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METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



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JUVENILE COURT CLERK

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Davidson County Juvenile Court Clerk's Office

August 25, 2025

To: Davidson County Records Commission

From: Davidson County Juvenile Court Clerk's Office

Subject: Request for Permission to Convert and Dispose of Specified Physical Juvenile Court Records

Dear Members of the County Records Commission,

The Davidson County Juvenile Court Clerk's Office respectfully requests approval from the Records Commission to convert designated physical juvenile court records to electronic format and, upon verification of successful digital preservation, to securely shred and dispose of the original paper records. We also request permission to dispose of certain financial and human resources records, according to Metro Gov't guidelines.

This request is being made for the following reasons:

1. **Space Limitations:** The current volume of physical juvenile court records has exceeded our available storage capacity. Continued retention of paper files poses significant challenges for both secure storage and efficient retrieval.
2. **Operational Efficiency and Accessibility:** Converting these records to electronic format will improve access for authorized court staff and other permitted stakeholders, enhance case management efficiency, and reduce time spent searching through physical files.
3. **Long-Term Preservation:** Electronic storage provides a sustainable, secure, and searchable means of preserving court records in compliance with all applicable records retention schedules and statutory requirements.
4. **Paperless Transition:** In alignment with Metro Government's broader goals and best practices in modern records management, this initiative supports our office's move toward becoming a more paperless operation, improving environmental responsibility and reducing long-term costs.

We affirm that:

- All records identified for conversion will be digitized according to established state and local standards for image quality, indexing, and secure storage.
- Verification processes will be in place to ensure that each scanned record is complete, legible, and accessible prior to disposal of the physical original.

- Only records that are legally eligible for electronic storage and destruction under the Tennessee Public Records Commission's retention and disposition schedule will be included.

We appreciate the Commission's consideration of this request and stand ready to provide additional details regarding record types, retention classifications, and our digitization protocols as needed.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lonnell Matthews". The signature is fluid and cursive, with the first name "Lonnell" and last name "Matthews" clearly distinguishable.

Lonnell Matthews

Davidson County Juvenile Court Clerk

Department of Law Response

1. Can the Juvenile Court destroy physical juvenile court records in addition to certain financial and human resources records after digital conversion?
 - Metro Legal concurs that GRS 122 applies here in addition to TCA 10-7-404. The appropriate procedures for court records are those below:
 - Notification: The court must notify the county public records commission of the request to destroy the physical records.
 - Vote: The Commission must conduct a majority vote to approve the request. TCA 10-7-404(a), (d)(1).
 - Notify the State Library and Archive AND do public notice (GRS 122.5): In the case of original permanent public records, including those held by the courts, the State Library and Archives must be given 90 days' notice of plans to destroy such records, and a Department must advertise in a county and a weekly newspaper of general circulation that such original records have been electronically stored, reproduced and protected, and that permission from the Public Records Commission has been applied for to no longer retain the originals. If the State librarian and archive do not respond to such notice within nine months, the Public Records Commission may proceed with the record destruction. (TCA 10-7-413 and TCA 10-7-404)
 - Under TCA 10-7-404: In the public notice (advertisement) the commission must describe records to be destroyed by title and year.
 - Historical records option: Under TCA 10-7-414, after examination by the state librarian and archivist, the commission may order records to be transferred to a public library or historical society.
 - Confidentiality and security: The commission must take measures appropriate to confidentiality and security, when destroying the records, GRS 122. "Except as provided in any applicable RDA, if such original paper record is of a temporary nature and carries a non-permanent retention, once the electronic image is digitally verified, the paper copy of such record may be destroyed in a manner consistent with its confidentiality and security and the electronic version shall become the record copy in accordance with TCA 10-7-410."
 - BUT when the records can be destroyed upon digitization depends on when they were made.
 - (2) If the county public records commission authorizes the destruction of the original paper version of permanent records solely in accordance with subsection (d), the original records must not be destroyed:
 - For one (1) year, if the record is created after May 13, 2021, and before July 1, 2022; and
 - For six (6) months, if the record is created on or after July 1, 2022, and before July 1, 2023.
 - Tenn. Code Ann. § 10-7-404 (West)
 - Note: The request also mentioned the destruction of financial records. If those records are records that the comptroller of the treasury deems to be required for audit purposes, they cannot be destroyed until the pertinent audit has been completed. See TCA 10-7-404(a). Otherwise, I'd need more information to know which GRS likely applies.
 - The request also mentions "human resources records." I agree that GRS 308 likely applies.

