

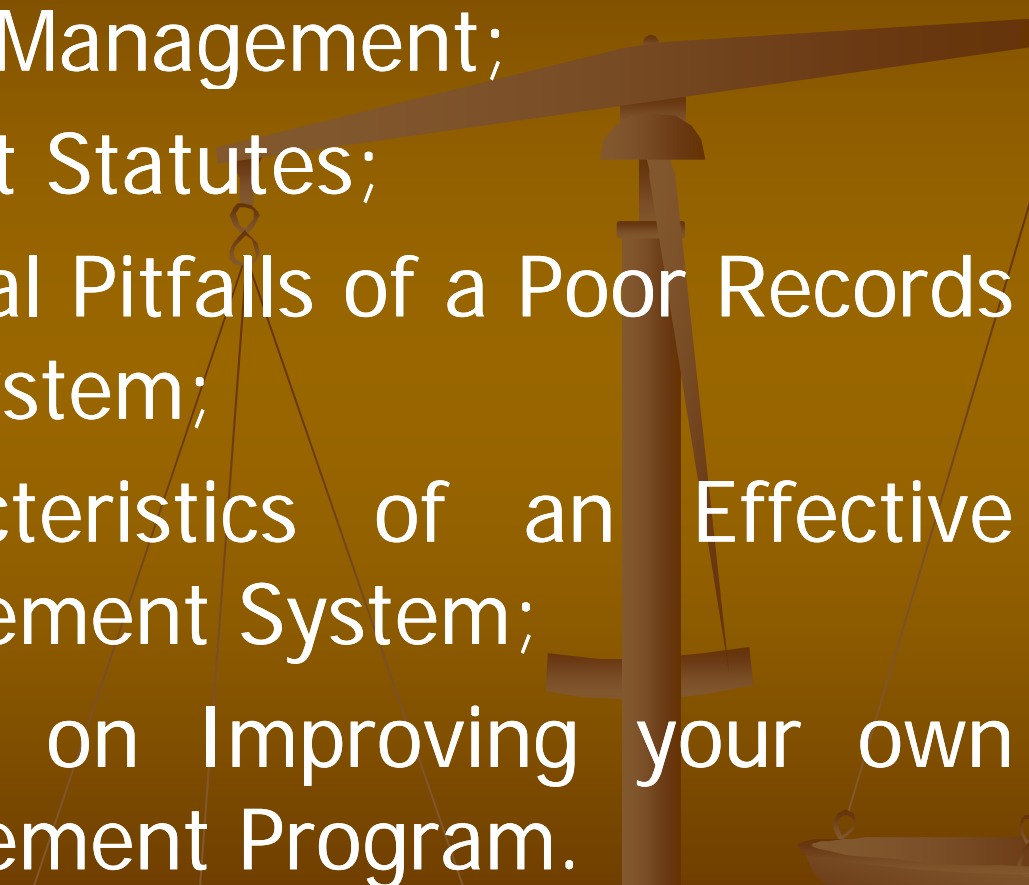
# Order in the Court

## Records Management In Municipal Courts

Kathryn Wells-Vogel, CMCC; CPM  
Court Services Manager  
City of Longview

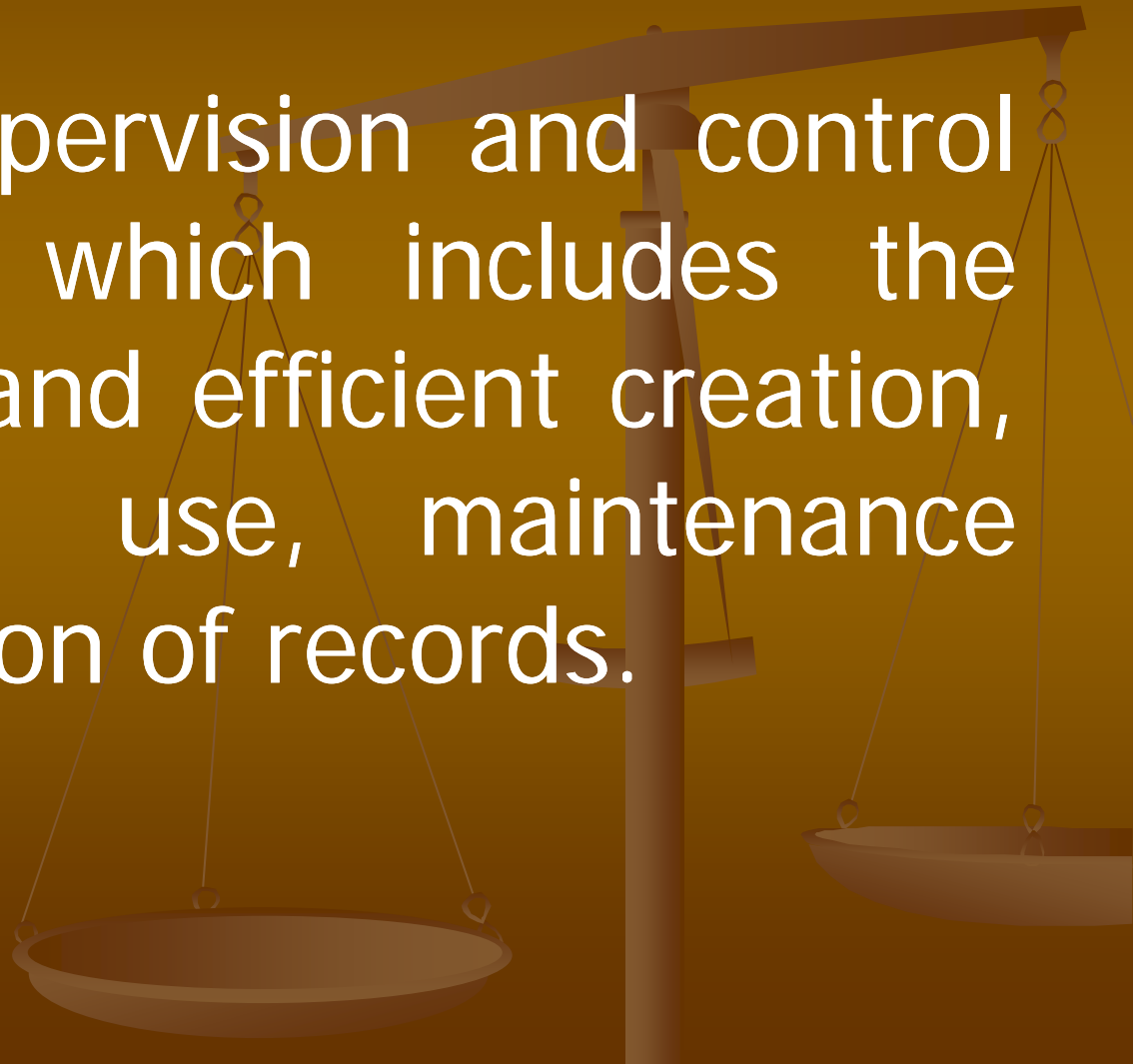


# Records Management in Municipal Courts

- Define Records Management;
  - Review Relevant Statutes;
  - Identify Potential Pitfalls of a Poor Records Management System;
  - Discuss Characteristics of an Effective Records Management System;
