

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1352**

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**Introduced by Assembly Member Levine**

February 22, 2013

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An act to amend *Sections 68150 and 68151 of, and to repeal and add Section 68152 of, the Government Code, relating to courts.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1352, as amended, Levine. Courts: destruction of court records.

Existing law authorizes the court clerk to destroy court records, as defined, after notice of destruction, if there is no request and order for transfer of the records, upon the expiration of specified time periods after final disposition of the case.

~~This bill would clarify that those time periods commence after the date of final disposition of the case~~ *revise and reorganize these provisions to, among other things, generally reduce the retention periods for court records, and would establish new retention periods for additional types of records, including proceedings for the revocation of postrelease community supervision.*

*Existing law provides that a copy of a court record created, maintained, preserved, or reproduced according to specified standards shall be deemed an original court record and may be certified as a correct copy of the original record.*

*This bill would authorize the clerk of the court to certify a copy of a court record by electronic or other technological means, if the means adopted by the court reasonably ensures that the certified copy is a true and correct copy of the original record, or of a specified part of the original record.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 68150 of the Government Code is  
2 amended to read:

3 68150. (a) Trial court records may be created, maintained, and  
4 preserved in any form or forms of communication or representation,  
5 including paper, optical, electronic, magnetic, micrographic, or  
6 photographic media or other technology, if the form or forms of  
7 representation or communication satisfy the rules adopted by the  
8 Judicial Council pursuant to subdivision (c), once those rules have  
9 been adopted. Until those rules are adopted, the court may continue  
10 to create, maintain, and preserve records according to the minimum  
11 standards or guidelines for the preservation and reproduction of  
12 the medium adopted by the American National Standards Institute  
13 or the Association for Information and Image Management.

14 (b) This section shall not apply to court reporters' transcripts  
15 or to specifications for electronic recordings made as the official  
16 record of oral proceedings. These records shall be governed by  
17 the California Rules of Court.

18 (c) The Judicial Council shall adopt rules to establish the  
19 standards or guidelines for the creation, maintenance, reproduction,  
20 or preservation of court records, including records that must be  
21 preserved permanently. The standards or guidelines shall reflect  
22 industry standards for each medium used, if those standards exist.  
23 The standards or guidelines shall ensure that court records are  
24 created and maintained in a manner that ensures accuracy and  
25 preserves the integrity of the records throughout their maintenance.  
26 They shall also ensure that the records are stored and preserved in  
27 a manner that will protect them against loss and ensure preservation  
28 for the required period of time. Standards and guidelines for the  
29 electronic creation, maintenance, and preservation of court records  
30 shall ensure that the public can access and reproduce records with  
31 at least the same amount of convenience as paper records  
32 previously provided.

33 (d) No additions, deletions, or changes shall be made to the  
34 content of court records, except as authorized by statute or the  
35 California Rules of Court.

1 (e) Court records shall be indexed for convenient access.

2 (f) A copy of a court record created, maintained, preserved, or  
3 reproduced according to subdivisions (a) and (c) shall be deemed  
4 an original court record and may be certified as a *true and correct*  
5 copy of the original record. *The clerk of the court may certify a*  
6 *copy of the record by electronic or other technological means, if*  
7 *the means adopted by the court reasonably ensures that the*  
8 *certified copy is a true and correct copy of the original record, or*  
9 *of a specified part of the original record.*

10 (g) Any notice, order, judgment, decree, decision, ruling,  
11 opinion, memorandum, warrant, certificate of service, or similar  
12 document issued by a trial court or by a judicial officer of a trial  
13 court may be signed, subscribed, or verified using a computer or  
14 other technology in accordance with procedures, standards, and  
15 guidelines established by the Judicial Council pursuant to this  
16 section. Notwithstanding any other provision of law, all notices,  
17 orders, judgments, decrees, decisions, rulings, opinions,  
18 memoranda, warrants, certificates of service, or similar documents  
19 that are signed, subscribed, or verified by computer or other  
20 technological means pursuant to this subdivision shall have the  
21 same validity, and the same legal force and effect, as paper  
22 documents signed, subscribed, or verified by a trial court or a  
23 judicial officer of the court.

24 (h) A court record created, maintained, preserved, or reproduced  
25 in accordance with subdivisions (a) and (c) shall be stored in a  
26 manner and in a place that reasonably ensures its preservation  
27 against loss, theft, defacement, or destruction for the prescribed  
28 retention period under Section 68152.

29 (I) A court record that was created, maintained, preserved, or  
30 reproduced in accordance with subdivisions (a) and (c) may be  
31 disposed of in accordance with the procedure under Section 68153,  
32 unless it is either of the following:

33 (1) A comprehensive historical and sample superior court record  
34 preserved for research under the California Rules of Court.

35 (2) A court record that is required to be preserved permanently.

36 (j) Instructions for access to data stored on a medium other than  
37 paper shall be documented.

38 (k) Each court shall conduct a periodic review of the media in  
39 which the court records are stored to ensure that the storage  
40 medium is not obsolete and that current technology is capable of

1 accessing and reproducing the records. The court shall reproduce  
2 records before the expiration of their estimated lifespan for the  
3 medium in which they are stored according to the standards or  
4 guidelines established by the Judicial Council.

5 (d) Unless access is otherwise restricted by law, court records  
6 created, maintained, preserved, or reproduced under subdivisions  
7 (a) and (c) shall be made reasonably accessible to all members of  
8 the public for viewing and duplication as the paper records would  
9 have been accessible. Unless access is otherwise restricted by law,  
10 court records maintained in electronic form shall be viewable at  
11 the court, regardless of whether they are also accessible remotely.  
12 Reasonable provision shall be made for duplicating the records at  
13 cost. Cost shall consist of all costs associated with duplicating the  
14 records as determined by the court.

15 *SEC. 2. Section 68151 of the Government Code is amended to*  
16 *read:*

17 68151. The following definitions apply to this chapter:

18 (a) “Court record” shall consist of the following:

19 (1) All filed papers and documents in the case folder, but if no  
20 case folder is created by the court, all filed papers and documents  
21 that would have been in the case folder if one had been created.

22 (2) Administrative records filed in an action or proceeding,  
23 depositions, transcripts, including preliminary hearing transcripts,  
24 and recordings of electronically recorded proceedings filed, lodged,  
25 or maintained in connection with the case, unless disposed of  
26 earlier in the case pursuant to law.

