

GOVERNMENT OF ONTARIO COMMON RECORDS SERIES

LEGAL SERVICES

February 5, 2009

These series will assist legal services branches in Ontario Government public bodies in managing the retention and disposition of public records created, received and used in providing legal services. The series cover records in paper, electronic, and other formats.



ARCHIVES OF ONTARIO

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

REVISION LOG		
Series Revised	Summary of Change	Date revision signed
None	Revisions to update contact information, terminology and web references.	March 1, 2006
All	Updated to reflect <i>Archives and Recordkeeping Act 2006</i>	July 9, 2007
Introduction	Revisions for consistency with Government of Ontario Records Schedule Requirements of April 1, 2008	November 17, 2008
All series	Revised format for series entries to streamline information. Exclusions and qualifications that apply to most series have been removed from individual series entries. Information security notes have been removed.	November 17, 2008
All series	Eliminated specific periods for in-office and records centre retention – only total retention period is shown.	November 17, 2008
All series	Qualification “subject to culling” removed from “Transfer to Archives” disposition statements.	November 17, 2008
Section 3.4	Updated definition of statutory instrument.	February 5, 2009
LGL-[ACRONYM]-6002	Removed outdated reference to the <i>Limitations Act</i> and simplified description.	February 5, 2009

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

AUTHORIZATION

**Common Records Series for Legal Services
of the Government of Ontario**

Copy of original signed document available – please contact 416-327-1600.

Miriam McTiernan, Archivist of Ontario Date:

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

TABLE OF CONTENTS

1.	INTRODUCTION	5
1.1	Authority	5
1.2	Scope and Adoption	5
1.3	Excluded Records	6
1.3.1	Administrative records	6
1.3.2	Transitory records	6
1.3.3	Excluded records as identified in series entries	6
2.	SERIES INFORMATION	6
2.1	Series Number	6
2.2	Description of the Records	7
2.3	Retention Periods	7
2.4	Storage	8
2.5	Final Disposition	8
3.	RECORDS SERIES	9
3.1	Summary of Series	9
3.2	Director's Office	12
3.3	File Tracking and Docketing Systems	14
3.4	Acts and Statutory Instruments	15
3.5	Litigation	18
3.6	Legal Opinions and Advice	22
3.7	Contracts/Agreements	24
3.8	Real Property	26
3.9	Operational Files	27

GOVERNMENT OF ONTARIO COMMON RECORDS SERIES LEGAL SERVICES

1. INTRODUCTION

A records schedule is an authorized document governing the retention and disposition of all records created by a public body. Within a schedule are record series and sub-series that describe records used in performing functions of a public body. Taken together, the records series and sub-series comprise a records schedule for the entire public body.

Government common records series describe records that are typically found in many public bodies. Public bodies that are subject to the *Archives and Recordkeeping Act, 2006* may adopt government common series with the approval of the Archivist of Ontario. The common series that are adopted form part of the public body's records schedule along with series and sub-series that are specific to the public body's programs and services.

Public bodies are encouraged to adopt as many common series as are appropriate for records created, collected and used in the performance of functions that are similar or identical across the Ontario government. If not adopted, public bodies must have in place specific series in their approved records schedule that describe records of the common administrative functions.

1.1 Authority

These series have been approved by the Archivist of Ontario in accordance with the *Archives and Recordkeeping Act, 2006*. This Act provides the Archivist with full authorization for retention and disposal of records that these series describe.

1.2 Scope and Adoption

These series apply to records created, received or used by branches, departments or staff that provide legal services to a public body.

Other parts of the organization may deal with legal issues and documents and interact with the legal services area, but their primary function is not that of providing legal services. These areas should make use of other types government records series, for example Common Records Series for Policy and Planning functions or have program-specific records series approved for their use.

In order to obtain approval of the Archivist of Ontario to include these series in its records schedule, the public body must prepare "Adoption of Government Common Schedule Series" template found in Appendix C of the *Government of Ontario Records Schedule Requirements* document. Send the completed template to recordkeeping@ontario.ca.