  - Offer Guidance on Improving your own Records Management Program.
- 

# Records Management

The active supervision and control of records, which includes the economical and efficient creation, organization, use, maintenance and disposition of records.



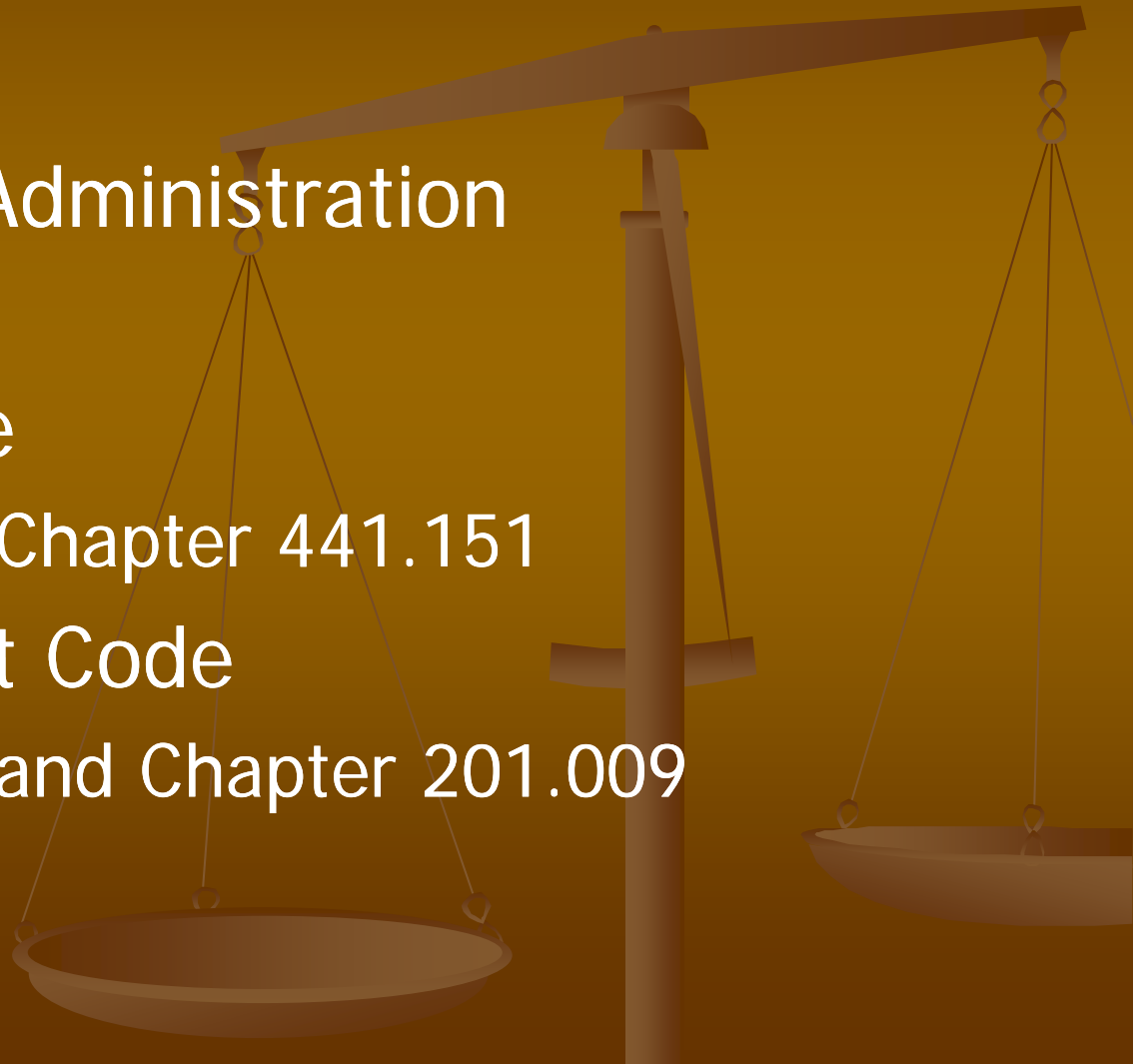
# Records Management

- Economical;
- Efficient;
- Care;
- Control;
- Maintenance;
- Archival (Storage);
- Destruction.



