



Archive management schedule and their role in determining the documents' life cycle: Management Schedule of judicial archive documents in Algeria

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Abstract:

The management schedule of archival documents is considered a result of the cooperation between the employee in service that produce documents and archivist in institution. The management schedule can also be completed after a request from an authority or through an individual initiative by the archivist in the institution, depending on all the publications, notes and particular instructions for exclusion and the preservation of archival documents for its formation and its achievement. Management schedule archival documents serves as mean follows the effect of documents and controlling the massive flow of information circulating within the organization. From the other side the judicial management schedule of archival documents is considered lawful and organizational document, its first basic aim is determining the period of preservation for each produced documents its final fate by permanent preservation or exclusion comparing to the applicable legal texts or comparing with daily transactions and dealings in case of the lack of legal texts.

Keywords: Judicial archive, management schedules documents, life cycle documents, management archive, archive.

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1. INTRODUCTION

The management schedule is considered a contractual mean between to the parties which is signed by the center, service or archive office and the Algerian national archive.

As it is considered as conversational tool, that makes the archivists able to communicate with the same language and the same direction. As well as, it is means that predict the document life cycle, which helps simplify and organize the current management schedule, the mediator and the finalist throughout the keeping up with and following the operation of exclusion and the payment of documents. Moreover, it is a tool of selecting the archive documents because:

- + It determines the treatment operation of all the form of documents (exclusion, sorting, saving)

- +It helps the employees of the all sectors to know the way of classifying the documents then how to select it and which are the documents that are always saved and by contrast the document that are completely excluded.

Thus, the management schedule is the mean is used in order to simplify and facilitate the archive process.

Which it is considered an employment contract for document preservation between the producer service that processes the documents and the service responsible for its preservation, and its apply forms an opportunity to make employment organized relations between the employees who work in services and the employee who responsible to manage the archive documents, it requires from each employee to return to him in a regular basis in order to make timely payment. (The official bulletin of national education, publication N 07, 2007: page 8-11)

Problematization:

The issue of availability and non availability of management schedules for the archive documents in many Algerian organizations evoked and it still several, questions around ***“to what extent the management schedules contribution in determining the life cycle in Algeria to determine in the sector of judiciary and to what extent it responds to international and national standards in the side of apply it?”*** considering the random exclusion to some archive documents, (general directorate of the national achieve, 201: page 106). As well, the case that involves the places of saving judicial bodies (from the huge amount of annual documents, narrow saving places in addition to the non possibility of saving). (General Directorate of National Archive, 2011: page 90).

Moreover to the problems that face the electronic archives which spread in latest years as the result to the increasing uses of modern technologies in the sector of justice in Algeria that it grows under the frame of modernizing justice program and make it closer the citizen.



2. The conceptual side of study:

2.1 Defining the management schedule:

It is a list of all the documents produced and /or received by each sector, administration or a public or private body within the framework of their daily activities. It contributes to make a plan to save, manage, classify, and sort and its administration documents. (General Directorate of National Archive, 2012: page 22).

It should be pointing out that the label of management schedule of archival documents is not known in Algeria until the latest years, in which it has several labels, the most important are the comprehensive list of documents, document preservation calendar. The national archive organization since the law 09-88 is issued in 26/01/1988; concerning to the national archive to put an urgent plan for multiple objectives and stages, the most important of it; conduct a census of all documents produced or received by ministers. In order to, purpose of preparing comprehensive list in the different sectors that determine

NOMENCLATURE ARCHIVE (General Directorate of National Archive, publication N 22, 2001: page 68-69).

After that, the label “calendar of archival document conservation” was adopted it, and we sufficed in our study with this simple definition of management schedule even though there are numerous definitions, yet all of them almost round on the same definition that is mentioned above.

2.2 Why the management schedule accomplish:

The all specialists know that any project of management schedule of documents requires united efforts of competencies that represent different specialties of institution of body: or from outside, that’s why, it should abandon completely the permanent idea that the archive tools such as; management schedule and other means are special archival works. The sensitive tasks of archiver in heavy responsibility and that are represented in artistic treating of special archival documents, diagnosing, arranging, evaluating, and determining the permanent preservation or exclusion of documents produced by others. That’s why, it should

- Answer all the questions that are asked from the documents producer.
- ✓ What do we save?
- ✓ What do we exclude?
- ✓ What is the period that after it, the documents are excluded?
- If it is done well, it answers the question. Why?
- It takes into account all types of documents produced and received in each sector or in each system. It interferes in two sensitive stages of the age or the life documents which are the stage of transforming from the first age to second age as well the stage of transforming from the second age to the third age.