Questions about the use of these series should be directed to the Archives of Ontario, Recordkeeping Support Unit at 416-327-1600, toll free at 1-800-668-9933 or by email to recordkeeping@ontario.ca

GOVERNMENT OF ONTARIO COMMON RECORDS SERIES LEGAL SERVICES

1.3 Excluded Records

1.3.1 Administrative records

All program areas create and receive internal administrative records. These series do not apply to records whose retention and disposition is covered by the Common Series for Administrative Functions.

1.3.2 Transitory records

Transitory records are records of temporary usefulness in any format or medium, created or received by a public body in carrying out its activities, having no ongoing value beyond an immediate and minor transaction or the preparation of a subsequent record. They are of such short-term value that they are not required to meet legal or fiscal obligations, initiate, sustain, evaluate or provide evidence of decision-making, administrative or operational activities.

The Government of Ontario Common Records Schedule for Transitory Records authorizes the individual who created, received or is responsible for the transitory records to destroy them immediately when no longer used or actively referred to.

Note that transitory records are not the same as duplicate sets of records that are maintained by an office where there is a need to keep duplicate sets of records to serve a business purpose. These duplicate series are to be scheduled and not treated as transitory records

For more information about transitory records, consult the schedule for a detailed description of what constitutes a transitory record. Additional information can also be found in Archives of Ontario Recordkeeping Fact Sheet: The Fine Art of Destruction: Weeding Out Transitory Records.

1.3.3 Excluded records as identified in series entries

These common series do not apply to records explicitly excluded in the series descriptions described below.

2. SERIES INFORMATION

2.1 Series Number

Each series and sub-series described below represents a logical grouping of related records. Each has a unique number that includes the following:

- The prefix LGL, indicating that the records are covered by the Government of Ontario Common Record Series for Legal Services.

GOVERNMENT OF ONTARIO COMMON RECORDS SERIES LEGAL SERVICES

- The acronym that identifies the public body. For example, for the Ministry of Natural Resources, civil prosecutions, LGL-[MNR]-4003, would be series number used by that ministry's legal branch for records relating to this series.

These series numbers must be used when transferring records to the government records centre facilities or to the Archives of Ontario.

2.2 Description of the Records

Each records series and sub-series includes a description of the records. The description is not meant to be exhaustive. It is intended to indicate the function of the records, their subject contents and/or examples of typical types of documents, and the purpose for which they are used. Where required, the description also indicates records that are specifically excluded, and provides notes about particular limitations on the records.

To accommodate the variety of records typically maintained by the functions described in this document, the series have been somewhat generalized. It is understood that the series identified do not necessarily reflect the way that records are organized within any particular office. Each office will have its own file plan or system of organizing files, which will be far more detailed than the series identified here. Therefore, applying these series in a particular office will require some analysis of the existing filing system in order to determine which files or file classes fall within each series designated for retention purposes.

2.3 Retention Periods

Each series indicates a retention period that the records should be kept by the public body. The government common series should not be adopted if the public body requires a different retention period for a particular records series. Instead, a separate series specific to the public body should be prepared for those records. The new series will need to be approved by the Archivist of Ontario as part of the schedule for the public body.

The retention period begins when the file, or set of records, is closed. Criteria for closing a file are based on a trigger event. Sometimes the trigger event is the completion of a project or the resolution of an issue, when there is no further activity on the file. In other cases, the trigger event is more concrete, such as the termination of a contract or the superseding of a policy. For files of an ongoing nature, the end of a calendar or fiscal year may be treated as a trigger event that closes a file pertaining to that year. Once the trigger event occurs, the file is closed and retention period begins.

The following terms are used throughout the series:

Current Calendar Year (CCY): the current calendar year ends on December 31st

Current Fiscal Year (CFY): the current fiscal year ends on March 31st

GOVERNMENT OF ONTARIO COMMON RECORDS SERIES LEGAL SERVICES

Superseded or obsolete: a record is considered to be superseded or obsolete when it is replaced by a more current record (such as a new policy or procedure), or withdrawn from circulation.

