

Panola County Clerk
Records Archive Preservation and Restoration Plan
2018

Purpose

The purpose of this plan is to outline the preservation and restoration of the County Clerk's records archive for the upcoming fiscal year. Our goal is to digitally image all records stored in the County Clerk's office in a standardized, universal format, while simultaneously restoring and preserving the original records. This process will provide access, minimize deterioration of existing records and assist in developing the County Clerk's disaster recovery capabilities. Funding is necessary and legislation has been enacted to provide the collection of fees for this purpose.

The **County Clerk Records Archive Fee**, LGC 118.011(f)(1) and LGC 118.025, provides for "...the preservation and restoration services performed by the county clerk in connection with maintaining a county clerk's records archive" and authorizes the collection of up to \$10 per recorded document, with Commissioners' Court approval. The County Clerk's Office currently collects \$10 per recorded document. This fee will be scheduled to be reduced to a maximum of \$5 per recorded document on September 1, 2019. The funds generated from the collection of the Archive Fee may be expended only for the preservation and restoration, including automation, of the County Clerk's records archive.

The **Records Management and Preservation Fee** provides for "...records management and preservation services performed by the county clerk after the filing and recording of a document in the records of the office of the clerk" and authorizes the collection of up to \$10 per recorded document [LGC 118 011(b)(2) and LGC 118 0216], and \$2.50 for each conviction in a criminal case filed in the County Clerk's Office [Section 2, Art. 102 005 CCP(f-h)]. These fees are designated as the County Clerk Records Management and Preservation Fund, and are to be used for specific records management and preservation purposes in the County Clerk's Office. Additionally, the collection of \$5 per new civil or probate case filed in the County Clerk's Office [LGC 118 052(3)(G), LCG 118 0546 and LGC 118.0645], and \$22 50 for each conviction in a criminal case filed the County Clerk's Office [Section 2, Art. 102.005 CCP(f-h)] is authorized. These fees are designated as the County Records Management and Preservation Fund, and may be used for specific records management and preservation purposes in the county, including automation purposes. The County Clerk's Office currently collects \$10 per recorded document, along with the mandated fee amounts in court cases. Effective September 1, 2019, the \$10 fee per recorded document is scheduled to be reduced to a maximum of \$5.

The **Court Record Preservation Fee** (GC 51 708) provides for "... a filing fee of not more than \$10 in each civil case filed in the court to be used for court record preservation for the courts in the county." The Panola County Clerk currently collects a Court Record Preservation Fee of \$5. Funds generated by this fee may be used only to digitize court records and preserve the records from natural disasters.

In FY 2016, recording and filing generated approximately \$126,675 from these three fees combined. To date in 2017, these fees have generated approximately \$67,000.

Designation of Records

Open/Public Records

The County Clerk's real property records range in date from prior to 1850 to the present, and contain over 2,100 books of recorded documents and numerous index books. All land record books and indexes have been microfilmed and reproduced in book format. Land records from 1947 to present are indexed, imaged and available to the public. In addition, most land records from mid-nineteenth century to present have been indexed electronically, and those index references are readily available online; however, images of those documents are available only in book format. For FY 2017, Commissioners' Court approved funding, using the Records Management Fund and County Clerk Archive Fund, for digitization of our land records going back to sovereignty, which should be complete by the end of 2017.

Probate, mental health, civil and criminal cases date from approximately 1850 to present. Probate, civil and criminal case records are open to the public. With the advent of mandatory e-filing in civil and probate cases, and our determination to be paperless, we are creating very few new paper case files. Criminal e-filing will also become mandatory in the next two years. County Clerk staff will continue to preserve and convert older paper case files to digital files to conserve space and enable the public to access those open records electronically.

Commissioners' Court Minutes are currently created and recorded electronically, and have been scanned and indexed back to 1996. These records are available electronically and in book format. Our plan is to continue to digitize these records, as personnel and equipment are available.

There are a number of miscellaneous books that are frequently referenced by staff and/or the public that would benefit from being digitized, so that the original books may be preserved. Our plan is to begin the restoration and conversion of our miscellaneous books in the next few years, as personnel, equipment and funds are available.

Closed Records

Birth, death and marriage records date prior to 1900, and military discharge records date to early 20th century. *The original books are the only records available in most cases.* Now that our land records projects are nearing completion, preservation and digitization of our original birth, death and marriage books is a top priority. With approval of the funding by Commissioners' Court, we would like to begin the process of having the old books preserved, simultaneously indexing and converting the images to electronic format. Restoration and preservation can be completed by vendor(s) to ensure the legibility and accessibility of these public documents for future generations. In addition, we will continue, as personnel and equipment are available, to work on this project in our office. We would like to have all vital records indexed and imaged in the next two to three years. These records aren't entirely open to the public, but digitizing would make it much easier to track and retrieve these records when necessary.

