



Records Retention

Overview

County offices must comply with Nebraska's record retention schedules. Statutes require microfilming and long-term paper storage; however, both approaches are increasingly outdated, costly, and vulnerable to deterioration.

New recordkeeping technology has improved the potential efficiency of county storage operations, benefiting officials and residents in many ways. By reducing paper retention requirements and shifting from microfilming to other durable digital formats, counties can modernize recordkeeping practices. Moving towards a paperless system may improve turnaround time for requests and processing, save money on paper, toner, and associated products, and enhance employee efficiency. Digital record retention ensures greater accessibility for citizens and businesses, while also reducing storage costs and administrative burdens.

In addition, because the Nebraska State Historical Society currently holds archives of county records on microfilm at a central repository, storage and retrieval have become significant concerns.

Stakeholders

- Residents
- County Officials
- Nebraska State Historical Society
- Nebraska Secretary of State
- Nebraska Records Management Division
- Nebraska State Records Board
- Nebraska Auditor of Public Accounts

Records Statutes

Nebraska's Records Management Act requires every state and local agency to manage records economically and dispose of them only in accordance with an approved records retention and disposition schedule (Neb. Rev. Stat. §§ 84-1201 to 84-1227).

"Record means any book, document, paper, photograph, microfilm, sound recording, magnetic storage medium, optical storage medium, or other material regardless of physical form or characteristics created or received pursuant to law, charter, or ordinance or in connection with any other activity relating to or having an effect upon the transaction of public business" (Neb. Rev. Stat. §84-1202(4)).

Records Retention

Records Retention Lifecycle



1 Creation

A record is any material—such as a book, document, paper, photograph, microfilm, sound recording, or digital storage medium—created or received pursuant to law, charter, ordinance, or in connection with the transaction of public business.

Examples of Records:

- County Board Minutes & Agendas
- Interlocal Agreements
- Financial Records
- Property Assessment & Tax Records
- Election Records
- Personnel & Payroll
- Building & Zoning Permits
- Litigation Files
- Public Notices

Main County Offices Impacted:

- Assessor
- Attorney
- Clerk
- Courts
- Public Defender
- Register of Deeds
- Sheriff
- Treasurer

2 Retention

Once created, records must be properly retained according to their administrative, legal, fiscal, or historical value. Records retention schedules govern how long each type of record must be kept before it can be destroyed or archived.

Storage Mediums:

- Paper
- Microfilm
- Electronic

Ongoing Costs:

- Conversion to more durable mediums (i.e., Microfilm)
- Storage

3 Future Access

Residents and other interested persons have the right to request access to public records in the custody of public agencies; the public agency can grant or deny those requests depending upon the circumstances.

Goal: Protection of private information balanced with accessibility to all citizens.

Ongoing Costs:

- Creation of Access Application/Software

Three main factors impact the cost and efficiency of county records retention:



Statutory Requirements



Maintaining & Converting Records



Providing Future Access to All Citizens

Records Retention

Retention Practices

Counties must abide by record retention schedules and public records laws that establish how records are to be maintained, preserved, and made accessible to the public. A county or agency administrator must periodically review, including at least once a year, the program for the selection and preservation of essential records. An administrator's records retention and disposition schedule must be reviewed by the state Archivist (84-1212.01).

The State of Nebraska Durable Medium Written Best Practices & Procedures: Electronic Records Guidelines provide that State and local officials may store non-permanent records electronically and dispose of the originals, if they:

- maintain security copies of the disks, tapes, and indexes in off-site storage
- migrate or convert working and security copies whenever systems change in a way that blocks access, or at least every ten years
- test working and security copies annually to ensure readability, and immediately recopy any data showing loss

If an agency cannot meet these requirements, it must retain paper or microform copies that comply with state retention standards.

"The State Records Administrator recommends that agencies consider microfilming records for security purposes when a record has a permanent value or a long-term retention period (30 years or more) due to the unknown sustainability of digital records. However, agencies will need to make their own decisions based on their business needs and capabilities, while being in compliance with the Uniform Photographic Copies of Business and Public Records as Evidence Act." (Nebraska State Records Administrator)

Durable Medium

A durable medium is any information storage system created by a durable process, which is defined as a combination of hardware, software, storage media, techniques, and procedures used to manage, store, retrieve, and delete agency information (430 Nebraska Administrative Code Ch. 1 § 001.18).

Nebraska State Historical Society

The Nebraska State Historical Society is designated as the official custodian of all public records, documents, artifacts, and other materials deemed by the Society to possess historic value or significance and found in any government offices that receive appropriations from the Legislature, or in any of the county courthouses, city halls, or other public buildings within the State of Nebraska (Neb. Rev. Stat. § 82-104).

Currently, the Nebraska State Historical Society holds about 20,000 cubic feet of paper records and close to 100,000 rolls of microfilm (Nebraska State Historical Society). The Historical Society is also facing the challenge of increasingly limited space for records, documents, and artifacts.

Records Retention

LB919

Counties and Courts face increasing need to modernize record retention by transitioning from decades of paper and microfilm to secure, electronic formats such as PDF/A, which preserve accessibility and integrity over time. Effective document hygiene requires clear rules for retention, conversion, and timely purging of obsolete materials, supported by statutory compliance and robust data management. The challenge lies in balancing statutory requirements with the cost and time of digitization while ensuring that “durable” digital records meet archival standards. Implementing centralized, secure cloud repositories, phased conversion plans, and consistent audit and verification processes enables counties to preserve essential records efficiently while responsibly disposing of outdated materials.

LB919 authorizes the use of “durable accessible mediums” (not just microfilm) for official records, while clarifying when original paper records may be destroyed once proper preservation standards are met. Specifically, LB919:

- Expands acceptable preservation formats beyond microfilm
- Defines what “accessible durable medium” means in statute
- Reduces mandatory use of microfilm where secure, verified preservation copies exist
- Does NOT shorten retention schedules arbitrarily and does NOT eliminate records-retention oversight by the State Records Administrator.

NACO will work with the Secretary of State to update the county retention schedules

Nebraska Statutes

- Neb. Rev. Stat. § 82-104
- Neb. Rev. Stat. § 84-712
- Neb. Rev. Stat. §§ 84-1201 to 84-1227

Additional References

[Nebraska Administrative Code](#)

[Nebraska Attorney General's Office, Outline of Nebraska Public Records Statutes](#)

[Nebraska State Records Administrator, Durable Medium Written Best Practices & Procedures, October, 2009](#)