2.4 Storage

Series descriptions do not specify a separate on-site and off-site retention; only the overall total retention period is given. Public bodies are free to determine their own on-site versus off-site storage periods and arrange transfer of paper and other hardcopy records to the Information Storage and Retrieval government records centre as necessary. Note, however, that storage at the records centre can only begin after the trigger event for the retention period has occurred.

Electronic records are *not* transferred to the government records centre, but kept by the public body until their full retention requirements have been met. They must be maintained in a fully readable and accessible format for their entire retention period.

2.5 Final Disposition

There are normally two types of disposition for records; transfer to Archives or destroy. Records in the custody of the Information Storage & Retrieval government record centre will be transferred to the Archives of Ontario destroyed on behalf of the public body, and with their consent, at the end of the retention period.

Electronic records still retained by the public body should be deleted and then irretrievably destroyed at this point if the final disposition is “destroy”. If the records are designated for transfer to the Archives of Ontario, please contact the Senior Manager, Collections Management and Development at the Archives of Ontario, phone: 416-327-1600 for assistance in dealing with the transfer of electronic records.

Public bodies must ensure that destructions of non-transitory records are documented. It is also the responsibility of the public body to ensure that all legal and operational requirements have been met before records are destroyed. No records may be destroyed where a request for access under the *Freedom of Information and Protection of Privacy Act* is pending, if the public body is aware of pending legal action, where a commission of inquiry or investigation requires the records as evidence, or where the Archivist of Ontario has imposed a temporary moratorium on records destruction.

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

3. RECORDS SERIES

3.1 Summary of Series

Series Number	Series Title	Retention	Disposition
Director's Office			
LGL-[ACRONYM]-1001	Director's Administration Files	CCY + 7 years after file is closed	Transfer to Archives
LGL-[ACRONYM]-1002	Director's Legal Files	CCY + 10 years after file is closed	Transfer to Archives
File Tracking and Docketing Systems			
LGL-[ACRONYM]-2001	File Tracking and Docketing Systems	Until superseded	As for records tracked - see Special Conditions Note
Acts and Statutory Instruments			
LGL-[ACRONYM]-3001	Acts and Regulations	CCY + 10 years after file is closed or act/regulation is enacted	Transfer to Archives
LGL-[ACRONYM]-3002	Orders-in-Council	CCY + 7 years after file is closed	Transfer to Archives
LGL-[ACRONYM]-3003	Minister's Orders	CCY + 7 years after file is closed	Transfer to Archives
LGL-[ACRONYM]-3004	Ministerial Approvals	CCY + 7 years after file is closed	Transfer to Archives

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

Series Number	Series Title	Retention	Disposition
Litigation			
LGL-[ACRONYM]-4001	Civil Litigation Files	CCY + 30 years after file is closed or case is decided	Transfer to Archives
LGL-[ACRONYM]-4002	Claims Against the Crown and Claims by the Crown	CCY + 30 years after file is closed or case is decided	Transfer to Archives
LGL-[ACRONYM]-4003	Civil Prosecutions Files	CCY + 10 years after file is closed or case is decided	Transfer to Archives
LGL-[ACRONYM]-4004	Hearings Before Administrative Tribunals	CCY + 10 years after file is closed or case is decided	Transfer to Archives
LGL-[ACRONYM]-4005	Judicial Reviews Files	CCY + 10 years after file is closed or case is decided	Transfer to Archives
LGL-[ACRONYM]-4006	Coroner's Inquests Files	CCY + 10 years after file is closed or case is decided	Transfer to Archives
Legal Opinions/Advice			
LGL-[ACRONYM]-5001	Legal Opinions/Advice Files	CCY + 10 years after file is closed	Transfer to Archives

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

Series Number	Series Title	Retention	Disposition
LGL-[ACRONYM]-5002	Legal Opinions--Reference Copies	CCY + 15 years after opinion is given or until superseded/obsolete	Destroy
Contracts/Agreements			
LGL-[ACRONYM]-6001	Contracts/Agreements Files	CCY + 7 years after contract has expired or is terminated or superseded	Transfer to Archives
LGL-[ACRONYM]-6002	Contracts Under Seal	CCY + 21 years after contract has expired or is terminated or superseded	Transfer to Archives
Real Property			
LGL-[ACRONYM]-7001	Real Property Project Files	CCY + 16 years after land or building is disposed of	Transfer to Archives
Operational Files			
LGL-[ACRONYM]-8001	Operational Files	CCY + 10 years file is closed	Transfer to Archives

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

3.2 Director's Office

Director's Office files are those records created and used by the Legal Services Branch Director in order to carry out administrative functions associated with managing the Branch, and in conducting any legal work undertaken by the Director.