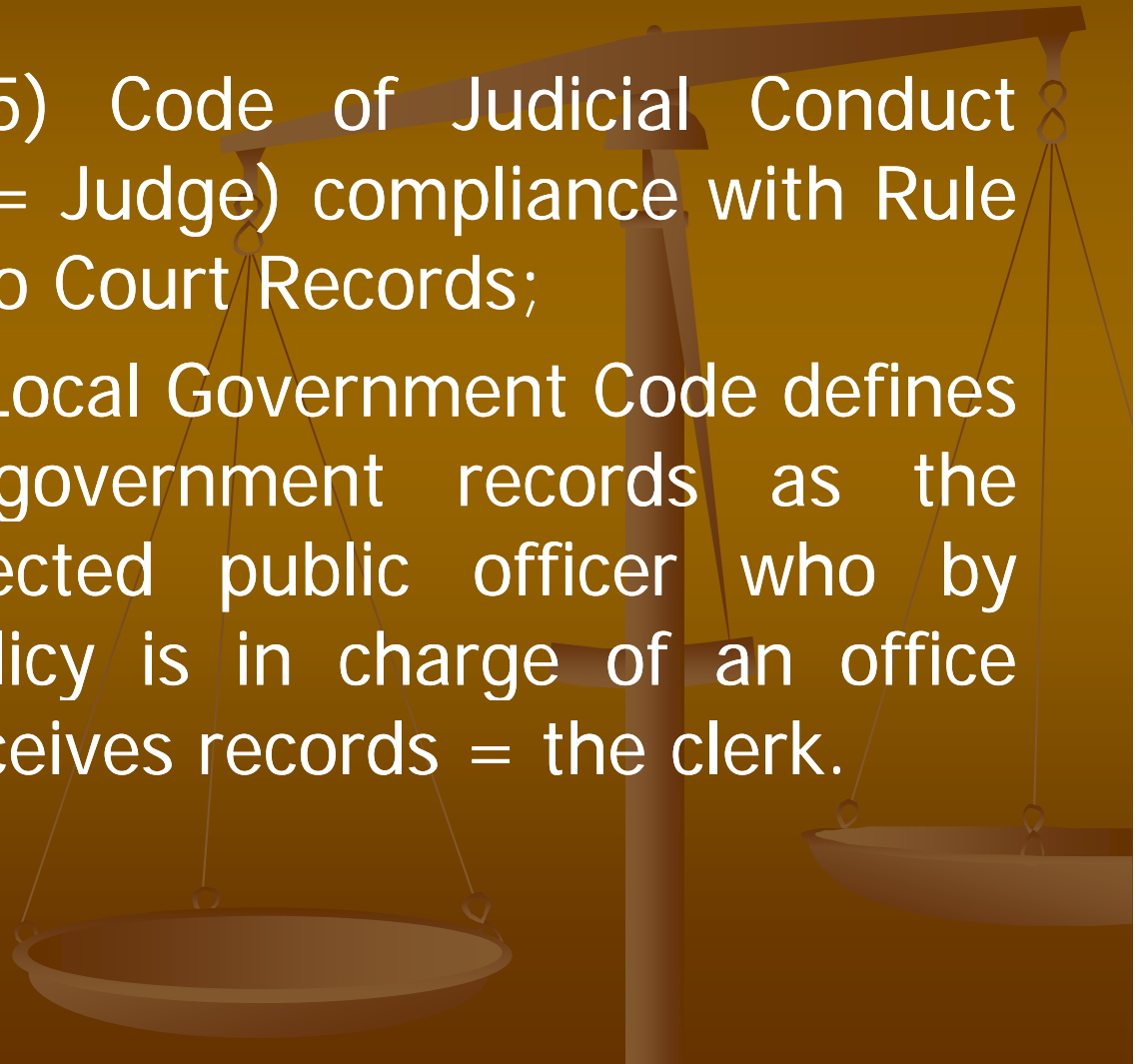
# Relevant Statutes

- Code of Judicial Conduct
  - Canon 3(c)(5)
- Rules of Judicial Administration
  - Rule 12
- Government Code
  - Chapter 552 and Chapter 441.151
- Local Government Code
  - Chapter 201.004 and Chapter 201.009



# Records Management: A Team Effort

- Cannon 3 (c) (5) Code of Judicial Conduct requires judicial (= Judge) compliance with Rule 12 Public Access to Court Records;
- Chapter 201.003 Local Government Code defines “Custodian” of government records as the appointed or elected public officer who by administrative policy is in charge of an office that creates or receives records = the clerk.