▪ These two stages are infiltrated by an important and necessary operation that is considered a separator factor between the documents that are saved and those are excluded.

After our brief answering why is the management schedule accomplished? It should clarify that before accomplish any project of management schedule in/ any organization, it should be made previous studies in order to know every stuff around the private documents of that body either inside or outside the environment of it, it should recognize the following:

2.2.1. The previous studies:

We mean all the works and the provisions that must be taken for the previous known of the document in the its production surrounding, how its uses as well its organizational ways in order to facilitate the documents evaluation, among the most important studies that it can be carries out are the following:

2.2.1.1. Organization study or organizational structure of body:

In order to recognize the different works and occupation and services and the producer document offices and differ between the important documents that need it the producer body and the documents that can be dispensed which are not important to the producing party.

2.2.1.2. The Study of the uses and movement of documents:

According to the development taking place in organization of bodies and their divergence, the archivist must know all the functional relationships between the departments and offices within these bodies and know all the stages and the methods that the document passes through, from the day of its production until it reaches the archives department or office so that he can trace it.

2.2.2. The cooperation between the archiver and the producer body of documents:

Throughout working together between the archivist and the producer of documents with all its departments and employees in order to clarify the following:

*how are the documents and files produced?

*what are the important documents to manage the current and future body?

*What are the relations that exist between the produce documents in the various authority interests?

* What is the value and the importance of the administration and lawful of these documents?

In order to achieve accomplishing project of management schedule in any body, the following must be done:

1- Forming an internal body or committee to manage the accomplishment project of the management schedule.



- 2- Providing the project with all the necessary means for its completion, including important human means in terms of quality and quantity, material and financial means, as well as all the legal and organizational arrangements accompanying the project.
- 3- Formation of the field intervention team. Raising awareness and training the Authority's employees to contribute effectively in the project.

