



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
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JAG 5210.1
AJAG 06
10 Jun 25

JAG INSTRUCTION 5210.1

From: Judge Advocate General of the Navy

Subj RECORDS MANAGEMENT PROGRAM

Ref: (a) SECNAVINST 5210.8F, Department of the Navy Records Management Program
(b) SECNAV M-5210.1, Department of the Navy Records Management Manual, 23 September 2019
(c) SECNAV M-5210.2, Department of the Navy Standard Subject Identification Code (SSIC) Manual, August 2018
(d) SECNAV M-5216.5, Department of the Navy Correspondence Manual, 16 May 2018
(e) DoN Records Management Schedules
(f) 44 U.S.C.
(g) 36 CFR Chapter XII, Subchapter B, Records Management
(h) DoD Instruction 5015.02, DoD Records Management Program of 24 February 2015
(i) SECNAVINST 5510.36B, Department of the Navy Information Security Program
(j) JAGINST 5813.2A, Public Access to Court-Martial Dockets, Filings, and Records Pursuant to Article 140a, UCMJ

Encl: (1) Definitions
(2) Sample File Plan
(3) Data Governance Flow Chart

1. Purpose. This instruction establishes policy and assigns responsibility for the life cycle management of record (creation, maintenance, use, and disposition) for the Office of the Judge Advocate General (OJAG) in accordance with references (a) through (i). This instruction is new and should be reviewed in its entirety. Its revision is timed with the transition to digital storage modernization requirements imposed by Navy Enterprise Networks; specifically, the movement away from local shared drives and into a cloud environment.

2. Definitions. See enclosure (1).

3. Applicability. This instruction applies to all OJAG military, civilian, and contractor personnel. Nothing in this instruction should be read to alter any of the requirements of reference (j) for records created within OJAG that fall under the scope of reference (j).

4. Policy. OJAG will:

a. Implement an active records management program that provides for accurate and effective tracking and retrieval of command records as required by Federal law.

b. Manage all records created or received by any official or employee of OJAG in the course of conducting Government business as the property of OJAG and DON. Ensure no person attains a proprietary interest in any record created or acquired by virtue of his/her position as an official or employee. Records created and/or maintained by a contractor for OJAG are also the property and responsibility of OJAG.

c. Manage all electronic records, including e-mail, in the same manner as other formats. OJAG policy is to utilize the DON-approved records management application (RMA) or a National Archives and Records Administration (NARA)-designated long-term records storage facility for the long-term storage of electronic records. Therefore, all organizations within OJAG maintaining official records on shared drives must migrate their records to the DON-approved RMA under the guidance and direction of OJAG Chief Information Officer.

d. Provide for the preservation and maintenance of all record assets by providing for efficient filing and retrieval structures and procedures for all records and providing for the preservation and protection of Vital Records in accordance with OJAG Continuity of Operations Plan.

e. Ensure efficient and appropriate records disposition in accordance with reference (b). Reference (c), the DON Standard Subject Identification Code (SSIC) Manual, provides a means to consistently organize, categorize, file, retrieve, and complete the lifecycle of official records. SSICs are required on all OJAG correspondence, directives, forms and reports, regardless of medium. The timing of decision-making on disposition of records is linked to SSIC numbers.

f. Records Creation.

(1) All personnel are responsible for creating, maintaining, and preserving information as records, from any type of media, sufficient to provide evidence of organization, functions, policies, procedures, or decisions; or records that document the transactions necessary to protect legal and financial rights of the organization and its personnel.

(2) All personnel must properly identify official records by their SSIC. SSICs are critical in determining disposition authority and, per reference (c), shall be used on all official records created, including letters, memorandums, messages, directives, forms, reports, and electronic mail where appropriate.

(3) In order to minimize the recordkeeping burden of e-mail recipients and to avoid unnecessary burden on the electronic communications system, both the creator and recipient of an e-mail message must decide whether it is a record. Therefore, a document may be a record in more than one office or activity.

g. Records Retention and Disposal. All personnel will follow the disposition guidance contained in reference (b). Requests for exceptions to disposal guidance must be forwarded to the OJAG Records Management Program Manager (RMPM) for appropriate review and

approval by the DON Assistant for Administration Directives and Records Management Division (DON/AA DRMD). Disposition is divided into two categories:

(1) Permanent Records. All digital records identified in reference (e) as permanent, must be transferred to a NARA-designated long-term records storage facility when no longer needed for administrative, legal, or fiscal purposes. The current version of reference (e) is available at <https://www.secnav.navy.mil/doni/Records%20Management%20Schedules/Forms/AllItems.aspx>. The specific retention period before transfer is normally specified in the record's disposition. As of 30 June 2024, the NARA no longer accepts paper or analog records without specific exemption. NARA will only accept records in electronic format with appropriate metadata.