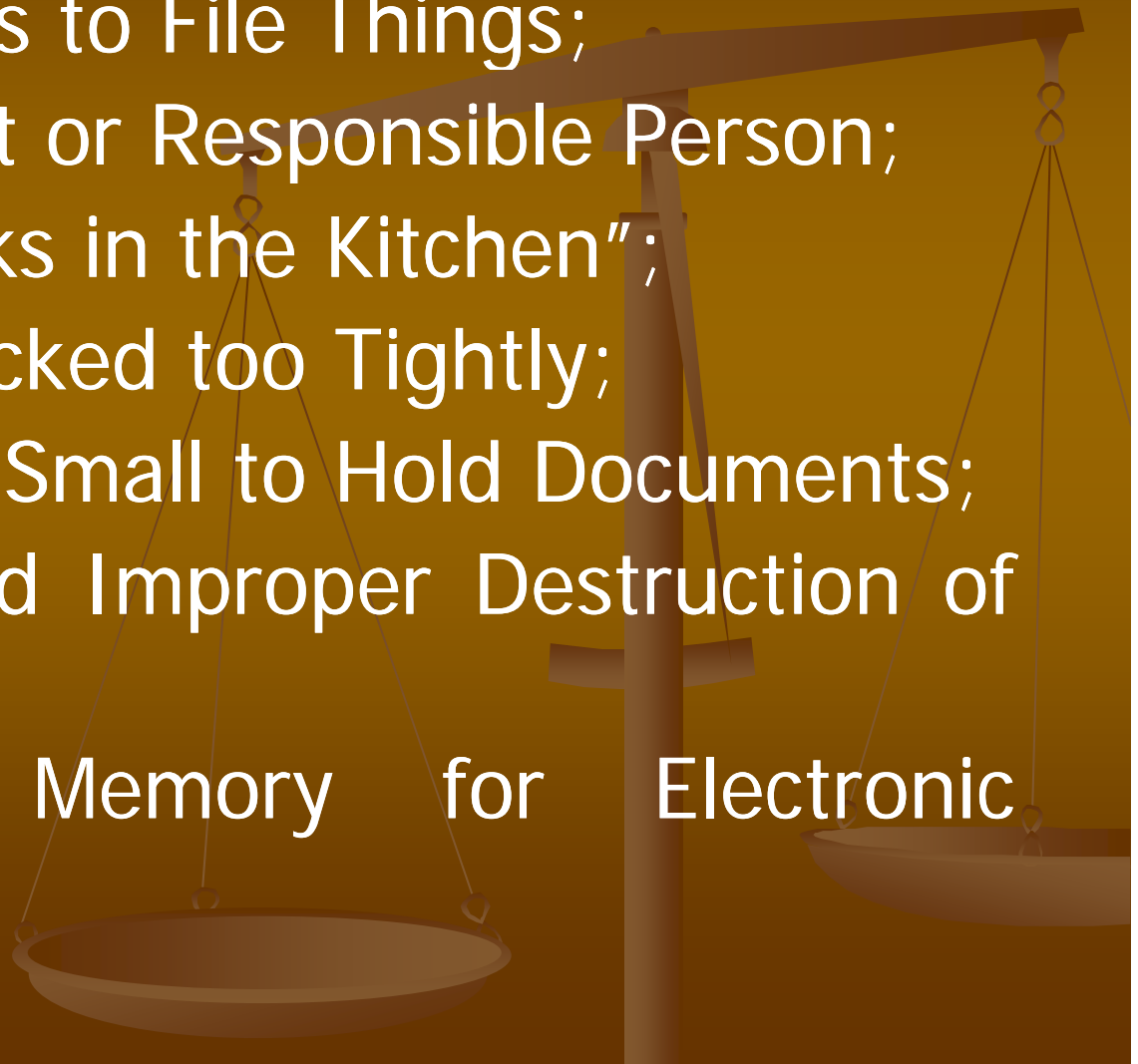
# Ineffective Records Management:

How Do You Know?



# Ineffective Records Management

- Too Many Places to File Things;
- No Management or Responsible Person;
- “Too Many Cooks in the Kitchen”;
- File Drawers Packed too Tightly;
- File Folders too Small to Hold Documents;
- Inconsistent and Improper Destruction of Records;
- Not Enough Memory for Electronic Records.





# Ineffective Records Management:

What Are the Consequences?