27 (3) Other records listed under subdivision~~(j)~~ (g) of Section  
28 68152.

29 (b) “Notice of destruction and no transfer” means that the clerk  
30 of the court has given notice of destruction of the superior court  
31 records open to public inspection, and that there is no request and  
32 order for transfer of the records as provided in the California Rules  
33 of Court.

34 (c) “Final disposition of the case” means that an acquittal,  
35 dismissal, or order of judgment has been entered in the case or  
36 proceeding, the judgment has become final, and no postjudgment  
37 motions or appeals are pending in the case or for the reviewing  
38 court upon the mailing of notice of the issuance of the remittitur.

39 In a criminal prosecution, the order of judgment shall mean  
40 imposition of sentence, entry of an appealable order (including,

1 but not limited to, an order granting probation, commitment of a  
2 defendant for insanity, or commitment of a defendant as a narcotics  
3 addict appealable under Section 1237 of the Penal Code), or  
4 forfeiture of bail without issuance of a bench warrant or calendaring  
5 of other proceedings.

6 (d) “Retain permanently” means that the court records shall be  
7 maintained permanently according to the standards or guidelines  
8 established pursuant to subdivision (c) of Section 68150.

9 *SEC. 3. Section 68152 of the Government Code is repealed.*

10 ~~68152. The trial court clerk may destroy court records under~~  
11 ~~Section 68153 after notice of destruction and if there is no request~~  
12 ~~and order for transfer of the records, except the comprehensive~~  
13 ~~historical and sample superior court records preserved for research~~  
14 ~~under the California Rules of Court, when the following times~~  
15 ~~have expired after final disposition of the case in the categories~~  
16 ~~listed:~~

- 17 ~~(a) Adoption: retain permanently.~~
- 18 ~~(b) Change of name: retain permanently.~~
- 19 ~~(c) Other civil actions and proceedings, as follows:~~
  - 20 ~~(1) Except as otherwise specified: 10 years.~~
  - 21 ~~(2) Where a party appears by a guardian ad litem: 10 years after~~  
22 ~~termination of the court’s jurisdiction.~~
  - 23 ~~(3) Domestic violence: same period as duration of the restraining~~  
24 ~~or other orders and renewals, then retain the restraining or other~~  
25 ~~orders as a judgment; 60 days after expiration of the temporary~~  
26 ~~protective or temporary restraining order.~~
  - 27 ~~(4) Eminent domain: retain permanently.~~
  - 28 ~~(5) Family law, except as otherwise specified: 30 years.~~
  - 29 ~~(6) Harassment: same period as duration of the injunction and~~  
30 ~~renewals, then retain the injunction as a judgment; 60 days after~~  
31 ~~expiration of the temporary restraining order.~~
  - 32 ~~(7) Mental health (Lanterman Developmental Disabilities~~  
33 ~~Services Act and Lanterman-Petris-Short Act): 30 years.~~
  - 34 ~~(8) Paternity: retain permanently.~~
  - 35 ~~(9) Petition, except as otherwise specified: 10 years.~~
  - 36 ~~(10) Real property other than unlawful detainer: retain~~  
37 ~~permanently if the action affects title or an interest in real property.~~
  - 38 ~~(11) Small claims: 10 years.~~
  - 39 ~~(12) Unlawful detainer: one year if judgment is for possession~~  
40 ~~of the premises; 10 years if judgment is for money.~~

- 1     ~~(d) Notwithstanding subdivision (c), any civil or small claims~~  
2 ~~case in the trial court:~~
- 3     ~~(1) Involuntarily dismissed by the court for delay in prosecution~~  
4 ~~or failure to comply with state or local rules: one year.~~
- 5     ~~(2) Voluntarily dismissed by a party without entry of judgment:~~  
6 ~~one year.~~
- 7     ~~Notation of the dismissal shall be made on the civil index of~~  
8 ~~cases or on a separate dismissal index.~~
- 9     ~~(e) Criminal:~~
- 10     ~~(1) Capital felony (murder with special circumstances where~~  
11 ~~the prosecution seeks the death penalty): retain permanently. If~~  
12 ~~the charge is disposed of by acquittal or a sentence less than death,~~  
13 ~~the case shall be reclassified.~~
- 14     ~~(2) Felony, except as otherwise specified: 75 years.~~
- 15     ~~(3) Felony, except capital felony, with court records from the~~  
16 ~~initial complaint through the preliminary hearing or plea and for~~  
17 ~~which the case file does not include final sentencing or other final~~  
18 ~~disposition of the case because the case was bound over to the~~  
19 ~~superior court: five years.~~
- 20     ~~(4) Misdemeanor, except as otherwise specified: five years.~~
- 21     ~~(5) Misdemeanor alleging a violation of the Vehicle Code,~~  
22 ~~except as otherwise specified: three years.~~
- 23     ~~(6) Misdemeanor alleging a violation of Section 23103, 23152,~~  
24 ~~or 23153 of the Vehicle Code: 10 years.~~
- 25     ~~(7) Misdemeanor alleging a violation of Section 14601, 14601.1,~~  
26 ~~20002, 23104, 23105, 23109, or 23109.1 of the Vehicle Code: five~~  
27 ~~years.~~
- 28     ~~(8) Misdemeanor alleging a marijuana violation under~~  
29 ~~subdivision (b), (c), (d), or (e) of Section 11357 of the Health and~~  
30 ~~Safety Code, or subdivision (b) of Section 11360 of the Health~~  
31 ~~and Safety Code in accordance with the procedure set forth in~~  
32 ~~Section 11361.5 of the Health and Safety Code: records shall be~~  
33 ~~destroyed two years from the date of conviction or from the date~~  
34 ~~of arrest if no conviction.~~
- 35     ~~(9) Misdemeanor, infraction, or civil action alleging a violation~~  
36 ~~of the regulation and licensing of dogs under Sections 30951 to~~  
37 ~~30956, inclusive, of the Food and Agricultural Code or violation~~  
38 ~~of any other local ordinance: three years.~~
- 39     ~~(10) Misdemeanor action resulting in a requirement that the~~  
40 ~~defendant register as a sex offender pursuant to Section 290 of the~~

