



COLLIN COUNTY

Andrea Stroh Thompson
District Clerk
2100 Bloomdale Rd
Suite 12132
McKinney, Texas 75071
972-548-4320 or
972-424-1460 Ext 4320 (Metro)

DISTRICT CLERK ELECTRONIC RECORDS MANAGEMENT AND DESTRUCTION PLAN

(November 8, 2013)

PURPOSE

The purpose of this plan is to provide for the management, maintenance, retention, security, retrieval, and reproduction of stored records, in accordance with the Local Government Code.

COMPLIANCE

The District Clerk is the Records Management Officer for the Office of the District Clerk as provided by § 203.001 of the Local Government Code.

As Records Management Officer for the Office of District Clerk, Collin County, I hereby declare, that in lieu of filing records control schedules, we have adopted records control schedules that comply with minimum requirements established on records retention schedules issued by the Texas State Library and Archives Commission for use in our records management program. In doing so, I also certify that the administrative rules for electronic records, adopted by the commission under § 205.003 (a), Local Government Code, will be followed for records subject to the rules.

Texas Government Code gives the District Clerk custody of case records and other administrative documents and requires her to manage, protect and preserve records in her custody, including an index of all cases filed. Further, the District Clerk is authorized to store court records and other documents electronically by Texas Local Government Code § 205.002.

The Texas State Library and Archives Commission is required by Texas Local Government code § 205.003 to outline standards and procedures for the electronic storage of records by local government entities such as the Office of the District Clerk.

The District Clerk has filed with the director and librarian of the Texas State Library and Archives Commission a written declaration that she has adopted the records control schedule for the office that complies with the records retention schedule issued by the Texas State Library and Archives Commission as provided by § 203.041 (a)(2), Local Government Code.

MAINTENANCE

The District Clerk will make every effort to ensure all filings of original instruments, records and minutes will be *electronically recorded* within 72 hours after presentation to the District Clerk.

All official records will be electronically stored upon presentation to the District Clerk. The reproduction of a record stored in accordance with the provisions of this plan and adopted under this section is an *original record* and shall be accepted as an original record by the courts and administrative agencies of this state.

A transcript, exemplification, copy or reproduction on paper or film of a record stored in accordance with the provisions of this plan adopted under this section (Govt. Code § 51.304) is a certified copy of the original record.

SECURITY

The District Clerk will endeavor to ensure that electronic data maintained by her office are kept secure and protected against accidental loss or intentional tampering. District Clerk employees must follow standard data entry and retrieval procedures and may not follow different procedures without authorization from the District Clerk.

The Collin County Chief Information Officer has certified to the District Clerk that electronic data is regularly backed up and can be recovered in the event of loss.

District Clerk employees execute a Confidentiality Policy and the Collin County Computer Systems and Internet Use Policy and must abide by the following procedures to ensure the security of the District Clerk's electronic records:

- Employees of the District Clerk and personnel of other departments of Collin County may not enter data into the District Clerk's Civil, Family, Juvenile or Criminal Case Management System ("the system") without authorization from the District Clerk.
- Employees/personnel authorized to enter data into the system will receive a username and password and may only enter data when logged in under their assigned username. Employees may not use any other employee's username. Employees/personnel must not share their password with any other users and may not authorize other employees to use their username or password.
- Some employees may be granted access to view electronic records but not to modify them (view-only access) or may be authorized to modify certain records and not others. If an employee believes that he/she needs additional access in order to fulfill his/her duties he/she may request this access from the District Clerk.
- Employees must ensure that confidential electronic records in their care are not released to the public improperly. On their first day of employment, or as soon as possible after their first day of employment, with the Office of the District Clerk employees are required to carefully review and sign an agreement indicating that they will carefully safeguard confidential information.

- Employees must immediately make the District Clerk aware of any unauthorized manipulation (accidental or intentional) of an electronic record that comes to their attention.
- Employees may not erase or delete electronic records without the express permission of the District Clerk. The District Clerk may authorize deletions on a case-by-case basis (ex- events that are entered in error) or, in the case of employees who must routinely delete information (e.g. - expunction clerks or designated clerks with image deletion authorization), may grant continuing authority to delete records when appropriate.

POLICY

Section 1. DEFINITION OF RECORDS OF THE OFFICE: All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm magnetic tape, electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by this office or any of its deputies pursuant to law or in the transaction of public business are hereby declared to be the records of this office and shall be created, maintained, and disposed of in accordance with the provisions of this policy or procedures authorized by it and in no other manner.

Section 2. RECORDS DECLARED PUBLIC PROPERTY: All records as defined in Section 1 of this policy are hereby declared to be the property of this office. No official or deputy of the office has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

Section 3. POLICY: It is hereby declared to be the policy of this office to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use and disposition of all records of this office through a comprehensive system of integrated procedure for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice.

Section 4. RECORDS MANAGEMENT OFFICER: The records management officer for this office will ensure that the maintenance, destruction, microfilming, electronic storage, or other disposition of the records of this office are carried out in accordance with the requirements of the Local Government Records Act, rules adopted under the Act, and the policies of this office.

Section 5. RECORDS MANAGEMENT COOPERATION: This office shall work with the Commissioners' Court, the county records management officer, and other county officers in seeking efficient and cost-effective solution to records problems experienced in common by all county offices.

Section 6. RETENTION OF CERTAIN RECORDS: This office shall declare certain records as permanent records in accordance with the State Library and Archives Commission. All case

papers and trial dockets dated prior to 1950, and case papers from any period that, because of notoriety or significance, might possess enduring value are required to be kept permanently.

Section 7. DESTRUCTION OF RECORDS: All records in the possession of the District Clerk shall remain secured until they are properly destroyed by either placement in secured recycle bins available in the District Clerk's office or shredded on-site by District Clerk personnel.

Andrea S. Thompson



Collin County District Clerk