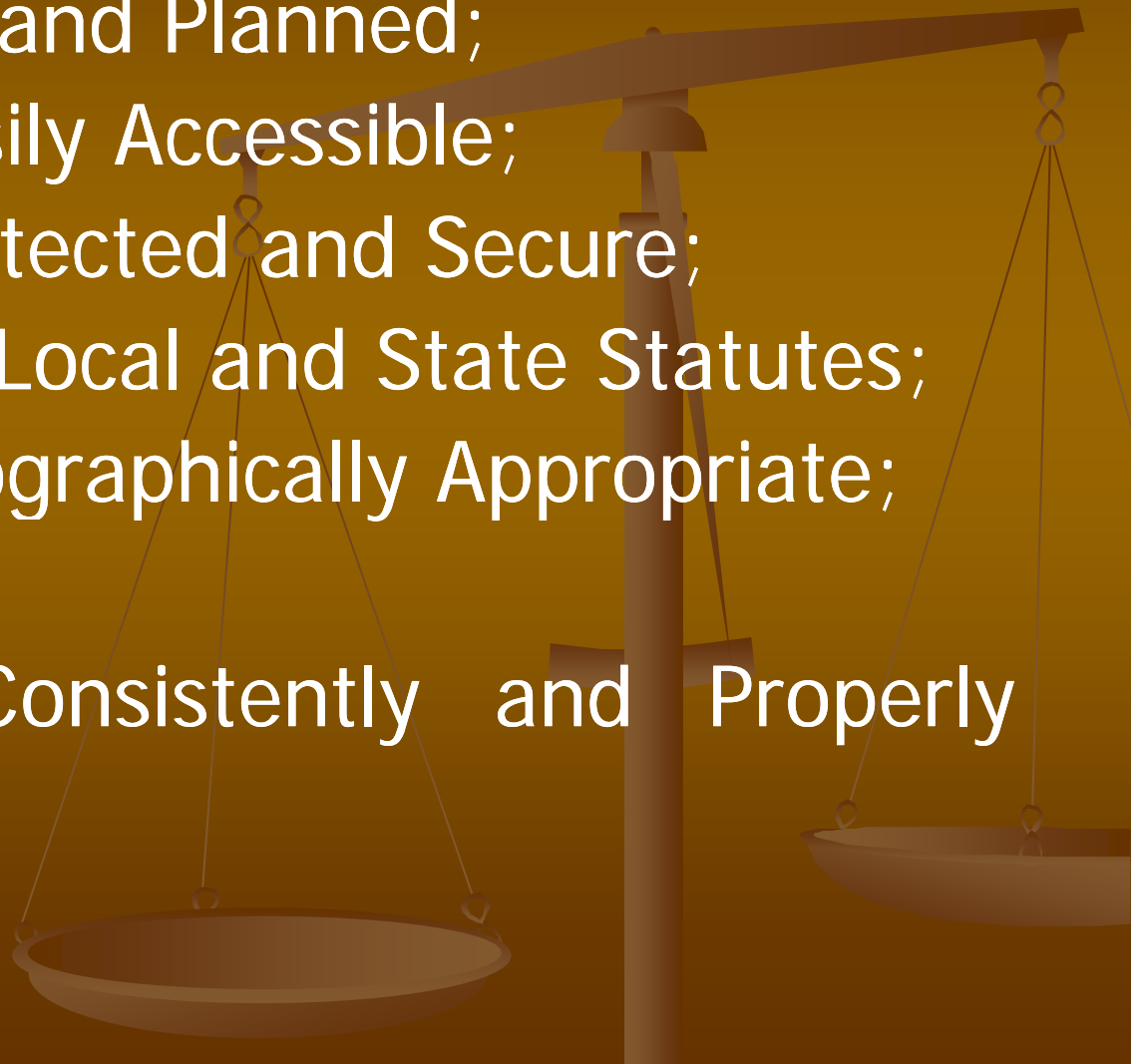
# Consequences of Ineffective Records Management

- Incomplete Files;
- Lost Files;
- Failure to Comply With Records Requests;
- Lost Revenue.



# Characteristics of a Good Records Management System

- Well Organized and Planned;
- Records are Easily Accessible;
- Records are Protected and Secure;
- Compliant with Local and State Statutes;
- System is Demographically Appropriate;
- Cost Effective;
- Records are Consistently and Properly Destroyed.