- 1 Penal Code: 75 years. This paragraph shall apply to records relating  
2 to a person convicted on or after September 20, 2006.
- 3 ~~(11) Infraction, except as otherwise specified: three years.~~
- 4 ~~(12) Parking infractions, including alleged violations under the~~  
5 ~~stopping, standing, and parking provisions set forth in Chapter 9~~  
6 ~~(commencing with Section 22500) of Division 11 of the Vehicle~~  
7 ~~Code: two years.~~
- 8 ~~(f) Habeas corpus: same period as period for retention of the~~  
9 ~~records in the underlying case category.~~
- 10 ~~(g) Juvenile.~~
- 11 ~~(1) Dependent (Section 300 of the Welfare and Institutions~~  
12 ~~Code): upon reaching age 28 or on written request shall be released~~  
13 ~~to the juvenile five years after jurisdiction over the person has~~  
14 ~~terminated under subdivision (a) of Section 826 of the Welfare~~  
15 ~~and Institutions Code. Sealed records shall be destroyed upon court~~  
16 ~~order five years after the records have been sealed pursuant to~~  
17 ~~subdivision (e) of Section 389 of the Welfare and Institutions Code.~~
- 18 ~~(2) Ward (Section 601 of the Welfare and Institutions Code):~~  
19 ~~upon reaching age 21 or on written request shall be released to the~~  
20 ~~juvenile five years after jurisdiction over the person has terminated~~  
21 ~~under subdivision (a) of Section 826 of the Welfare and Institutions~~  
22 ~~Code. Sealed records shall be destroyed upon court order five years~~  
23 ~~after the records have been sealed under subdivision (d) of Section~~  
24 ~~781 of the Welfare and Institutions Code.~~
- 25 ~~(3) Ward (Section 602 of the Welfare and Institutions Code):~~  
26 ~~upon reaching age 38 under subdivision (a) of Section 826 of the~~  
27 ~~Welfare and Institutions Code. Sealed records shall be destroyed~~  
28 ~~upon court order when the subject of the record reaches the age~~  
29 ~~of 38 under subdivision (d) of Section 781 of the Welfare and~~  
30 ~~Institutions Code.~~
- 31 ~~(4) Traffic and some nontraffic misdemeanors and infractions~~  
32 ~~(Section 601 of the Welfare and Institutions Code): upon reaching~~  
33 ~~age 21 or five years after jurisdiction over the person has terminated~~  
34 ~~under subdivision (e) of Section 826 of the Welfare and Institutions~~  
35 ~~Code. May be microfilmed or photocopied.~~
- 36 ~~(5) Marijuana misdemeanor under subdivision (e) of Section~~  
37 ~~11357 of the Health and Safety Code in accordance with procedures~~  
38 ~~specified in subdivision (a) of Section 11361.5 of the Health and~~  
39 ~~Safety Code: upon reaching age 18 the records shall be destroyed.~~
- 40 ~~(h) Probate.~~

- 1     ~~(1) Conservatorship: 10 years after decree of termination.~~  
2     ~~(2) Guardianship: 10 years after the age of 18.~~  
3     ~~(3) Probate, including probated wills, except as otherwise~~  
4 ~~specified: retain permanently.~~  
5     ~~(i) Court records of the appellate division of the superior court:~~  
6 ~~five years.~~  
7     ~~(j) Other records.~~  
8     ~~(1) Applications in forma pauperis: any time after the disposition~~  
9 ~~of the underlying case.~~  
10    ~~(2) Arrest warrant: same period as period for retention of the~~  
11 ~~records in the underlying case category.~~  
12    ~~(3) Bench warrant: same period as period for retention of the~~  
13 ~~records in the underlying case category.~~  
14    ~~(4) Bond: three years after exoneration and release.~~  
15    ~~(5) Coroner's inquest report: same period as period for retention~~  
16 ~~of the records in the underlying case category; if no case, then~~  
17 ~~permanent.~~  
18    ~~(6) Court orders not associated with an underlying case, such~~  
19 ~~as orders for destruction of court records for telephone taps, or to~~  
20 ~~destroy drugs, and other miscellaneous court orders: three years.~~  
21    ~~(7) Court reporter notes: 10 years after the notes have been taken~~  
22 ~~in criminal and juvenile proceedings and five years after the notes~~  
23 ~~have been taken in all other proceedings, except notes reporting~~  
24 ~~proceedings in capital felony cases (murder with special~~  
25 ~~circumstances where the prosecution seeks the death penalty and~~  
26 ~~the sentence is death), including notes reporting the preliminary~~  
27 ~~hearing, which shall be retained permanently, unless the Supreme~~  
28 ~~Court on request of the court clerk authorizes the destruction.~~  
29    ~~(8) Electronic recordings made as the official record of the oral~~  
30 ~~proceedings under the California Rules of Court: any time after~~  
31 ~~final disposition of the case in infraction and misdemeanor~~  
32 ~~proceedings, 10 years in all other criminal proceedings, and five~~  
33 ~~years in all other proceedings.~~  
34    ~~(9) Electronic recordings not made as the official record of the~~  
35 ~~oral proceedings under the California Rules of Court: any time~~  
36 ~~either before or after final disposition of the case.~~  
37    ~~(10) Index, except as otherwise specified: retain permanently.~~  
38    ~~(11) Index for cases alleging traffic violations: same period as~~  
39 ~~period for retention of the records in the underlying case category.~~



1 ~~(12) Judgments within the jurisdiction of the superior court~~  
2 ~~other than in a limited civil case, misdemeanor case, or infraction~~  
3 ~~case: retain permanently.~~

4 ~~(13) Judgments in misdemeanor cases, infraction cases, and~~  
5 ~~limited civil cases: same period as period for retention of the~~  
6 ~~records in the underlying case category.~~

7 ~~(14) Minutes: same period as period for retention of the records~~  
8 ~~in the underlying case category.~~

9 ~~(15) Naturalization index: retain permanently.~~

10 ~~(16) Ninety-day evaluation (under Section 1203.03 of the Penal~~  
11 ~~Code): same period as period for retention of the records in the~~  
12 ~~underlying case category, or period for completion or termination~~  
13 ~~of probation, whichever is longer.~~

14 ~~(17) Register of actions or docket: same period as period for~~  
15 ~~retention of the records in the underlying case category, but in no~~  
16 ~~event less than 10 years for civil and small claims cases.~~

17 ~~(18) Search warrant: 10 years, except search warrants issued in~~  
18 ~~connection with a capital felony case defined in paragraph (7),~~  
19 ~~which shall be retained permanently.~~