The Director's Office section includes the following series:

LGL-[ACRONYM]-1001: Director's Administration Files

LGL-[ACRONYM]-1002: Director's Legal Files

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 1001	<p>DIRECTOR'S ADMINISTRATION FILES</p> <p>Records related to policy and planning matters pertaining to the legal services branch or department as well as the director's participation in government committees and working groups. Includes incoming and outgoing correspondence with the Deputy Minister, officials in this and other public bodies, staff, outside law firms, and the public. Also includes copies of agreements, policy papers, briefing notes, reports, minutes of meetings, speeches and lectures.</p> <p>Records are used to administer and manage the Legal Services Branch.</p>	<p>Transfer to Archives CCY + 7 years after file is closed</p>
LGL- [ACRONYM]- 1002	<p>DIRECTOR'S LEGAL FILES</p> <p>Records related to the Director's own work on legal issues pertaining to the public body. Contains correspondence, notes, research, decisions, copies of statutes/regulations, draft statutes and regulations, reports, and other material.</p> <p>Records are used by the director to provide legal advice and opinions, and for reference.</p>	<p>Transfer to Archives CCY + 10 years after file is closed</p>

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

3.3 File Tracking and Docketing Systems

Legal services branches typically have specialized computer-based systems to track files, lawyers' time, caseloads, etc. Where the information managed by such systems has archival value, it is essential that relevant information from the tracking or docketing system is preserved along with the related records.

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 2001	<p>FILE TRACKING AND DOCKETING SYSTEMS</p> <p>Electronic databases containing tables related to file tracking (file type, status, location, etc.); docketing (tracking lawyers' time for billing or charge-back purposes); client information; and other information management purposes.</p> <p>Records are used to track files, document billing time, monitor lawyers' caseloads, etc.</p> <p><u>Excludes:</u> Documentation of support and service information about electronic information management systems covered by the Common Records Series for Administrative Functions.</p> <p><u>Special Conditions:</u> Where the system serves as the index to paper files in series scheduled for transfer to the Archives, a paper printout and/or an electronic list for each series listing file titles in alphabetical order matched to file numbers is to be packed with each transfer of records. As well send an electronic copy and a paper printout listing the file titles to the Archives of Ontario.</p>	<p>Until superseded</p> <p>As for records tracked - see special conditions note</p>

GOVERNMENT OF ONTARIO COMMON RECORDS SERIES LEGAL SERVICES

3.3 Acts and Statutory Instruments

This section includes legislation as well as regulations, orders or other instruments of a legislative nature that are made or approved under the authority of an Act or by the Lieutenant Governor in Council. *The Dictionary of Canadian Law* (Carswell, 2004) defines statutory instruments to include any rule, order, regulation, ordinance, direction, form, tariff of costs or fees, letters patent, commission, warrant, proclamation, by-law, resolution or other instrument issued, made or established (i) in the execution of a power conferred by or under an Act of Parliament, or (ii) by or under the authority of the Governor in Council, otherwise than in the execution of a power conferred by or under an Act of Parliament

The Acts and Statutory Instruments section include the following series:

LGL-[ACRONYM]-3001: Acts and Regulations

LGL-[ACRONYM]-3002: Orders-in-Council

LGL-[ACRONYM]-3003: Minister's Orders

LGL-[ACRONYM]-3004: Ministerial Approvals

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 3001	<p data-bbox="378 352 781 384">ACTS AND REGULATIONS</p> <p data-bbox="378 405 1235 621">Drafts of bills/regulations to enact or amend acts/regulations administered by the ministry. May include correspondence, instructions to draft, drafts supplied for review, briefing notes, and advice on wording. Can also include legal opinions and comments on acts/regulations of other ministries or other jurisdictions that affect ministry programs.</p> <p data-bbox="378 642 1235 779">Records are used to research and prepare new or amended acts/regulations that fall within the mandate of the ministry, and to assess the impact of acts/regulations of other ministries.</p> <p data-bbox="378 800 1235 905"><u>Excludes:</u> Reference copies of current statutes and regulations kept in the legal services branch until superseded or obsolete.</p>	<p data-bbox="1276 352 1471 638">Transfer to Archives CCY + 10 years after file is closed or act/ regulation is enacted</p>
LGL- [ACRONYM]- 3002	<p data-bbox="378 957 708 989">ORDERS-IN-COUNCIL</p> <p data-bbox="378 1010 1235 1146">Records to document the enacting/amending of Orders-in-Council, which fall within the mandate of the ministry. May include instructions to draft, drafts for review, advice on wording or authority to pass Orders-in-Council.</p> <p data-bbox="378 1167 1235 1199">Records are used to research and prepare Orders-in-Council.</p> <p data-bbox="378 1220 1235 1293"><u>Note:</u> Final Orders-in-Council are located in the records of Cabinet Office.</p> <p data-bbox="378 1314 1235 1411"><u>Excludes:</u> Reference copies of approved Orders-in-Council kept in the legal services branch until expired, revoked, or obsolete.</p>	<p data-bbox="1276 957 1471 1136">Transfer to Archives CCY + 7 years after file is closed</p>

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 3003	<p>MINISTER'S ORDERS</p> <p>Records to document the enacting/amending of Minister's Orders that fall within the mandate of the ministry. May include instructions to draft, drafts for review, advice on wording or authority to issue Minister's Orders, and the final copy of the Order.</p> <p>Records are used to research and prepare Minister's Orders</p> <p><u>Excludes:</u> Reference copies of approved Minister's Orders kept in the legal services branch until expired, revoked, or obsolete.</p>	<p>Transfer to Archives CCY + 7 years after file is closed</p>
LGL- [ACRONYM]- 3004	<p>MINISTERIAL APPROVALS</p> <p>Correspondence, drafts, final versions, etc. relating to the preparation of documents for the Minister's signature in order to permit organizations to carry out specific activities which require the Minister's approval.</p> <p>Records are used to prepare and document Ministerial approvals pursuant to statutory requirements.</p> <p><u>Excludes:</u> Reference copies of approved Minister's approvals kept in the legal services branch until expired, revoked, or obsolete.</p>	<p>Transfer to Archives CCY + 7 years after file is closed</p>

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

3.3 Litigation

The Litigation section includes legal proceedings before courts and tribunals. Included are the following series:

LGL-[ACRONYM]-4001: Civil Litigation Files

LGL-[ACRONYM]-4002: Claims against the Crown and Claims by the Crown

LGL-[ACRONYM]-4003: Civil Prosecutions Files

LGL-[ACRONYM]-4004: Hearings before Administrative Tribunals

LGL-[ACRONYM]-4005: Judicial Reviews Files

LGL-[ACRONYM]-4006: Coroner's Inquests Files

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 4001	<p>CIVIL LITIGATION FILES</p> <p>Case files relating to work undertaken by legal services staff in representing the Crown in civil litigation, including appeals. May include correspondence with ministry staff and other lawyers, notes, background information, supporting documentation, court documents, investigation reports, research materials, transcripts of hearings, decisions.</p> <p>Records are used to document legal actions taken pursuant to acts and regulations and to keep records of proceedings before courts and tribunals.</p> <p><u>Excludes:</u> Criminal prosecutions that are handled by the Criminal Law Division of the Ministry of the Attorney General.</p>	<p>Transfer to Archives CCY + 30 years after file is closed or case is decided</p>
LGL- [ACRONYM]- 4002	<p>CLAIMS AGAINST THE CROWN AND CLAIMS BY THE CROWN</p> <p>Claims by other parties against the Crown; and claims by the Crown against other parties. May include correspondence with ministry staff and other lawyers, notes, background information, supporting documentation, court documents, investigation reports, research materials, transcripts of hearings, decisions, appeals.</p> <p>Records are used to document legal actions taken pursuant to acts and regulations and to keep records of proceedings before courts and tribunals.</p>	<p>Transfer to Archives CCY + 30 years after file is closed or case is decided.</p>

