and Federal Magistrates Court on family matters.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• legal advice given• defendant's instructions• court submissions• duty lawyer forms and session reports.	Temporary	Retain for 7 years after last action.
3.4.2	<p>Accreditation</p> <p>Records relating to the accreditation of legal practitioners for inclusion on duty lawyer services.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• applications• declarations (affidavits)• confirmation of accreditation• notifications of inclusion• letters of confirmation and accreditation.	Temporary	Retain for 2 years after notification of retirement or death of practitioner.



Reference	Description of records	Status	Disposal Action
3.4.4	<p><i>Duty lawyer rosters (family law)</i></p> <p>Records relating to coordination of duty lawyer services in family courts across the state.</p> <p>Records may include, but are not limited to:</p> <ul style="list-style-type: none">• duty lawyer rosters• correspondence.	Temporary	Retain for 1 year after last action.



4. RISK MANAGEMENT

The function of managing the risk of negligence against staff of Legal Aid Queensland.

See the General Retention and Disposal Schedule for Administrative Records (GRDS) for records relating to the identification of corporate risks and development of mitigation strategies.

Reference	Description of records	Status	Disposal Action
4.1	PROFESSIONAL NEGLIGENCE <i>The activity of responding to or defending claims of professional negligence by Legal Aid clients.</i> <i>See the General Retention and Disposal Schedule for Administrative Records for records relating to major/minor claims that result in litigation.</i>		
4.1.1	Professional negligence (settled or insurer closed) Records relating to claims of professional negligence that are settled, or where the insurer has notified that the case should be closed.	Temporary	Retain for 30 years after claim settled.



5. LEGACY RECORDS

This section covers legacy records of the Public Defender's Office and functions of Legal Aid Queensland that are no longer carried out.

Reference	Description	Date Range	Status	Disposal Action
5.1	PUBLIC DEFENDER – CASES <i>The activity of providing representation as provided for in the Public Defence Act 1974, later abolished by the Legal Aid Act 1978 and Public Defence Act Repeal Act 1991.</i>			
5.1.1	Public Defender approval books and card index Approval books (chronological) and card index (alphabetical) of cases that were managed by the Public Defender's Office during 1974 to 1990. Approval books and card indexes are a short record of the file contents (now destroyed) and contain some or all of the following information: <ul style="list-style-type: none">• name of defendant• date of birth• date of incident• change and outcome.	1974 – 1990	Permanent	Retain permanently.
5.1.2	Public Defender administrative records Records of administrative and day to day operations of the Public Defenders Office during 1960 to 1991.	1960 – 1991	Temporary	Retain as per the relevant class under the <i>General Retention and Disposal Schedule for Administrative Records</i> .



Reference	Description	Date Range	Status	Disposal Action
5.2	LEGAL AID QUEENSLAND – CASES <i>The activity of providing representation for functions no longer conducted by Legal Aid Queensland (eg. the preparation of wills and referrals for divorces) as provided for in the Legal Aid Act 1978.</i>			
5.2.1	Wills Records relating to the preparation and storage of original Wills, including: <ul style="list-style-type: none">• Wills of clients where it is unknown whether they are deceased or whether they have made a subsequent Will• Wills that have not been executed by the testator• certified copies of Wills, where the original has been provided to an administrator. Includes records relating to client instructions for the preparation of the Will.	1978 – 1995	Temporary	Retain for 112 years after date of birth.
5.2.3	Referrals (civil divorce scheme) Records of referrals made to private solicitors in relation to assisting applicants under the community divorce service to obtain a Dissolution of Marriage.	1978 – 1995	Temporary	Retain for 1 year after last action.