2.2.3. The life cycle of documents:

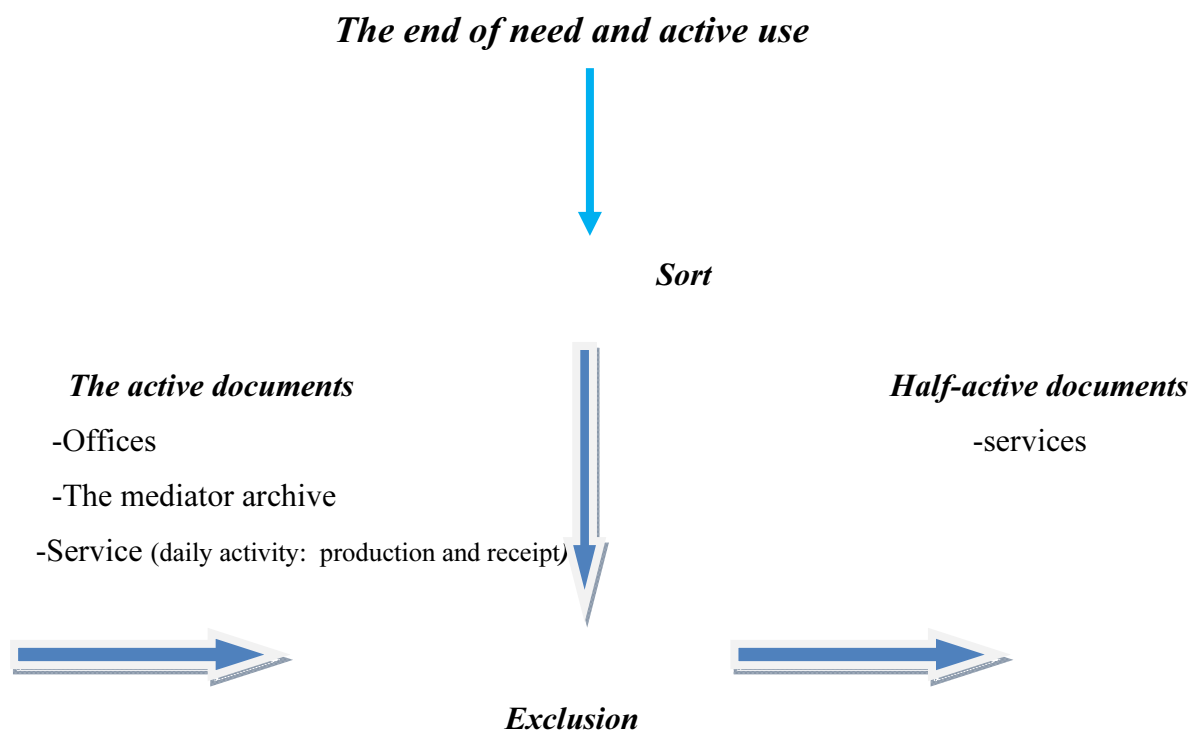


Figure 1: Document life cycle (Abdelhadi, 2018)

2.2.4. The legal aspect of management schedule:

Currently, the archivist and the document producer bodies pay attention to show the periods of document preservation in the first and second age focusing on:

- All the legal texts are governing each sector, in order to imply a codified and a unified systems in the management of administrative documents at all levels.
- Codifying the life course of the administrative document, including the transitional period it goes through since it acquires its management value until it acquires a final preservation value to be a source for research and proof of rights.
- Emphasizing about the mandatory nature of accomplishing and preparing management schedules at the level of all Algerian sectors, in order to preserve the documentary heritage



in the service of national memory and the continuity of the institutional performance of various state bodies, as stated in publication N37 dated 10/17/2010 and issued by the General Directorate of the National Archive. (**General Directorate of the National Archive, publication N 37, 2010: p. 128**).

3. An overview of the management schedule of judicial archive documents:

3.1 The objectives of the management schedule:

- It aims to identify the problems, ambiguities, and obstacles that prevent the rational management of the judicial archive at the central level and at the level of all judicial authorities, whether the ordinary or administrative judiciary.
- Determining the archivist responsibilities, judges and judicial assistants from the registry, experts, notaries, judicial reportersetc in dealing with various judicial documents.

3.2 The existence and the updating of management schedule:

- It exists as a common form of ministry decision dated in 03/06/1998. (Official newspaper N53, 1998: p 11)
- It is updated in cooperation with general directorate of national archive throughout an agreement complemented in 2006, and then it is stated as form of common ministry decision in 27/07/2010. (judicial ministry, 2010: p 1-9)

3.3. How to use and exploit the judicial archival of management schedule:

3.3.1 Organize the documents:

Firstly, the documents are organized according to:

1- Judicial authorities (court) (the official newspaper N 29, 2001: p5) **and judicial council** (the official newspaper N 10, 1998: p 3)

- Services and offices numbers= 11
- The produce documents at it level number= 157 document
- Documents paid to regional centers = 74 documents
- Documents searched = 83

2- The Supreme Court:

- Services and offices numbers= 04
- The produce documents at it level number= 24 document
- Documents paid to regional centers = 16 documents
- Documents searched =08

3- The council of state:

- Services and offices numbers= 03
- The produce documents at it level number= 19 document
- Documents paid to regional centers = 09 document
- Documents searched =10



4- The common documents:

- The produce documents at it level number= 13 document
 - Documents paid to regional centers = 06 document
 - Documents searched =08
- The total number of documents for the justice system= 213 document
- Paid =104
 - Excluded =109

3.3.2 Fields of management schedule:

- Document title
- Description
- Preservation periods
- At the level of judicial authorities
- At the level of the regional center for the judicial archive.
- Document fate.
- Payment to the regional center for the judicial archive.
- Damage

3.3.3. Sample of management schedule for judicial archive documents:

Table 1: represents a sample schedule for managing judicial archive documents in Algeria