(2) Temporary Records. Temporary records must be retained for the period specified in reference (e) and then destroyed or deleted by/under the proper authority. OJAG organizations currently utilize multiple tools or technologies to store their temporary records/files including: Microsoft OneDrive; External Drives; Microsoft Teams; and JAG Portal SharePoint Online (SPO). These data storage capabilities are intended to retain records less than three years-old or necessary for immediate access. Records stored using tools or technologies mentioned above continue to be the responsibility of the division/activity.

h. Electronic Records. These records must be managed as stringently as records in any other medium. Electronic records include information that may be recorded on any medium capable of being read by a computer and which satisfies the definition of a record. E-mail records comprise a significant subset of electronic records that need to be appropriately created, maintained, used, and disposed. Reference (b), Part I, paragraph 17, and reference (d), Chapter 1, Sections C and D, provide general recordkeeping procedures for electronic records and e-mail. Not all e-mail messages and other electronically generated information are considered records. E-mail messages, documents, and files are considered records only when they meet the definition of "Records" contained in section 3301 of reference (f).

i. Records Filing. While more of the DON's information is maintained electronically, there is still a significant amount of paper records created daily that must be effectively and efficiently managed. Reference (c), Chapter 1, provides guidance for maintaining Navy paper information. OJAG personnel must use these procedures as they establish a systematic way that is consistent throughout OJAG and meets the procedural requirements of references (c) and (d).

(1) Filing Procedures for Hardcopy Records. A file plan is required for their files. Enclosure (2) is OJAG's file plan and may be used as a guide to create all file plans.

(2) Filing Procedures for Electronic Records. Activities may only use the DON-approved RMA. The current RMA for use is found at: https://flankspeed.sharepoint-mil.us/sites/RM_Home. It provides user access to a SharePoint-based Records Management application. The mandated application ensures all records placed within are declared, captured, organized, secured, maintained and disposed of properly. Electronic records may not be stored in a manner that does not meet the requirements of reference (b).

j. **Non-Record Materials.** Non-record materials should not be interfiled with records and should be destroyed when no longer needed for reference. Non-record materials may be removed from U.S. Government custody without RMPM approval.

k. **Personal Papers.** Materials belonging to an individual that are not used to conduct OJAG business. They are related solely to an individual's own affairs or are used exclusively for that individual's convenience. Personal papers may be moved at the employee's discretion without the RMPM's permission.

l. **Removal of Files Upon Transfer or Retirement.** Employees who are transferring or retiring may not remove records from any office/activity as personal property.

6. Roles and Responsibilities.

a. Assistant Judge Advocate Generals (AJAGs); Chief Judge, Department of the Navy (CJDON); Commanding Officer, Naval Justice School (CO, NJS); and Special Assistants (SAs).

(1) Create and preserve Federal records that adequately and properly document the organization, functions, policies, decisions, procedures, and essential transactions of their component;

(2) Appoint a Records Management Lead for your organization(s), as well as any subordinate Records Management Liaisons based on records volume requirement, to ensure records are maintained per this instruction and other relevant references, instructions, regulations, and laws;

(3) Ensure that record-keeping practices and procedures as prescribed in this statement are followed; and

(4) Ensure staff is informed of any changes to recordkeeping requirements.

b. The Assistant Judge Advocate General (Operations and Management) has oversight of the OJAG Records Management Program and designates the Records Management Program Manager in writing.

c. **Records Management Program Manager (RMPM).** The RMPM is responsible for the administration of the command's Records Management Program to include the planning, controlling, directing, organizing, training, promoting, and other managerial activities involving records creation, records maintenance and use, records preservation, and records disposition. The RMPM shall:

(1) Serve as OJAG's official records contact with the DON Chief Information Officer, OJAG Chief Information Officer and with records management representatives of the National Archives, and other Government agencies;