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 4003	<p>CIVIL PROSECUTIONS FILES</p> <p>Case files documenting work undertaken by legal services branch staff in representing the Crown in prosecutions resulting from a breach of statutory/regulatory requirements. May include correspondence with ministry staff and other lawyers, notes, background information, supporting documentation, court documents, investigation reports, research materials, transcripts of hearings, decisions, appeals.</p> <p>Used to document legal actions taken pursuant to acts and regulations and to keep records of proceedings before courts and tribunals.</p> <p><u>Excludes</u>: Criminal prosecutions that are handled by the Criminal Law Division of the Ministry of the Attorney General.</p>	<p>Transfer to Archives CCY + 10 years after file is closed or case is decided</p>
LGL- [ACRONYM]- 4004	<p>HEARINGS BEFORE ADMINISTRATIVE TRIBUNALS</p> <p>Case files documenting grievances, complaints, appeals, arbitrations, etc., heard before various administrative tribunals. May include correspondence with ministry staff and other lawyers, notes, background information, supporting documentation, court documents, investigation reports, research materials, transcripts of hearings, decisions.</p> <p>Records are used to document legal actions taken pursuant to acts and regulations and to keep records of proceedings before courts and tribunals.</p>	<p>Transfer to Archives CCY + 10 years after file is closed or case is decided</p>
LGL- [ACRONYM]- 4005	<p>JUDICIAL REVIEWS FILES</p> <p>Case files documenting information and evidence presented before judicial review bodies. May include correspondence with ministry staff and other lawyers, notes, background information, supporting documentation, court documents, investigation reports, research materials, transcripts of hearings, decisions, appeals.</p> <p>Records are used to document legal actions taken pursuant to acts and regulations and to keep records of proceedings before courts and tribunals.</p>	<p>Transfer to Archives CCY + 10 years after file is closed or case is decided</p>

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 4006	<p data-bbox="380 352 837 384">CORONER'S INQUESTS FILES</p> <p data-bbox="380 426 1247 569">Case files. May include correspondence with ministry staff and other lawyers, notes, background information, supporting documentation, court documents, investigation reports, research materials, transcripts of hearings, decisions.</p> <p data-bbox="380 611 1224 711">Records are used to document legal actions taken pursuant to acts and regulations and to keep records of proceedings before courts and tribunals.</p> <p data-bbox="380 753 1146 825"><u>Note:</u> Case files of the Office of the Chief Coroner are transferred to the Archives after 50 years.</p>	<p data-bbox="1276 352 1446 422">Transfer to Archives</p> <p data-bbox="1276 426 1471 600">CCY + 10 years after file is closed or case is decided</p>

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

3.4 Legal Opinions and Advice

The Legal Opinions and Advice section includes files created and used to advise ministry clients on a number of legal issues affecting the programs and operation of the ministry.

Legal Opinions and Advice include the following series:

LGL-[ACRONYM]-5001: Legal Opinions/Advice Files

LGL-[ACRONYM]-5002: Legal Opinions--Reference Copies

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 5001	<p>LEGAL OPINIONS/ADVICE FILES</p> <p>Legal opinions and advice regarding issues, policies, and practices as they relate to the programs and clients of the ministry. Includes correspondence, reference material, and draft documents relating to interpretation and application of the statutes administered by the ministry, and a variety of other legal matters affecting the ministry.</p> <p>Records are used to provide legal opinions and advice, to answer inquiries, and to maintain a record for future reference.</p>	<p>Transfer to Archives CCY + 10 years after file is closed</p>
LGL- [ACRONYM]- 5002	<p>LEGAL OPINIONS--REFERENCE COPIES</p> <p>Copies of legal opinions provided to program areas and ministry clients by legal services branch staff. Includes indexes where available.</p> <p>Records are used to provide convenient access to opinions for research and reference.</p>	<p>Destroy CCY + 15 years after opinion is given or until superseded/ obsolete</p>

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

3.4 Contracts/Agreements

The Contracts/Agreements section includes records created and used to prepare and/or advise ministry clients on contracts and agreements required to implement ministry programs.