20 ~~(k) Retention of the court records under this section shall be~~  
21 ~~extended as follows:~~

22 ~~(1) By order of the court on its own motion, or on application~~  
23 ~~of a party or an interested member of the public for good cause~~  
24 ~~shown and on those terms as are just. A fee shall not be charged~~  
25 ~~for making the application.~~

26 ~~(2) Upon application and order for renewal of the judgment to~~  
27 ~~the extended time for enforcing the judgment.~~

28 *SEC. 4. Section 68152 is added to the Government Code, to*  
29 *read:*

30 *68152. The trial court clerk may destroy court records under*  
31 *Section 68153 after notice of destruction, and if there is no request*  
32 *and order for transfer of the records, except the comprehensive*  
33 *historical and sample superior court records preserved for*  
34 *research under the California Rules of Court, when the following*  
35 *times have expired after the date of final disposition of the case in*  
36 *the categories listed:*

37 *(a) Civil actions and proceedings, as follows:*

38 *(1) Except as otherwise specified: retain 10 years.*

- 1     (2) *Civil unlimited cases, limited cases, and small claims cases,*  
 2 *including after trial de novo, if any, except as otherwise specified:*  
 3 *retain for 10 years.*
- 4     (3) *Civil judgments for unlimited civil cases: retain permanently.*
- 5     (4) *Civil judgments for limited and small claims cases: retain*  
 6 *for 10 years, unless judgment is renewed. If judgment is renewed,*  
 7 *retain judgment for length of renewal pursuant to Article 2*  
 8 *(commencing with Section 683.110) of Chapter 3 of Division 1 of*  
 9 *Title 9 of Part 2 of the Code of Civil Procedure.*
- 10    (5) *If a party in a civil case appears by a guardian ad litem:*  
 11 *retain for 10 years after termination of the court’s jurisdiction.*
- 12    (6) *Civil harassment, domestic violence, elder and dependent*  
 13 *adult abuse, private postsecondary school violence, and workplace*  
 14 *violence cases: retain for the same period of time as the duration*  
 15 *of the restraining or other orders and any renewals thereof, then*  
 16 *retain the restraining or other orders as a judgment for 60 days*  
 17 *after expiration of the restraining or other orders.*
- 18    (7) *Family law, except as otherwise specified: retain for 30*  
 19 *years.*
- 20    (8) *Adoption: retain permanently.*
- 21    (9) *Parentage: retain permanently.*
- 22    (10) *Change of name, gender, or name and gender: retain*  
 23 *permanently.*
- 24    (11) *Probate:*
  - 25    (A) *Decedent estates: retain permanently all orders, judgments,*  
 26 *and decrees of the court, all inventories and appraisals, and all*  
 27 *wills and codicils of the decedent filed in the case, including those*  
 28 *not admitted to probate. All other records: retain for five years*  
 29 *after final disposition of the estate proceeding.*
  - 30    (B) *Wills and codicils transferred or delivered to the court*  
 31 *pursuant to Section 732, 734, 8200, or 8203 of the Probate Code:*  
 32 *retain permanently.*
  - 33    (C) *Substitutes for decedent estate administration:*
    - 34    (i) *Affidavit procedures for real property of small value under*  
 35 *Chapter 3 (commencing with Section 13100) of Part 1 of Division*  
 36 *8 of the Probate Code: retain permanently.*
    - 37    (ii) *Proceedings for determining succession to property under*  
 38 *Chapter 4 (commencing with Section 13150) of Part 1 of Division*  
 39 *8 of the Probate Code: retain permanently all inventories and*

1 appraisals and court orders. Other records: retain for five years  
2 after final disposition of the proceeding.

3 (iii) Proceedings for determination of property passing or  
4 belonging to surviving spouse under Chapter 5 (commencing with  
5 Section 13650) of Part 2 of Division 8 of the Probate Code: retain  
6 permanently all inventories and appraisals and court orders. Other  
7 records: retain for five years after final disposition of the  
8 proceeding.

9 (D) Conservatorships: retain permanently all court orders.  
10 Documents of trusts established under substituted judgment  
11 pursuant to Section 2580 of the Probate Code: retain as provided  
12 in clause (iii) of subparagraph (G). Other records: retain for five  
13 years after the latter of either (i) the final disposition of the  
14 conservatorship proceeding, or (ii) the date of the conservatee's  
15 death, if that date is disclosed in the court's file.

16 (E) Guardianships: retain permanently orders terminating the  
17 guardianship, if any, and court orders settling final account and  
18 ordering distribution of the estate. Other records: retain for five  
19 years after the latter of (i) the final disposition of the guardianship  
20 proceeding, or (ii) the earlier of the date of the ward's death, if  
21 that date is disclosed in the court's file, or the date the ward  
22 reaches 23 years of age.

23 (F) Compromise of minor's or disabled person's claim or action,  
24 and disposition of judgment for minors and disabled persons under  
25 Section 372 of the Code of Civil Procedure and Chapter 4  
26 (commencing with Section 3600) of Part 8 of Division 4 of the  
27 Probate Code:

28 (i) Retain permanently judgments in favor of minors or disabled  
29 persons, orders approving compromises of claims and actions and  
30 disposition of the proceeds of judgments, orders directing payment  
31 of expenses, costs, and fees, orders directing deposits into blocked  
32 accounts and receipts and acknowledgments of those orders, and  
33 orders for the withdrawal of funds from blocked accounts.

34 (ii) Retain other records for the same retention period as for  
35 records in the underlying case. If there is no underlying case,  
36 retain for five years after the latter of either (I) the date the order  
37 for payment or delivery of the final balance of the money or  
38 property is entered, or (II) the earlier of the date of the ward's  
39 death, if that date is disclosed in the court's file, or the date the  
40 ward reaches 23 years of age.