- (2) Coordinate an effective records management program across all OJAG organizational lines;
- (3) Develop and implement records disposition management procedures to ensure uniformity and compliance with approved OJAG practices;
- (4) Coordinate all facets of records management for the effective application of standardized procedures;
- (5) Monitor and coordinate activities related to the transfer, scheduling, retention, preservation, referencing, and disposition of records;
- (6) Recommend improvements for the effective utilization, space, equipment, supplies, and human resources associated with the creation, maintenance, storage, and servicing of records;
- (7) Provide technical guidance, adequate training to all employees who create and use records, and to provide Records Management refresher training annually to ensure compliance with applicable references;
- (8) Provide ad hoc training to stakeholders on the use of the DON approved RMA and appraised of OJAG data governance program updates;
- (9) Maintain controls capable of providing effective retrieval of OJAG records;
- (10) Monitor OJAG's compliance with DON directives on electronic records, including ensuring the movement of electronic records from shared drives, storage devices and SharePoint to the DON approved Records Management program in a timely manner;
- (11) Coordinate and conduct annual reviews of OJAG's records holdings;
- (12) Keep apprised of changing records management practices and procedures within the Federal sector, including records presently frozen due to litigation or national security matters;
- (13) Maintain liaison with concerned representatives of the DON, NARA, and other Government agencies; and provide for the orientation of OJAG staff members, when needed;
- (14) Ensure that OJAG Vital Records are identified and protected in coordination with OJAG's COOP.
- (15) Conduct an inventory or file plan review of all records annually to ensure they properly maintained;
- (16) Ensure that records created or received be identified, separated from non-records and filed in appropriate file structures;

(17) Records Managers will complete DON Records Management Hub training within thirty (30) days of appointment.

(18) Review and update this instruction, as required, and, at a minimum, annually.

c. OJAG Records Management Leads/Liaisons.

(1) Keep their chain of command informed regarding the status of records management within the division or activity;

(2) Coordinate with the RMPM to ensure that respective organizational records under their cognizance are filed in a responsible, complete, consistent, and logical manner;

(3) Coordinate with the RMPM to ensure that the respective organization properly store official records and migrate all official records from the share drive to the DON approved Records Management Program;

(4) Review internal records practices periodically and inform the Division Director, AJAG, CJDON, CO, or Special Assistant, as applicable, and the RMPM of any needed changes;

(5) Coordinate with the RMPM any changes in the arrangement of files or the movement of files so that the RMPM can maintain intellectual control of all files;

(6) Maintain an inventory or file plan review of all organization records annually to ensure proper conservation;

(7) Coordinate with the RMPM to ensure systematic removal or disposal of files and papers that are not needed for active use; and complying with this statement, DON records management requirements and relevant Federal practices and procedures in the disposal of records as well as non-record materials; and

(8) Identify and transfer permanent records to NARA-approved long term storage facilities according to the approved record schedule listed in reference (e).

d. OJAG Chief Information Officer (CIO). Provide technical support and specific guidance to the RPPM, Records Management Leads or AJAG on issues pertaining to the proper management, storage, or transference of electronic records.

e. All OJAG military, civilian and contractor personnel.

(1) Manage the information they collect, create and use in accordance with the records management procedures of OJAG and safeguard records in their custody until they are authorized for destruction.

(2) Comply with all OJAG records management training schedule requirements as well any training mandated by DON records management storage systems or facilities.

(3) Do not remove official records from their workspaces upon transferring or retiring. Any questions on what constitutes personal papers acceptable for departing officials should be directed to OJAG RMPM.

7. Records Management. Records created as a result of this instruction, regardless of media or format, must be maintained and dispositioned per reference (b).

8. Review and Effective Date. Per OPNAVINST 5215.17A, the AJAG 06 will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.7A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.

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By direction

Releasability and distribution: This instruction is cleared for public release and is available electronically only via the Judge Advocate General's website: <https://www.jag.navy.mil>