Original Records - Electronically Imaged

GRS 122

This series includes original records that have been reproduced through electronic imaging in a manner that insures an accurate and authentic representation of the original. The process is meant to address original paper records that have been imaged into a non-modifiable digital format and stored in an approved Metro data base.

Except as provided in any applicable RDA, if such original paper record is of a temporary nature and carries a non-permanent retention, once the electronic image is digitally verified, the paper copy of such record may be destroyed in a manner consistent with its confidentiality and security and the electronic version shall become the record copy in accordance with TCA 10-7-410.

Before disposition, departments must comply with the conditions required by state law.

Department will:

1. Insure such information is available for public inspection, unless it is a confidential record according to law. *(TCA 10-7-121)*
2. Take due care to maintain any information that is a public record during the time required by law for retention. *(TCA 10-7-121)*
3. Insure that all daily data generated and stored with the computer system shall be copied to computer storage media daily and the newly created computer storage media more than one week old shall be stored at a location other than at the building where the original is maintained. *(TCA 10-7-121)*
4. Provide a paper copy of the information when needed or when required by a member of the public. *(TCA 10-7-121)*
5. In the case of original permanent public records, including those held by the courts, the State Library and Archives must be notified of plans to destroy such records, and a Department must advertise in a county and a weekly newspaper of general circulation that such original records have been electronically stored, reproduced and protected, and that permission from the Public Records Commission has been applied for to no longer retain the originals. *(TCA 10-7-413 and TCA 10-7-404)* Please contact Metro Records Management to petition the Public Records Commission.

RETENTION:

Original paper records that have been reproduced through electronic imaging and all conditions of state law have been completed may be destroyed. The electronic image of these documents will serve as the original and be maintained according to an appropriate retention schedule.

Document: Tenn. Code Ann. § 10-7-404**Tenn. Code Ann. § 10-7-404****Copy Citation**

Current through the 2026 Regular Session and the 2026 2nd Extraordinary Session.

Tennessee Code Table of Contents PAW- ET TABLE OF CONTENTS Title 10 Public Libraries, Archives and Records Chapter 7 Public Records Part 4 County Public Records Commission

10-7-404. Destruction of public records authorized — Conditions prerequisite to destruction — Records manual.

(a) The county public records commission has the right to authorize the destruction of any and all public records as defined in § 10-7-403, which are required by law to be retained, when such records have been photocopied, photostated, filmed, microfilmed, or preserved by microphotographic process, as hereinafter provided; provided, that no record required by law to be permanently retained shall be destroyed without a majority vote of the commission. A county officer or judge of a court of record shall be entitled to prevent the destruction of documents, minutes, or records in the office or court, as appropriate. The requirement to photocopy, photostat, film, microfilm, or preserve by microphotographic process prior to destruction in accordance with this section shall not be required of “temporary records” and/or “working papers” as defined in § 10-7-301. The commission does not have the authority to authorize the destruction of any financial or other record which is determined by the comptroller of the treasury to be required for audit purposes until the pertinent audit has been completed. After the audit, disposition will be determined pursuant to procedures developed by the comptroller of the treasury; provided, that the commission shall not have the authority to authorize the destruction of any other record which is otherwise required by law to be retained.

(b) The county technical assistance service, a unit of the Institute for Public Service of the University of Tennessee, is authorized to compile and print manuals, in cooperation with the state library and archives, and the division of records management of the department of state, which shall be used as guides by all county public records commissions, county offices, and judges of courts of record, setting out which records shall or may be destroyed, and those which should not be destroyed, after photographing,

photostating, filming, microfilming, or other microphotographic process. Until these manuals are available, the Tennessee county records manual compiled by the Tennessee state library and archives shall be used.

