

# County Recorders and Public Records

Indiana County Recorder's Conference  
Spring 2015

## What is a Government Record?

“Any writing, paper, report, study, map, photograph, card, tape recording, or other material that is created, received, retained, maintained, used or filed by a public agency and which is generated on paper, paper substitutes, photographic media, chemically based media, electronically stored data, or any other material, regardless of form or characteristics.”



*Not this kind of record*

# Government Records

## ▶ What Does That Include?

- ☑ Paper
- ☑ Film and microforms
- ☑ Website
- ☑ Email
- ☑ Data in a database
- ☑ Born-digital records
- ☑ Scanned/Digitized images
- ☑ Audio files
- ☑ Social Media
- ☑ Metadata and Indexes



## What is Records Retention?

### ▶ How is the length of retention determined?

- Generally, Records Management staff work with an agency to identify:
  - The Administrative and Fiscal value
  - Legal value
  - Public Demand and Interest, and
  - Historical value of the information



### ▶ Paper, Film, Electronic, Stone Tablets

- Retention is based upon content – NOT storage media



# Local Government Retention Schedules

- County /Local General (GEN)
- Assessing Official (AS)
- County Auditor (AU)
- County Clerk Non-Judicial (CL)
- County Coroner (CO)
- County Recorder (RE)
- County Treasurers (TR)
- Prosecutor (PRO) \*
- Zoning, Planning , Development, Enforcement (LAND) \*
- Public-Private Agreements (PPA) \*

The local retention schedules are available via:

[schedules.icpr.IN.gov](http://schedules.icpr.IN.gov)




## County/Local General Retention Schedule (GEN)

This Retention Schedule is divided into five (5) categories:

1. Administrative
2. Accounting and Finance
3. Personnel
4. Publications and Reports
5. Audio, Video and General Media

Retention periods for some records are increased in length of time to be retained because current Indiana Code statute of limitations have been applied to all records on this schedule.



## Other Local Schedules

- ▶ **City/Town/District Retention Schedules**
  - Cities And Towns (CT)
  - Special Districts (SD)
  - Township Trustee (TT)
- ▶ **Other Local Retention Schedules**
  - Public Libraries (LIB)
  - Care Of Indiana Public School Records: A Record Creator's Guide
- ▶ **Additional Retention Information**
  - Year-to-Year Destruction Schedule
  - Judicial Records Retention Schedule



## Destruction of Records

- It may be illegal to destroy government records if you do not have an approved records retention schedule or permission from your county commission of public records.



### Indiana Law:

A public official may not mutilate, destroy, sell, loan, or otherwise dispose of any government record, except under a retention schedule or with the written consent of the commission (on public records). IC 5-15-5.1-1-14



## Retention Periods...

- Transitory: can be destroyed immediately.
- Short-term: generally ten years or fewer.
- Long-term: greater than ten years and not permanent.
- Permanent: A long, long time; like forever.



## Permanent Records

- ▶ In many jurisdictions, you can only destroy permanent paper records if you MICROFILM the original paper records.
- ▶ If you digitize **Permanent** records, or they are submitted electronically, they may also be REQUIRED to be converted to microfilm. Indiana's Micrographics & Imaging Lab can assist! ([icpr.IN.gov/2341.htm](http://icpr.IN.gov/2341.htm))
- ▶ Digital records are generally NOT recognized as **Permanent** format to preserve information.



# Electronic Records & Preservation

## ► Challenges of Digital Technology

- Fragile media
- Technology dependence
- Technology obsolescence
- Distributed storage
  - Where is the record copy?
  - Chain of custody
- Easy to copy, hard to preserve
- Explosive growth



## Indiana Electronic Records Program


- ICPR is establishing guidelines for State and local governments to aid in the implementation of effective electronic records management programs




- The Indiana Electronic Records Policy provides a framework that illustrates the contents of an effective program by seeking to ensure that governmental units create and manage trustworthy records that demonstrate four core attributes.



## E-Records: Four Core Attributes

- ▶ **Authenticity** – An authentic record is one that can be proven:
    - To be what it purports to be;
    - To have been created or sent by the person purported to have created or sent it; and
    - To have been created or sent at the time purported.
  - ▶ **Integrity** – Refers to the record being complete and unaltered.
  - ▶ **Reliability** – A reliable record is one whose contents can be trusted as a full and accurate representation of the transactions, activities or facts to which they attest and can be depended upon in the course of subsequent transactions or activities.
  - ▶ **Useability** – A useable record is one that can be located, retrieved, presented and interpreted.
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## State Historic Records Advisory Board (SHRAB) Grants


- ▶ The 2015 Hoosier History Assessment and Digitization Grant application period will open in April and close on May 29
  - ▶ A max of \$5,000 will be provided to each grantee as reimbursement for an archival assessment or digitization project
  - ▶ Grantees will be announced on July 6!
  - ▶ Visit [SHRAB.IN.gov](http://SHRAB.IN.gov) for updates
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## State-Sponsored Workshops

- ▶ This May, ICPR and the SHRAB offer a series of records management workshops in Indiana. In the past, these workshops have focused on:
  - Preservation of records
  - Archival Basics
  - Electronic Records
  - Government records




## Records Projects

- ▶ ICPR is working with the Supreme Court, Ancestry.com and Family Search to convert existing Probate Record Microfilm created by Family Search (formerly the Genealogical Society of Utah) into digital images.
  - ▶ Ancestry.com Birth, Death and Marriage Project has begun digitizing the State Department of Health's vital records. The materials are expected to be available online in 2016.
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## Future ICPR Initiatives