- 1 (G) *Trusts:*
- 2 (i) *Litigation under Chapter 1 (commencing with Section 17000),*
- 3 *Chapter 2 (commencing with Section 17100), and Chapter 3*
- 4 *(commencing with Section 17200) of Part 5 of Division 9 of the*
- 5 *Probate Code: retain permanently.*
- 6 (ii) *Court-supervised testamentary trusts under Chapter 4*
- 7 *(commencing with Section 17300) of Part 5 of Division 9 of the*
- 8 *Probate Code: retain permanently.*
- 9 (iii) *Trusts created by substituted judgment under Section 2580*
- 10 *of the Probate Code: retain permanently all trust instruments and*
- 11 *court orders. Other records: retain as long as the underlying*
- 12 *conservatorship file is retained.*
- 13 (iv) *Special needs trusts: retain permanently all trust instruments*
- 14 *and court orders. Other records: retain until the latter of either*
- 15 *(I) the retention date of “other records” in the beneficiary’s*
- 16 *conservatorship or guardianship file under subparagraph (D) or*
- 17 *(E), if any, or (II) five years after the date of the beneficiary’s*
- 18 *death, if that date is disclosed in the court’s file.*
- 19 (H) *All other proceedings under the Probate Code: retain as*
- 20 *provided for civil cases.*
- 21 (13) *Mental health:*
- 22 (A) *Lanterman Developmental Disabilities Services Act: retain*
- 23 *for 10 years.*
- 24 (B) *Lanterman-Petris-Short Act: retain for 20 years.*
- 25 (C) *Riese (capacity) hearings under Sections 5333 and 5334 of*
- 26 *the Welfare and Institutions Code: retain for the latter of either*
- 27 *(i) 20 years after the date of the capacity determination order, or*
- 28 *(ii) the court records retention date of the underlying involuntary*
- 29 *treatment or commitment proceeding, if any.*
- 30 (D) *Petitions under Chapter 3 (commencing with Section 8100)*
- 31 *of Division 8 of the Welfare and Institutions Code for the return*
- 32 *of firearms to petitioners who relinquished them to law enforcement*
- 33 *while detained in a mental health facility: retain for 10 years.*
- 34 (14) *Eminent domain: retain permanently.*
- 35 (15) *Real property other than unlawful detainer: retain*
- 36 *permanently if the action affects title or an interest in real property.*
- 37 (16) *Unlawful detainer: retain for one year if judgment is only*
- 38 *for possession of the premises; retain for 10 years if judgment is*
- 39 *for money, or money and possession.*

1 (b) Notwithstanding subdivision (a), any civil or small claims  
2 case in the trial court:

3 (1) Involuntarily dismissed by the court for delay in prosecution  
4 or failure to comply with state or local rules: retain for one year.

5 (2) Voluntarily dismissed by a party without entry of judgment:  
6 retain for one year.

7 (c) Criminal actions and proceedings, as follows:

8 (1) Capital felony in which the defendant is sentenced to death,  
9 and any felony resulting in a sentence of life or life without the  
10 possibility of parole: retain permanently, including records of the  
11 cases of any codefendants and any related cases, regardless of the  
12 disposition. For the purpose of this paragraph, “capital felony”  
13 means murder with special circumstances when the prosecution  
14 seeks the death penalty. Records of the cases of codefendants and  
15 related cases required to be retained under this paragraph shall  
16 be limited to those cases that are factually linked or related to the  
17 charged offense, that are identified in the courtroom, and that are  
18 placed on the record. If a capital felony is disposed of by a sentence  
19 less than death, or imprisonment for life or life without the  
20 possibility of parole, the judgment shall be retained permanently,  
21 and the record shall be retained for 50 years or for 10 years after  
22 the official written notification of the death of the defendant. If a  
23 capital felony is disposed of by an acquittal, the record shall be  
24 retained for 10 years.

25 (2) Felony, except as otherwise specified, and in any felony or  
26 misdemeanor case resulting in a requirement that the defendant  
27 register as a sex offender under Section 290 of the Penal Code:  
28 retain judgment permanently. For all other documents: retain for  
29 50 years or the maximum term of the sentence, whichever is longer.  
30 However, any record other than the judgment may be destroyed  
31 10 years after the death of the defendant. Felony case files that do  
32 not include final sentencing or other final disposition because the  
33 case was bound over from a former municipal court to the superior  
34 court and not already consolidated with the superior court felony  
35 case file: retain for 10 years from the disposition of the superior  
36 court case.

37 (3) Felony reduced to a misdemeanor: retain in accordance  
38 with the retention period for the relevant misdemeanor.

39 (4) Felony, if the charge is dismissed, except as provided in  
40 paragraph (6): retain for three years.

1 (5) Misdemeanor, if the charge is dismissed, except as provided  
2 in paragraph (6): retain for one year.

3 (6) Dismissal under Section 1203.4 or 1203.4a of the Penal  
4 Code: retain for the same retention period as for records of the  
5 underlying case. If the records in the underlying case have been  
6 destroyed, retain for five years after dismissal.

7 (7) Misdemeanor, except as otherwise specified: retain for five  
8 years. For misdemeanors alleging a violation of Section 23109,  
9 23109.5, 23152, or 23153 of the Vehicle Code: retain for 10 years.

10 (8) Misdemeanor alleging a marijuana violation under  
11 subdivision (c), (d), or (e) of Section 11357 of the Health and Safety  
12 Code, or subdivision (b) of Section 11360 of the Health and Safety  
13 Code: records shall be destroyed, or redacted in accordance with  
14 subdivision (c) of Section 11361.5 of the Health and Safety Code,  
15 two years from the date of conviction, or from the date of arrest  
16 if no conviction, if the case is no longer subject to review on  
17 appeal, all applicable fines and fees have been paid, and the  
18 defendant has complied with all terms and conditions of the  
19 sentence or grant of probation. However, as provided in  
20 subdivision (a) of Section 11361.5 of the Health and Safety Code  
21 and paragraph (5) of subdivision (e) of this section, records of a  
22 misdemeanor alleging a marijuana violation under subdivision  
23 (e) of Section 11357 of the Health and Safety Code shall be  
24 retained until the offender attains 18 years of age, at which time  
25 the records shall be destroyed as provided in subdivision (c) of  
26 Section 11361.5 of the Health and Safety Code.

27 (9) Misdemeanor reduced to an infraction: retain in accordance  
28 with the retention period for the relevant infraction.

29 (10) Infraction, except as otherwise specified: retain for one  
30 year. Vehicle Code infraction: retain for three years. Infraction  
31 alleging a marijuana violation under subdivision (b) of Section  
32 11357 of the Health and Safety Code: if records are retained past  
33 the one-year minimum retention period, the records shall be  
34 destroyed or redacted in accordance with subdivision (c) of Section  
35 11361.5 of the Health and Safety Code two years from the date of  
36 conviction, or from the date of arrest if no conviction, if the case  
37 is no longer subject to review on appeal, all applicable fines and  
38 fees have been paid, and the defendant has complied with all terms  
39 and conditions of the sentence or grant of probation.