# Steps Toward Improving a Records Management System

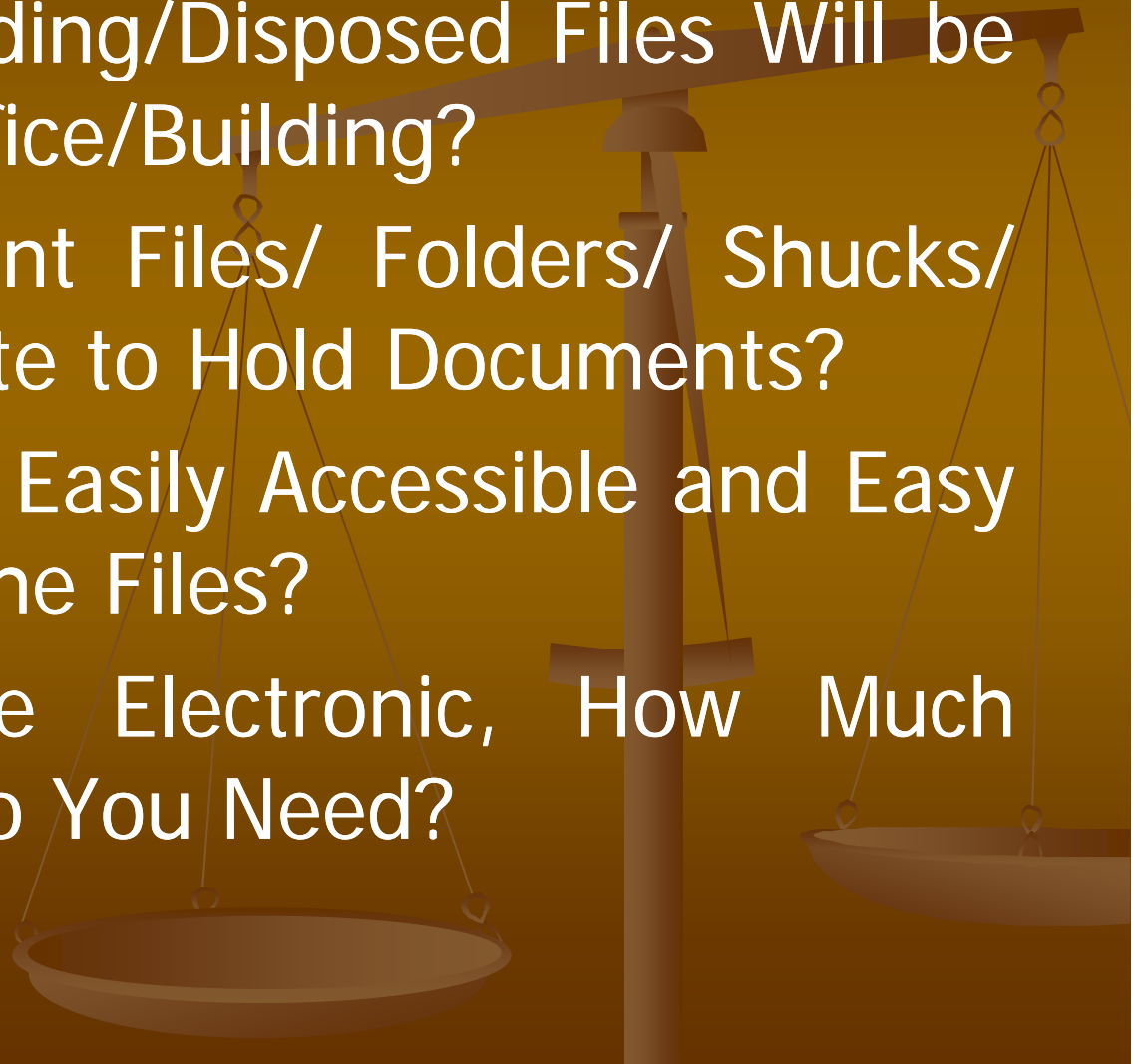
# Understand the Life Cycle

- Creation;
- Distribution;
- Use;
- Maintenance;
- Storage;
- Disposition.



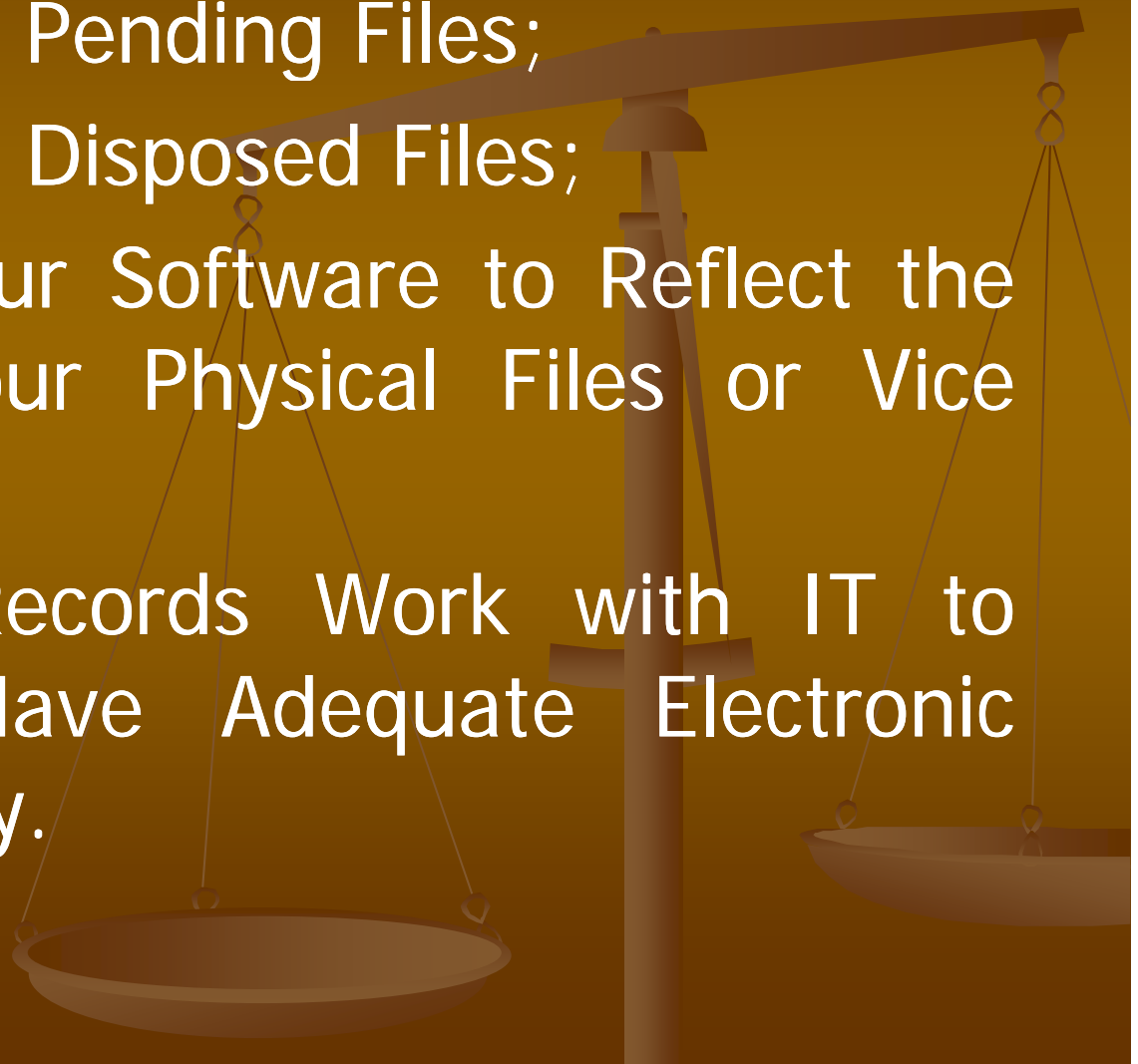
# Determine Storage Needs

- How Many Pending/Disposed Files Will be Kept in your Office/Building?
- Are Your Current Files/ Folders/ Shucks/ Jackets Adequate to Hold Documents?
- Are Documents Easily Accessible and Easy to Find Within the Files?
- If Records Are Electronic, How Much Server Space Do You Need?