Contracts/Agreements include the following series:

LGL-[ACRONYM]-6001: Contracts/Agreements Files

LGL-[ACRONYM]-6002: Contracts under Seal

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 6001	<p>CONTRACTS/AGREEMENTS FILES</p> <p>Correspondence regarding the contents of contracts and agreements between the ministry and various organizations, agencies, governments, and individuals, drafts of contracts and agreements, notes, and research materials.</p> <p>Records are used to prepare and/or negotiate contracts in consultation with program managers, and to provide legal evidence of the terms and conditions of contracts.</p>	<p>Transfer to Archives CCY + 7 years after contract has expired, or is terminated or superseded</p>
LGL- [ACRONYM]- 6002	<p>CONTRACTS UNDER SEAL</p> <p>Speciality contracts, including contracts under seal, which may require a longer limitation period.</p> <p>Records are used to maintain evidence of the terms and conditions of such contracts, and for research and reference.</p>	<p>Transfer to Archives CCY + 21 years after contract has expired, or is terminated or superseded</p>

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

3.5 Real Property

The Real Property Project Files section includes records created and used to negotiate and document the acquisition/disposition of real property or accommodation.

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 7001	<p>REAL PROPERTY PROJECT FILES</p> <p>Files related to:</p> <ul style="list-style-type: none"> • The acquisition of land, buildings and structures for the use of the OPS or provincial agencies through purchase, expropriation, or transfer, and the disposal of government land, buildings and structures through sale or transfer • Commercial leasing files documenting the acquisition of leasehold space for government accommodation and the leasing of government-owned properties • Construction project files documenting the construction of, and major alterations to, buildings owned by the Ontario government <p>Includes correspondence, notes, title search papers, survey documents, maps, plans and other drawings, mortgages, easements, feasibility studies, requests for proposal, reports and recommendations, financial documents, draft agreements</p> <p>Records are used to negotiate and draft purchase, leasing or sale agreements; to assist in negotiating site planning and development, to perform ongoing legal management work in the further acquisition, development or disposal of government-owned properties and facilities; to document all decisions and transactions, and to respond to queries on the subject.</p>	<p>Transfer to Archives CCY + 16 after land or building is disposed of</p>

**GOVERNMENT OF ONTARIO COMMON RECORDS SERIES
LEGAL SERVICES**

3.6 Operational Files

The Operational Files section includes the records documenting the administration of legal issues not otherwise covered by the other series in this schedule.

Series #	Series Title & Description	Retention & Disposition
LGL- [ACRONYM]- 8001	<p>OPERATIONAL FILES</p> <p>Records related to the administration of legal issues not otherwise covered by the other series in this retention schedule, i.e., director's files, file tracking and docketing systems, legislation and statutory instruments, litigation, legal advice/opinions, contracts/agreements, real property project files. The records consist of a variety of subject files pertaining to legal issues concerning the program areas and clients of the ministry.</p> <p>Files may contain correspondence with ministry program areas, ministry clients, other provincial ministries, the federal government, and the public; copies of statutes/regulations; applications for certification, etc. required by statute or regulation; registrations of intellectual property; agendas, minutes and related correspondence pertaining to operational committees and task forces in which the legal services staff participate as members; research and reference material; studies and reports; meeting notes; working papers; lectures and speeches; and other documents used to answer inquiries about issues or actions of interest to the public body.</p> <p>Records are used to document the progress and status of legal matters dealt with by the branch, to answer inquiries from program areas and others.</p>	Transfer to Archives CCY + 10 years after file is closed