1 (11) *Criminal protective order: retain until the order expires*  
2 *or is terminated.*

3 (12) *Arrest warrant: retain for the same retention period as for*  
4 *records in the underlying case. If there is no underlying case,*  
5 *retain for one year from the date of issue.*

6 (13) *Search warrant: retain for the same retention period as*  
7 *for records in the underlying case. If there is no underlying case,*  
8 *retain for five years from the date of issue.*

9 (14) *Probable cause declarations: retain for the same retention*  
10 *period as for records in the underlying case. If there is no*  
11 *underlying case, retain for one year from the date of declaration.*

12 (15) *Proceedings for revocation of postrelease community*  
13 *supervision or postrelease parole supervision: retain for five years*  
14 *after the period of supervision expires or is terminated.*

15 (d) *Habeas corpus:*

16 (1) *Habeas corpus in criminal and family law matters: retain*  
17 *for the same retention period as for records in the underlying case,*  
18 *whether granted or denied.*

19 (2) *Habeas corpus in mental health matters: retain all records*  
20 *for the same retention period as for records in the underlying case,*  
21 *whether granted or denied. If there is no underlying case, retain*  
22 *records for 20 years.*

23 (e) *Juveniles:*

24 (1) *Dependent pursuant to Section 300 of the Welfare and*  
25 *Institutions Code: upon reaching 28 years of age, or on written*  
26 *request, shall be released to the juvenile five years after jurisdiction*  
27 *over the person has terminated under subdivision (a) of Section*  
28 *826 of the Welfare and Institutions Code. Sealed records shall be*  
29 *destroyed upon court order five years after the records have been*  
30 *sealed pursuant to subdivision (c) of Section 389 of the Welfare*  
31 *and Institutions Code.*

32 (2) *Ward pursuant to Section 601 of the Welfare and Institutions*  
33 *Code: upon reaching 21 years of age, or on written request, shall*  
34 *be released to the juvenile five years after jurisdiction over the*  
35 *person has terminated under subdivision (a) of Section 826 of the*  
36 *Welfare and Institutions Code. Sealed records shall be destroyed*  
37 *upon court order five years after the records have been sealed*  
38 *under subdivision (d) of Section 781 of the Welfare and Institutions*  
39 *Code.*

1 (3) *Ward pursuant to Section 602 of the Welfare and Institutions*  
2 *Code: upon reaching 38 years of age under subdivision (a) of*  
3 *Section 826 of the Welfare and Institutions Code. Sealed records*  
4 *shall be destroyed upon court order when the subject of the record*  
5 *reaches 38 years of age under subdivision (d) of Section 781 of*  
6 *the Welfare and Institutions Code.*

7 (4) *Traffic and some nontraffic misdemeanors and infractions*  
8 *pursuant to Section 601 of the Welfare and Institutions Code: upon*  
9 *reaching 21 years of age, or five years after jurisdiction over the*  
10 *person has terminated under subdivision (c) of Section 826 of the*  
11 *Welfare and Institutions Code. Records may be microfilmed or*  
12 *photocopied.*

13 (5) *Marijuana misdemeanor under subdivision (e) of Section*  
14 *11357 of the Health and Safety Code in accordance with*  
15 *procedures specified in subdivision (a) of Section 11361.5 of the*  
16 *Health and Safety Code: upon reaching 18 years of age, the*  
17 *records shall be destroyed.*

18 (f) *Court records of the appellate division of the superior court:*  
19 *retain for five years.*

20 (g) *Other records:*

21 (1) *Bench warrant: retain for the same retention period as for*  
22 *records in the underlying case. For a bench warrant issued for a*  
23 *misdemeanor, retain records for the same retention period as for*  
24 *records in the underlying misdemeanor following issuance. If there*  
25 *is no return on the warrant, the court may dismiss on its own*  
26 *motion and immediately destroy the records.*

27 (2) *Body attachment: retain for same retention period as for*  
28 *records in the underlying case.*

29 (3) *Bond: retain for three years after exoneration and release.*

30 (4) *Court reporter notes:*

31 (A) *Criminal and juvenile proceedings: retain notes for 10 years,*  
32 *except as otherwise specified. Notes reporting proceedings in*  
33 *capital felony cases (murder with special circumstances when the*  
34 *prosecution seeks the death penalty and the sentence is death),*  
35 *including notes reporting the preliminary hearing, shall be retained*  
36 *permanently, unless the Supreme Court on request of the court*  
37 *clerk authorizes the destruction.*

38 (B) *Civil and all other proceedings: retain notes for five years.*



1 (5) *Electronic recordings made as the official record of the oral*  
2 *proceedings under the California Rules of Court may be destroyed*  
3 *or deleted as follows:*

4 (A) *Any time after final disposition of the case in infraction and*  
5 *misdemeanor proceedings.*

6 (B) *After 10 years in all other criminal proceedings.*

7 (C) *After five years in all other proceedings.*

8 (6) *Electronic recordings not made as the official record of the*  
9 *oral proceedings under the California Rules of Court may be*  
10 *destroyed at any time at the discretion of the court.*

11 (7) *Fee waiver applications: retain for the same retention period*  
12 *as for records in the underlying case.*

13 (8) *Judgments within the jurisdiction of the superior court other*  
14 *than in a limited civil case, misdemeanor case, or infraction case:*  
15 *retain permanently.*

16 (9) *Judgments in misdemeanor cases, infraction cases, and*  
17 *limited civil cases: retain for the same retention period as for*  
18 *records in the underlying case.*

19 (10) *Juror proceedings, including sanctions: retain for one*  
20 *year.*

21 (11) *Minutes: retain for the same retention period as for records*  
22 *in the underlying case.*

23 (12) *Orders not associated with an underlying case, such as*  
24 *orders for the destruction of court records for telephone taps,*  
25 *orders to destroy drugs, and other miscellaneous court orders:*  
26 *retain for one year.*

27 (13) *Naturalization index: retain permanently.*

28 (14) *Index for cases alleging traffic violations: retain for the*  
29 *same retention period as for records in the underlying case.*

30 (15) *Index, except as otherwise specified: retain permanently.*

31 (16) *Register of actions or docket: retain for the same retention*  
32 *period as for records in the underlying case, but in no event less*  
33 *than 10 years for civil and small claims cases.*