(c)

(1) In addition to the process in § 10-7-406 and notwithstanding subsection (a) or any other law to the contrary, the county public records commission may authorize the destruction or transfer of the original paper version of permanent records solely in accordance with subsection (d).

(2) If the county public records commission authorizes the destruction of the original paper version of permanent records solely in accordance with subsection (d), the original records must not be destroyed:

(A) For one (1) year, if the record is created after May 13, 2021, and before July 1, 2022; and

(B) For six (6) months, if the record is created on or after July 1, 2022, and before July 1, 2023.

(d)

(1) In addition to the foregoing procedure for the destruction of original public records, the county public records commission may, upon the request of any office or department head of county government having custody of public records, including court records, authorize the destruction or transfer of original public records which have been reproduced onto computer or removable computer storage media, in any appropriate electronic medium, in accordance with § 10-7-121 and this subsection (d). Notwithstanding subdivision (d)(2), an original paper version of a record required by law to be permanently retained must not be destroyed once reproduced in accordance with this subsection (d) without a majority vote of the county public records commission. Additionally, the county public records commission shall not order the destruction of such original public records which have been reproduced pursuant to this subsection (d) unless the county public records commission has complied with §§ 10-7-413 and 10-7-414. Prior to any order of destruction or transfer of any original public records pursuant to this subsection (d), the officer or department head having custody of such records shall advertise in a newspaper of general circulation in the county, and in counties having a population in excess of two hundred thousand (200,000), according to the 1990 federal census or any subsequent federal census, also in a weekly newspaper, that certain records of the office or department, to be described in the advertisement by title and year, have been electronically stored, reproduced and protected and that the office or department has applied for permission to no longer retain such originals. The authority to destroy original public records granted by this subsection (d) is not exclusive and shall not prevent the destruction of original public records where otherwise authorized.

(2) If the county public records commission fails to act upon a request of a county officer or department head having custody of public records to order the destruction or transfer of original public records after the same have been reproduced in accordance with this subsection (d) within six (6) months of receiving such a request in writing, then the county officer or department head may forward the request to the state library and archives, whereupon the state librarian and archivist, or designated representative, shall have authority to authorize the destruction or transfer of the public records instead of the county public records commission. Failure of the state library and archives to respond to the records disposal request of the county officer or department head within nine (9) months of receiving such a request shall authorize

the county officer or department head to destroy the original public records which have been reproduced in accordance with any regulations on this subject promulgated by the secretary of state.

History

Acts 1959, ch. 253, § 3; 1963, ch. 301, §§ 1, 2; 1965, ch. 316, § 2; 1967, ch. 104, § 1; 1977, ch. 486, § 2; T.C.A., § 15-504; Acts 1991, ch. 369, § 2; 1994, ch. 884, §§ 3, 10; 1998, ch. 793, § 1; 1999, ch. 167, § 3; 2013, ch. 207, § 6; 2014, ch. 648, § 2; 2021, ch. 447, §§ 1, 2.

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10-7-413. Preservation of records of permanent value.

(a) Before any records other than “temporary records” and/or “working papers” as defined in § 10-7-301 are destroyed, after being so authorized by the county public records commission, ninety (90) days' notice shall be given to the state librarian and archivist, whereupon the state archivist or the archivist's representative shall examine the records approved for disposal and shall take into the archivist's possession, for preservation in the state library and archives, any records the archivist believes to be of value for permanent preservation. If a county public records commission does not receive a response from the state library and archives within nine (9) months of submitting the notice required under this subsection (a), the county public records commission may proceed with the destruction of the records which were the subject of the notice.

(b) The county public records commission has the right to authorize the lamination of certain original records such as wills, will books, deeds, deed books, marriage licenses, marriage bonds, marriage registers, and other records which are to be permanently preserved.

History

Acts 1971, ch. 242, § 1; 1977, ch. 486, § 2; T.C.A., § 15-513; Acts 1991, ch. 369, § 5; 1994, ch. 884, § 8; 1998, ch. 793, § 2; 1999, ch. 167, §§ 5, 6.

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