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# **Schedule No.15A**

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# **Montana Municipal Interlocal Authority Claims Retention Schedule**

**Montana Local Government Records Committee  
Helena, Montana  
Adopted May 2014  
Rev 5.0**

# Montana Local Government Retention Schedule

## Schedule For: Montana Municipal Interlocal Authority

### Claims Retention Schedule

Item	Record Series, Title and Description	Retention Period <small>Statute/+MMIA retention</small>	Comments/ Citation
<b>ALM</b>	<b>Action Legal Malpractice:</b> Tort actions for legal malpractice	10 years from the date of the act, error, or omission/Destroy	MCA 27-2-206 No additional "Plus 4" necessary
<b>APRP</b>	<b>Adverse Possession of Real Property:</b> Actions for adverse possession of real property. Claimant must have paid property taxes on the property.	5 years/4 years/Destroy	MCA 70-19-402-408
<b>BDC</b>	<b>Damage Building for Faulty Design:</b> Actions for damages to building for faulty design or construction. From the completion of the building, and can be extended to 11 years if there is a personal injury involved. However, this is a statute of repose, and should be interpreted not to extend the Statute of Limitations otherwise applicable to a cause of action, the state only provides that if the time for bringing an action was otherwise extended under 27-2-409, or this section, the extension could be for no longer than 10 years after the completion of the improvement.	10 years/Destroy	MCA 27-2-208 Assn of Unit Owners of Deer Lodge Condominiums v. Big Sky of Mont., Inc., 245 Mont. 64
<b>BOC</b>	<b>Breach of Oral Contract:</b> Actions for breach of oral contracts	5 years/4 years/Destroy	MCA 27-2-202(2)
<b>BWC</b>	<b>Breach of Written Contract:</b> Actions for breach of written contract	8 years/2 years/Destroy	MCA 27-2-202
<b>DPP</b>	<b>Damage to Personal Property:</b> Tort actions for damage to personal property. When personal injury (PI) and damage to a car are sustained at the same time, the car damage claim must be brought within two years, notwithstanding the longer period available to PI claims.	2 years/4 years/Destroy	MCA 27-2-207
<b>DUC</b>	<b>Damages of Unidentifiable Cause:</b> Actions for damages of an unidentifiable cause	8 years/2 years/Destroy	
<b>JOC</b>	<b>Judgment of Courts Not of Record:</b> Actions on judgments of courts not of record.	6 years/4 years/Destroy	MCA 27-2-201(2)

<b>Item</b>	<b>Record Series, Title and Description</b>	<b>Retention Period</b> Statute/+MMIA retention	<b>Comments/ Citation</b>
<b>LGO</b>	<b>Local Government Officials:</b> Actions against local government officials. This statute does not apply to an action for an escapee.	3 years/4 years/ Destroy	MCA 27-2-209(1)
<b>LSA</b>	<b>Libel/Slander/Assault/Battery/False Arrest:</b> Tort actions involving libel, slander, assault, battery, or false imprisonment	2 years/4 years/ Destroy	MCA 27-2-204(3)
<b>NSS</b>	<b>Relief Not Provided for by State Statute:</b> Any action for relief not otherwise provided for by state statute. Catch all statute.	5 years/4 years/ Destroy	MCA 27-2-231
<b>NWL</b>	<b>No Written Obligation/Liability:</b> An action upon an obligation or liability, other than a contract, account, or promise, not founded upon an instrument in writing.	3 years/4 years/ Destroy	MCA 27-2-202(3)
<b>PIWD</b>	<b>Personal Injury/Wrongful Death:</b> Tort actions for personal injury or wrongful death.	3 years/4 years/ Destroy	MCA 27-2-204(2)
<b>PROP</b>	<b>Property:</b> SOL* plus 2 years: to be used for all first party property claims.	8 years/2 years/ Destroy	MCA 27-2-202
<b>WC</b>	<b>Workers' Compensation Claim Files</b>	Permanent	
	*SOL – Statute of Limitations		

Rev 5 – May 2014, approved May 20, 2014  
Adding Workers' Compensation Claim Files

Rev 4 – May 2013

1. Retention Change, BDC, changing from 14 years to 10 years  
Retention Change, BWC, changing from 12 years to 10 years  
Retention Change, DUC, changing from 12 years to 10 years  
These changes were approved by MMIA legal representatives on May 23, 2012
2. Retention column title changed to better explain the double listed retention years which cover statute/+MMIA cushion. Committee suggestion "retention" rather than "cushion."
3. Added "Claims" back into the Schedule's title.

Rev 3.0 – Jan 11  
Retention Change Claim PROP

Rev 3.0 – Sept 10  
Retention Change Claim ALM

Rev 2.0 –Oct 09  
Cover Sheet Title Change