DEFINITIONS

1. Continuity of Operations Plan (COOP). A DON component's plan for the capability to continue its Mission Essential Functions without unacceptable interruption during a national security emergency.
2. Disposal. The action taken regarding temporary records after their retention periods expire, and consisting usually of destruction/deletion.
3. Disposition. Instructions for what is to be done with a record that is no longer needed to support agency business.
4. Disposition Authority. The legal approval empowering an agency to transfer permanent records to NARA or to carry out the disposal of temporary records.
5. Electronic or Digital Records. Records stored in a form that only a computer can process. Records can be numeric, graphic, and text information; media can include, but are not limited to, magnetic media, such as tapes and disks, and optical disks.
6. Federal Records. Sometimes referred to as "Records" or "Official Agency Records", consist of those documents made or received by an agency of the United States Government under Federal law or in connection with the transaction of agency business and preserved or appropriate for preservation as evidence of agency organization and activities or because of the value of the information they contain.
7. File Plan. A document containing the identifying number, title, description authority of files held in any official capacity.
8. Lifecycle. The management concept that records pass through three stages: creation, maintenance and use, and disposition.
9. National Archives and Records Administration (NARA). The organization/agency responsible for appraising, accessioning, preserving, and making available permanent records. NARA is responsible for implementing records management laws within the Federal Government.
10. Non-record material. Federally owned documentary materials excluded from the legal definition of records. Such documents include unofficial copies of documents kept only for convenience or reference, stocks of publications and near-print documents, and library or museum material intended solely for reference or exhibition.
11. Permanent Records. Record appraised as having sufficient historical or other value to warrant continued preservation by the Federal Government beyond the time they are needed for administrative, legal, or fiscal purposes.
12. Personal Papers. Documentary materials of a private or nonpublic character that do not relate to, or have an effect on, the conduct of agency business.

13. Records. All recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them.
14. Records Management. The planning, controlling, directing, organizing, training, promoting, and other managerial activities related to the creation, maintenance and use, and disposition of Federal agency records.
15. Retention Period. The length of time a record must be kept because it is needed for ongoing business, to document an action, or for statutory reasons.
16. Temporary Records. Record approved for disposal after a limited and specified retention period.
17. Vital Records. Essential agency records that are needed to meet operational responsibilities under national security emergencies or other emergency or disaster conditions, or to protect the legal and financial rights of the government and those affected by government activities.

NAVAL ORGANIZATIONAL RECORDS FILE PLAN

Command:		UIC:				Date:	
Item 1	a) SSIC:	b) Schedule No.:	c) File Title:	d) Disposition Instructions:		e) Essential Record:	f) Identification of Media:
	g) Location:	h) Final Disposition:	i) Classification:	j) Special Markings:	k) Physical Media	l) Volume:	m) Container:
	n) 25 Year Declassification Completed	o) Date Span: (YYYY-YYYY)	p) Comments:				
Item 2	a) SSIC:	b) Schedule No.:	c) File Title:	d) Disposition Instructions:		e) Essential Record:	f) Identification of Media:
	g) Location:	h) Final Disposition:	i) Classification:	j) Special Markings:	k) Physical Media	l) Volume:	m) Container:
	n) 25 Year Declassification Completed	o) Date Span: (YYYY-YYYY)	p) Comments:				
Item 3	a) SSIC:	b) Schedule No.:	c) File Title:	d) Disposition Instructions:		e) Essential Record:	f) Identification of Media:
	g) Location:	h) Final Disposition:	i) Classification:	j) Special Markings:	k) Physical Media	l) Volume:	m) Container:
	n) 25 Year Declassification Completed	o) Date Span: (YYYY-YYYY)	p) Comments:				
Item 4	a) SSIC:	b) Schedule No.:	c) File Title:	d) Disposition Instructions:		e) Essential Record:	f) Identification of Media:
	g) Location:	h) Final Disposition:	i) Classification:	j) Special Markings:	k) Physical Media	l) Volume:	m) Container:
	n) 25 Year Declassification Completed	o) Date Span: (YYYY-YYYY)	p) Comments:				
Item 5	a) SSIC:	b) Schedule No.:	c) File Title:	d) Disposition Instructions:		e) Essential Record:	f) Identification of Media:
	g) Location:	h) Final Disposition:	i) Classification:	j) Special Markings:	k) Physical Media	l) Volume:	m) Container:
	n) 25 Year Declassification Completed	o) Date Span: (YYYY-YYYY)	p) Comments:				
Item 6	a) SSIC:	b) Schedule No.:	c) File Title:	d) Disposition Instructions:		e) Essential Record:	f) Identification of Media:
	g) Location:	h) Final Disposition:	i) Classification:	j) Special Markings:	k) Physical Media	l) Volume:	m) Container:
	n) 25 Year Declassification Completed	o) Date Span: (YYYY-YYYY)	p) Comments:				