34 (h) *Retention of the court records under this section shall be*  
35 *extended by order of the court on its own motion, or on application*  
36 *of a party or an interested member of the public for good cause*  
37 *shown and on those terms as are just. A fee shall not be charged*  
38 *for making the application.*

39 (i) *The record retention periods provided in this section, as*  
40 *amended effective January 1, 2014, apply to all court records in*

1 *existence prior to that date as well as to records created after that*  
 2 *date.*

3 ~~SECTION 1. Section 68152 of the Government Code is~~  
 4 ~~amended to read:~~

5 ~~68152. The trial court clerk may destroy court records under~~  
 6 ~~Section 68153 after notice of destruction, and if there is no request~~  
 7 ~~and order for transfer of the records, except the comprehensive~~  
 8 ~~historical and sample superior court records preserved for research~~  
 9 ~~under the California Rules of Court, when the following times~~  
 10 ~~have expired after the date of final disposition of the case in the~~  
 11 ~~categories listed:~~

- 12 ~~(a) Adoption: retain permanently.~~
- 13 ~~(b) Change of name: retain permanently.~~
- 14 ~~(c) Other civil actions and proceedings, as follows:~~
  - 15 ~~(1) Except as otherwise specified: 10 years.~~
  - 16 ~~(2) If a party appears by a guardian ad litem: 10 years after~~  
 17 ~~termination of the court's jurisdiction.~~
  - 18 ~~(3) Domestic violence: same period as duration of the restraining~~  
 19 ~~or other orders and renewals, then retain the restraining or other~~  
 20 ~~orders as a judgment; 60 days after expiration of the temporary~~  
 21 ~~protective or temporary restraining order.~~
  - 22 ~~(4) Eminent domain: retain permanently.~~
  - 23 ~~(5) Family law, except as otherwise specified: 30 years.~~
  - 24 ~~(6) Harassment: same period as duration of the injunction and~~  
 25 ~~renewals, then retain the injunction as a judgment; 60 days after~~  
 26 ~~expiration of the temporary restraining order.~~
  - 27 ~~(7) Mental health (Lanterman Developmental Disabilities~~  
 28 ~~Services Act and Lanterman-Petris-Short Act): 30 years.~~
  - 29 ~~(8) Paternity: retain permanently.~~
  - 30 ~~(9) Petition, except as otherwise specified: 10 years.~~
  - 31 ~~(10) Real property other than unlawful detainer: retain~~  
 32 ~~permanently if the action affects title or an interest in real property.~~
  - 33 ~~(11) Small claims: 10 years.~~
  - 34 ~~(12) Unlawful detainer: one year if judgment is for possession~~  
 35 ~~of the premises; 10 years if judgment is for money.~~
- 36 ~~(d) Notwithstanding subdivision (c), any civil or small claims~~  
 37 ~~case in the trial court:~~
  - 38 ~~(1) Involuntarily dismissed by the court for delay in prosecution~~  
 39 ~~or failure to comply with state or local rules: one year.~~

- 1     ~~(2) Voluntarily dismissed by a party without entry of judgment:~~  
2     ~~one year.~~  
3     ~~Notation of the dismissal shall be made on the civil index of~~  
4     ~~cases or on a separate dismissal index.~~  
5     ~~(e) Criminal:~~  
6     ~~(1) Capital felony (murder with special circumstances where~~  
7     ~~the prosecution seeks the death penalty): retain permanently. If~~  
8     ~~the charge is disposed of by acquittal or a sentence less than death,~~  
9     ~~the case shall be reclassified.~~  
10    ~~(2) Felony, except as otherwise specified: 75 years.~~  
11    ~~(3) Felony, except capital felony, with court records from the~~  
12    ~~initial complaint through the preliminary hearing or plea and for~~  
13    ~~which the case file does not include final sentencing or other final~~  
14    ~~disposition of the case because the case was bound over to the~~  
15    ~~superior court: five years.~~  
16    ~~(4) Misdemeanor, except as otherwise specified: five years.~~  
17    ~~(5) Misdemeanor alleging a violation of the Vehicle Code,~~  
18    ~~except as otherwise specified: three years.~~  
19    ~~(6) Misdemeanor alleging a violation of Section 23103, 23152,~~  
20    ~~or 23153 of the Vehicle Code: 10 years.~~  
21    ~~(7) Misdemeanor alleging a violation of Section 14601, 14601.1,~~  
22    ~~20002, 23104, 23105, 23109, or 23109.1 of the Vehicle Code: five~~  
23    ~~years.~~  
24    ~~(8) Misdemeanor alleging a marijuana violation under~~  
25    ~~subdivision (b), (c), (d), or (e) of Section 11357 of the Health and~~  
26    ~~Safety Code, or subdivision (b) of Section 11360 of the Health~~  
27    ~~and Safety Code in accordance with the procedure set forth in~~  
28    ~~Section 11361.5 of the Health and Safety Code: records shall be~~  
29    ~~destroyed two years from the date of conviction or from the date~~  
30    ~~of arrest if no conviction.~~  
31    ~~(9) Misdemeanor, infraction, or civil action alleging a violation~~  
32    ~~of the regulation and licensing of dogs under Sections 30951 to~~  
33    ~~30956, inclusive, of the Food and Agricultural Code or violation~~  
34    ~~of any other local ordinance: three years.~~  
35    ~~(10) Misdemeanor action resulting in a requirement that the~~  
36    ~~defendant register as a sex offender pursuant to Section 290 of the~~  
37    ~~Penal Code: 75 years. This paragraph shall apply to records relating~~  
38    ~~to a person convicted on or after September 20, 2006.~~  
39    ~~(11) Infraction, except as otherwise specified: three years.~~