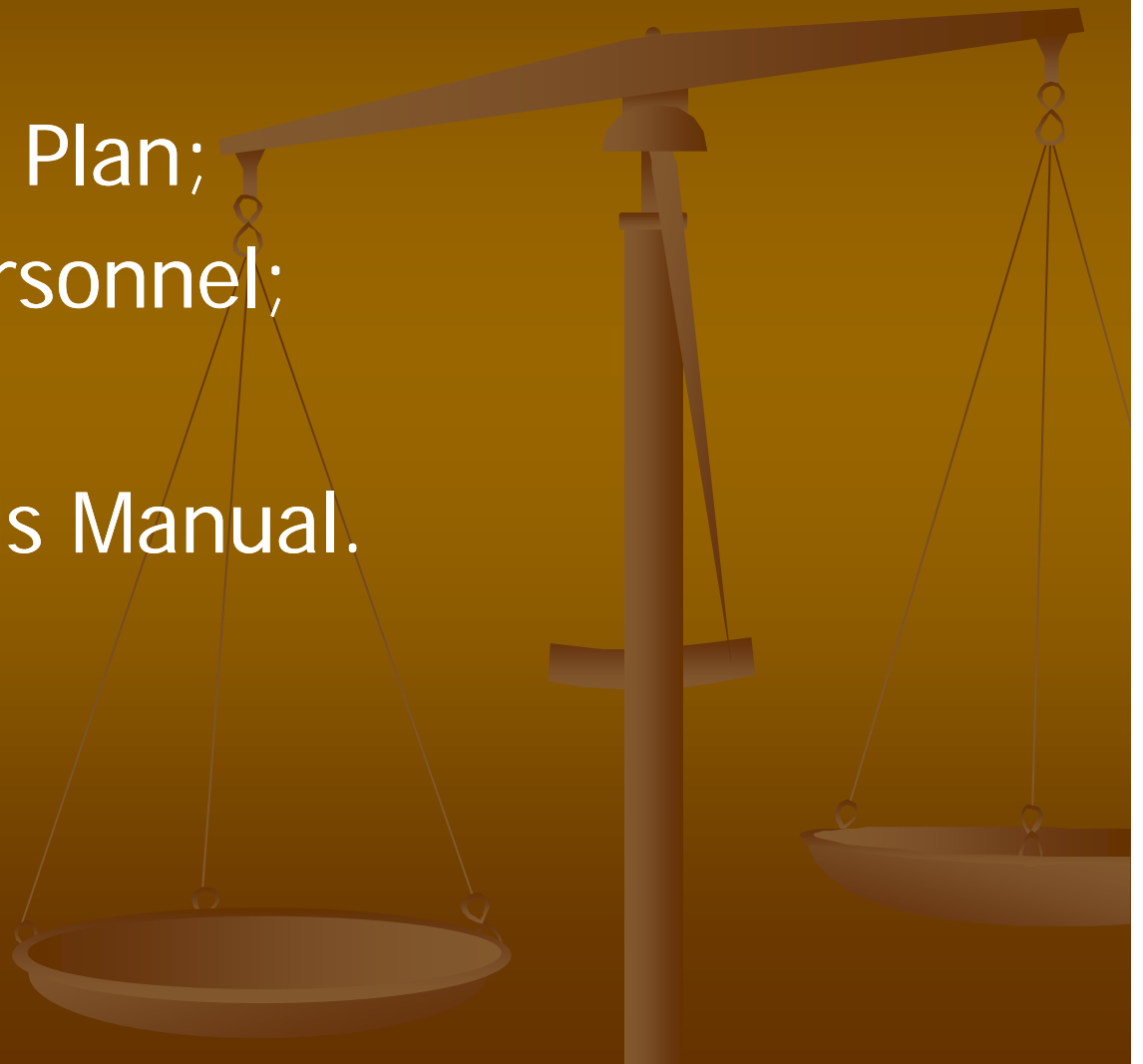
# Create a Case Filing System

- Categorize Your Pending Files;
- Categorize Your Disposed Files;
- Synchronize Your Software to Reflect the Location of Your Physical Files or Vice Versa;
- If Electronic Records Work with IT to Ensure You Have Adequate Electronic Storage/Memory.



# Develop a Program

- Inventory Files;
- Create a Master Plan;
- Assign/Train Personnel;
- Test;
- Create a Records Manual.



# Group Project

Categorize Files



# Ineffective Records Management

- Too many places to file things

- Adult Filings – Active Cases:

- New Filing;
    - Extension of Payment;
    - Pending Bench Trial;
    - Pending Jury Trial;
    - Driving Safety Course;
    - Deferred Disposition;
    - Delinquent Driving Safety Course;
    - Delinquent Deferral;
    - Pending Warrant;
    - Active Warrant.