1. Judicial authorities

Document title	Preservation periods		Description	The outcome of the document (payment, damage)
	Duration of temporary preservation at the level of regional archive centers	Duration of temporary preservation at the level of regional archive centers		
Birth register and marriage orders	Five (05) years	Twenty (20) years		Payment to the regional judicial center
Administrative register decisions	Ten (10) years	Five (05) years		Payment to the regional judicial center
Register of delivery citizenship certificate	Five (05) years	Five (05) years		Damage
Citizenship certificates copies and birth certificates copies	Five (05) years	Five (05) years	Copies of citizenship certificate status documents to their owners	Damage
Register of delivery regulations of ruling and decisions	After closing, it is destroyed	—		Damage

Source: Ministry of Justice, Joint Ministerial Resolution, 2010



3.3.4. Legal sources and references:

Then, the accomplishment of this schedule is focused on the following organizational legislative texts:

- Law N 88-09 concerning the national archive.
- Executive Decree No. 96-168 related to the management and preservation of judicial archives.
- The common ministerial decision dated 03/06/1998 of nature on judicial archive and its period of preservation of the judicial authorities and the deadlines of damaging it and it deposits it with the institution in charge of the National Archive.
- The common ministerial decision dated 07/27/2010. Amended the joint ministerial decision specifying the nature of the judicial archive, the period of its preservation with the judicial authorities, and the deadlines for its destruction and deposit with the institution in charge of the national archive. Issued on 06/03/1998.
- Publication N 1 dated in September 1990 relating to the organization of the management of joint documents produced by central administrations.
 - Publication N 22 dated in July 16th, 2001 and relating to the comprehensive lists of archival documents.
 - Publication N 37 dated October 17th, 2010 about unified the procedures to prepare the management schedule of archive document.
- Sanction law
- Criminal procedures law
- Civil law
- Civil and administrative procedures law.
- Algerian Judicial organization
- Algerian Judicial division.

4. How the management schedule accomplish:

There must exist the management schedule of archival documents of each sector, each side, each center or service and if it is not exist, it must of each archiver understands how to accomplish every important means of organizing and managing the life cycle of archival documents, thus, the archivist must prepare a report explaining on it; the importance of this process in order to convince responsables to obtain their approval to start the process. The process of accomplishment goes through several stages, we summarize in the following:

- 1-Preparing the organizational structure of the authority, institution administration ...etc.
- 2-Preparing the legal texts that govern the authority, institution, and administration.



- 3- Identify the types of interests and offices that produce and receive documents.
- 4- Conducting an inventory of the various documents produced and received by all the Authority's structures.
- 5- Preparing the model of the management schedule.
- 6- Reproduce, and then distribute it to all departments to make suggestions according to:
 - *the need of documents in offices proposing storage periods (at the level of offices and the mediator archive authority)
 - *Existing applicable laws (civil, commercial, etc.)
- 7- The archival transformation to the different structures' authorities in order to interview those who concern for filling out the management schedule forms.
8. Filling out the model from the authority schedule.
9. Forming local body to approve the proposals, it is headed by the Authority's first official.
10. Sending it back for signature by the departments and entities that filled out the form.
11. Configuring the management schedule in the form of a thesis: according to the organizational structure
 - +document title
 - +the content according to the organizational structure
12. Sending the completed management schedule to the general directorate of the national archive.
13. Studying of the management schedule by the general directorate of the national archive at the level of a specialized committee.
14. After the study, the management schedule will be returned to the concerned body.
15. If approved, it will be notified to the Authority's constituent departments for implementation.
16. If there are reservations, the management schedule will be corrected and sent back to the General Directorate of the National Archives for further approval.
17. It will be returned after final approval and notified to the Authority's constituent departments for implementation.



5. CONCLUSION

With the regard of the great importance that is acquired from the management schedule concerning determining the life cycle of documents as well to the for managing the archival bodies, and as it is considered variable mean to manage that can be updated, it must convoy all the developments that happen in archive bodies in the terms of organization and management in their internal and external environment through the following:

- The occurring changes in the organizational structure and management system of the authority.
- The emergence of new jobs, so new documents of authority.
- Changing and modifying legal texts, especially in terms of antique documents which inevitably lead to change in the periods of preservation of documents.

Therefore, the management schedule is considered a safety valve to ensure the proper implementation of all the strategies' services management and archival documents in order to improve the archive situation and its management according to the established standards.



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