Summary

Finally, significant progress has been made this year in digitization of the records, and making those open records available to the public electronically. Records remaining to be digitized and books to be restored and preserved have been inventoried, and careful consideration is being given to the importance of the records of County Clerk's office. It is our desire to preserve the history of Panola County and its citizens in the best way possible, with the most efficient use of fees collected. With approval of funding by Commissioners' Court, we will continue to implement, in phases, the preservation of records in our care.

ORDER #2017-09

WHEREAS, Section 118.025 of the Local Government Code reads as follows: Sec 118.025(b) The commissioners court of a county may adopt a records archive fee under Section 118.011(f) as part of the county's annual budget. The fee must be set and itemized in the county's budget as part of the budget preparation process. The fee for "Records Archive" under Section 118.011(f) is for the preservation and restoration services performed by the county clerk in connection with maintaining a county clerk's records archive; and


WHEREAS, the above-referenced fee shall be collected by the County Clerk at the time a person, excluding a state agency, presents a public document to the county clerk for recording or filing, and

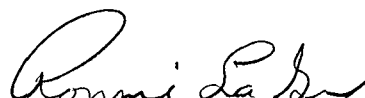
WHEREAS, (d) of Section 118.025 of the Local Government Code reads: "The fee shall be deposited in a separate records archive account in the general fund of the county; and

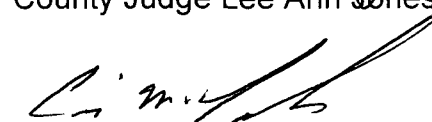
WHEREAS, (g) of Section 118.025 reads: "The county clerk shall prepare an annual written plan for funding the preservation and restoration of the county clerk's records archive." ... "The commissioners court shall publish notice of a public hearing on the plan in a newspaper of general circulation in the county not later than the 15th day before the date of the hearing. After the public hearing, the plan shall be considered for approval by the commissioners' court. Funds from the records archive account may be expended only as provided by the plan. All expenditures from the records archive account shall comply with Subchapter C, Chapter 262.";

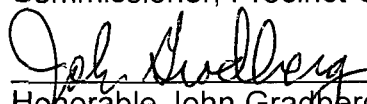
NOW, THEREFORE, IT IS ORDERED by the Commissioners' Court of Panola County, Texas, meeting in Open Session at a properly scheduled meeting of said Court, that the sum of **TEN AND NO/100 (\$10.00) DOLLARS** be collected by the County Clerk from each person(s) when a public document is presented to said clerk for recording or filing beginning January 1, 2018.


PASSED, APPROVED, and ADOPTED this 24th day of July, 2017.


County Judge Lee Ann Jones



Honorable Ronnie LaGrone
Commissioner, Precinct One

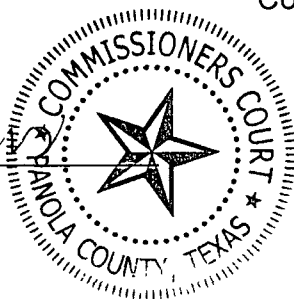

Honorable Craig M. Lawless
Commissioner, Precinct Three


Honorable John Gradberg
Commissioner, Precinct Two


Honorable Dale LaGrone
Commissioner, Precinct Four

ATTEST:

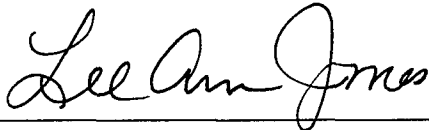

County Clerk Bobbie Davis



Notice of Public Hearing
On a Plan for the Preservation and Restoration of the
County Clerk's Records Archive

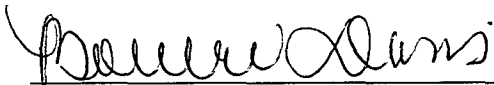
Notice is hereby given that a public hearing on a plan for the preservation and restoration of the Panola County Clerk's records archive will be held pursuant to Local Government Code 118.025(g), at a special meeting of the Panola County Commissioners' Court, in the Commissioners' Courtroom, Panola County Courthouse, 110 South Sycamore, Carthage, Texas, on Monday, August 28, 2017 at 9:00 AM.

Dated this 24th day of July, 2017.



Lee Ann Jones
County Judge, Panola County

Attest:



Bobbie Davis
County Clerk, Panola County