# Ineffective Records Management

- Too many places to file things
  - Juvenile Filings – Active Cases:
    - New Filing;
    - Extension of Payment;
    - Pending Bench Trial;
    - Pending Jury Trial;
    - Driving Safety Course;
    - Deferred Disposition;
    - Juvenile Contempt of Court Hearing;
    - JNA Warrant.



# Ineffective Records Management

- Too Many Places to File Things
  - Disposed:
    - Juvenile;
    - Adult;
    - Dismissed;
    - Guilty.



# Disposition of Records



# Retention Schedule



- Parking Tickets = 6 Months
- Traffic Tickets/Ordinance Violations = 1 year
- Administrative Hearing Records = 1 year
- Unserved Arrest Warrants = 4 years
- Criminal Dockets/Docket Notes = 5 years

Texas State Library and Archives Commission

# Acceptable Methods of Destruction

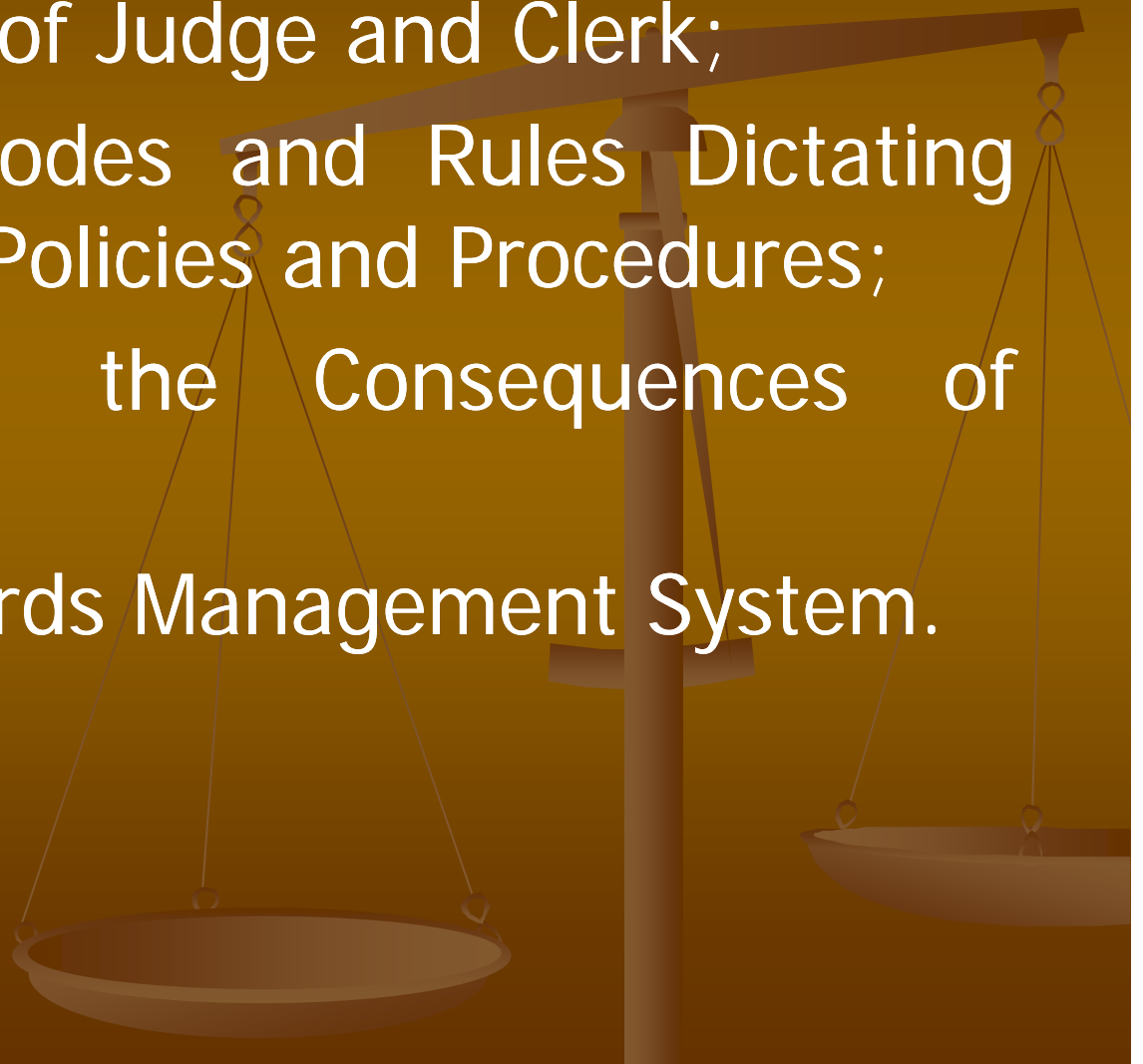
- Burning;
- Shredding;
- Pulping;
- Burial in a Landfill.

Texas State Library and Archives Commission



# Order in the Court

1. Responsibility of Judge and Clerk;
2. Understand Codes and Rules Dictating Your Actions, Policies and Procedures;
3. Understanding the Consequences of Inattention;
4. Effective Records Management System.



# Guides and Reference

- <http://www.oag.state.tx.us/newspubs/publications.shtml#open>  
Public Information Act Handbook – online in Adobe format
- <http://www.tsl.state.tx.us/slr/recordspubs/lc.html>  
Texas State Library and Archives Commission  
512-421-7200
- <http://tlo2.tlc.state.tx.us/statutes/statutes.html>  
Texas Statutes Online