- 1     ~~(12) Parking infractions, including alleged violations under the~~
- 2     ~~stopping, standing, and parking provisions set forth in Chapter 9~~
- 3     ~~(commencing with Section 22500) of Division 11 of the Vehicle~~
- 4     ~~Code: two years.~~
- 5     ~~(f) Habeas corpus: same period as period for retention of the~~
- 6     ~~records in the underlying case category.~~
- 7     ~~(g) Juvenile:~~
- 8     ~~(1) Dependent (Section 300 of the Welfare and Institutions~~
- 9     ~~Code): upon reaching age 28 or on written request shall be released~~
- 10    ~~to the juvenile five years after jurisdiction over the person has~~
- 11    ~~terminated under subdivision (a) of Section 826 of the Welfare~~
- 12    ~~and Institutions Code. Sealed records shall be destroyed upon court~~
- 13    ~~order five years after the records have been sealed pursuant to~~
- 14    ~~subdivision (c) of Section 389 of the Welfare and Institutions Code.~~
- 15    ~~(2) Ward (Section 601 of the Welfare and Institutions Code):~~
- 16    ~~upon reaching age 21 or on written request shall be released to the~~
- 17    ~~juvenile five years after jurisdiction over the person has terminated~~
- 18    ~~under subdivision (a) of Section 826 of the Welfare and Institutions~~
- 19    ~~Code. Sealed records shall be destroyed upon court order five years~~
- 20    ~~after the records have been sealed under subdivision (d) of Section~~
- 21    ~~781 of the Welfare and Institutions Code.~~
- 22    ~~(3) Ward (Section 602 of the Welfare and Institutions Code):~~
- 23    ~~upon reaching age 38 under subdivision (a) of Section 826 of the~~
- 24    ~~Welfare and Institutions Code. Sealed records shall be destroyed~~
- 25    ~~upon court order when the subject of the record reaches the age~~
- 26    ~~of 38 under subdivision (d) of Section 781 of the Welfare and~~
- 27    ~~Institutions Code.~~
- 28    ~~(4) Traffic and some nontraffic misdemeanors and infractions~~
- 29    ~~(Section 601 of the Welfare and Institutions Code): upon reaching~~
- 30    ~~age 21 or five years after jurisdiction over the person has terminated~~
- 31    ~~under subdivision (c) of Section 826 of the Welfare and Institutions~~
- 32    ~~Code. May be microfilmed or photocopied.~~
- 33    ~~(5) Marijuana misdemeanor under subdivision (e) of Section~~
- 34    ~~11357 of the Health and Safety Code in accordance with procedures~~
- 35    ~~specified in subdivision (a) of Section 11361.5 of the Health and~~
- 36    ~~Safety Code: upon reaching age 18 the records shall be destroyed.~~
- 37    ~~(h) Probate:~~
- 38    ~~(1) Conservatorship: 10 years after decree of termination.~~
- 39    ~~(2) Guardianship: 10 years after the age of 18.~~

- 1 ~~(3) Probate, including probated wills, except as otherwise~~  
2 ~~specified: retain permanently.~~
- 3 ~~(i) Court records of the appellate division of the superior court:~~  
4 ~~five years.~~
- 5 ~~(j) Other records:~~
- 6 ~~(1) Applications in forma pauperis: any time after the disposition~~  
7 ~~of the underlying case.~~
- 8 ~~(2) Arrest warrant: same period as period for retention of the~~  
9 ~~records in the underlying case category.~~
- 10 ~~(3) Bench warrant: same period as period for retention of the~~  
11 ~~records in the underlying case category.~~
- 12 ~~(4) Bond: three years after exoneration and release.~~
- 13 ~~(5) Coroner's inquest report: same period as period for retention~~  
14 ~~of the records in the underlying case category; if no case, then~~  
15 ~~permanent.~~
- 16 ~~(6) Court orders not associated with an underlying case, such~~  
17 ~~as orders for destruction of court records for telephone taps, or to~~  
18 ~~destroy drugs, and other miscellaneous court orders: three years.~~
- 19 ~~(7) Court reporter notes: 10 years after the notes have been taken~~  
20 ~~in criminal and juvenile proceedings and five years after the notes~~  
21 ~~have been taken in all other proceedings, except notes reporting~~  
22 ~~proceedings in capital felony cases (murder with special~~  
23 ~~circumstances where the prosecution seeks the death penalty and~~  
24 ~~the sentence is death), including notes reporting the preliminary~~  
25 ~~hearing, which shall be retained permanently, unless the Supreme~~  
26 ~~Court on request of the court clerk authorizes the destruction.~~
- 27 ~~(8) Electronic recordings made as the official record of the oral~~  
28 ~~proceedings under the California Rules of Court: any time after~~  
29 ~~final disposition of the case in infraction and misdemeanor~~  
30 ~~proceedings, 10 years in all other criminal proceedings, and five~~  
31 ~~years in all other proceedings.~~
- 32 ~~(9) Electronic recordings not made as the official record of the~~  
33 ~~oral proceedings under the California Rules of Court: any time~~  
34 ~~either before or after final disposition of the case.~~
- 35 ~~(10) Index, except as otherwise specified: retain permanently.~~
- 36 ~~(11) Index for cases alleging traffic violations: same period as~~  
37 ~~period for retention of the records in the underlying case category.~~
- 38 ~~(12) Judgments within the jurisdiction of the superior court~~  
39 ~~other than in a limited civil case, misdemeanor case, or infraction~~  
40 ~~case: retain permanently.~~

- 1     ~~(13) Judgments in misdemeanor cases, infraction cases, and~~  
2 ~~limited civil cases: same period as period for retention of the~~  
3 ~~records in the underlying case category.~~  
4     ~~(14) Minutes: same period as period for retention of the records~~  
5 ~~in the underlying case category.~~  
6     ~~(15) Naturalization index: retain permanently.~~  
7     ~~(16) Ninety-day evaluation (under Section 1203.03 of the Penal~~  
8 ~~Code): same period as period for retention of the records in the~~  
9 ~~underlying case category, or period for completion or termination~~  
10 ~~of probation, whichever is longer.~~  
11     ~~(17) Register of actions or docket: same period as period for~~  
12 ~~retention of the records in the underlying case category, but in no~~  
13 ~~event less than 10 years for civil and small claims cases.~~  
14     ~~(18) Search warrant: 10 years, except search warrants issued in~~  
15 ~~connection with a capital felony case defined in paragraph (7),~~  
16 ~~which shall be retained permanently.~~  
17     ~~(k) Retention of the court records under this section shall be~~  
18 ~~extended as follows:~~  
19         ~~(1) By order of the court on its own motion, or on application~~  
20 ~~of a party or an interested member of the public for good cause~~  
21 ~~shown and on those terms as are just. A fee shall not be charged~~  
22 ~~for making the application.~~  
23         ~~(2) Upon application and order for renewal of the judgment to~~  
24 ~~the extended time for enforcing the judgment.~~