- ▶ 2015 Legislation (SB 528) if adopted, will change the agency's name to the Indiana Archives and Records Administration, cleanup some statutory language, strengthen replevin, allow local commissions to send designees rather than officeholders...
  - ▶ We are purchasing and will be implementing next year new software to provide access to the collections of the Archives, so you and citizens can identify what holdings are in the Archives collections.
  - ▶ New Archives Building
  - ▶ Electronic Records grant submitted to National Archives
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## ICPR Local Records Website

[schedules.icpr.IN.gov](http://schedules.icpr.IN.gov):

- ▶ **Specific to County/Local Records**
    - Records Retention Schedules
    - Example of County E-Mail Retention Policy (Bartholomew Co.)
    - Guide to Preservation and Destruction of Local Public Record
    - Forms (for county/local records)
    - County and Local Government Links
  - ▶ **General Records Management**
    - What is a Retention Schedule?
    - Publications
    - Laws
    - Links
    - Records Disaster Prevention and Reporting
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# Notice of Destruction – SF 44905



## NOTICE OF DESTRUCTION (Local Government Public Records) State Form 44905 (R3 / 11-10)

[Reset Form](#)

INDIANA COMMISSION ON PUBLIC RECORDS  
402 West Washington Street, Room W472  
Indianapolis, Indiana 46204

- INSTRUCTIONS:
1. Complete this form, listing all requested information.
  2. Send the original to the Clerk of the Circuit Court of your county.
  3. Send a copy of this form to the Indiana Commission on Public Records at the above address.
  4. Retain a copy of this form for your records.

RECORDS MEASUREMENT TABLE			
1 Archives box (10" x 12" x 15") inside = 1 cubic foot of records	1 Linear foot of 8 1/2" x 14" documents = 1 cubic foot		
1 Letter size file drawer = 1 1/2 cubic feet of records	1 Linear foot of 8 1/2" x 11" documents = 4/5 cubic feet		
1 Legal size file drawer = 1 1/2 cubic feet of records	1 Linear foot of tab cards = 1/6 cubic feet		
1 Number 11 record transfer box = 2 cubic feet of records	1 Linear foot of 3" x 5" cards = 1/9 cubic feet		

Name of office		County	
Address (number and street)		City	ZIP code
Name of contact person	Telephone number ( )	E-mail address	

TITLE OF RECORDS DESTROYED	DATE OF RECORDS	RECORD SERIES AUTHORITY	VOLUME (cubic feet)

# Request for Permission to Destroy or Transfer Certain Public Records – PR-1, SF 30505



## REQUEST FOR PERMISSION TO DESTROY OR TRANSFER CERTAIN PUBLIC RECORDS (PR-1) State Form 30505 (R4 / 11-10)

[Reset Form](#)

INDIANA COMMISSION ON PUBLIC RECORDS  
402 West Washington Street, Room W472  
Indianapolis, Indiana 46204

- INSTRUCTIONS:
1. Prepare in quintuplicate (five copies).
  2. The original and three copies must be filed with the County Commission of Public Records and a copy retained by the originating agency.
  3. Upon approval by the County Commission, the Secretary must forward one copy to the Indiana Commission on Public Records at the above address, one copy to the county historical society (if any), and retain the original and one copy for sixty (60) days, during which time the records may be procured by an active genealogical or historical society of the county or by the Indiana Commission on Public Records, State Archives Division.
  4. Upon the expiration of sixty (60) days the copy retained shall be forwarded to the agency, as authority to dispose of the records in accordance with the action thereon by the County Commission.
  5. The original shall be preserved as a part of the minutes of the County Commission.

RECORDS MEASUREMENT TABLE		
1 Archives box (10" x 12" x 15") inside = 1 cubic foot of records	1 Linear foot of 8 1/2" x 14" documents = 1 cubic foot	
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1 Legal size file drawer = 1 1/2 cubic feet of records	1 Linear foot of tab cards = 1/6 cubic feet	
1 Number 11 record transfer box = 2 cubic feet of records	1 Linear foot of 3" x 5" cards = 1/9 cubic feet	

TO BE COMPLETED BY THE ORIGINATING AGENCY OR OFFICE	
Name of government agency	Date (month, day, year)
Address of government agency (number and street, city, state, and ZIP code)	
Name of contact person	Telephone number ( )
E-mail address	
Type of request (check one)	Request to destroy previously microfilmed originals
<input type="checkbox"/> Request to destroy	<input type="checkbox"/> Request to microfilm and destroy
<input type="checkbox"/> Request to transfer to:	
TO: Secretary, Commission of Public Records, of _____ County, Indiana	

NAME OR DESCRIPTION OF RECORDS	VOLUME OF RECORDS (see records measurement table)	DATE OF RECORDS

# IC 5-15-6 – Local Public Records Commissions



Information Maintained by the Office of Code Revision Indiana Legislative Services Agency

IC 5-15-6

Chapter 6. Local Public Records Commissions

IC 5-15-6-1

**County commissions of public records; creation; membership; meetings**

- Sec. 1. (a) A commission is hereby created in each county of the state which shall be known as the county commission of public records of \_\_\_\_\_ county.
- (b) The county commission shall consist, ex officio, of the judge of the circuit court, the president of the board of county commissioners, the county auditor, the clerk of the circuit court, the county recorder, the superintendent of schools of the school district in which the county seat is located and the city controller of the county seat city, and if there is no city controller, then the clerk-treasurer of the county seat city or town shall be a member of such commission.
- (c) The commission shall elect one (1) of its members to be chairman and the clerk of the circuit court shall be secretary. The members of the county commission shall serve without compensation and shall receive no disbursement for any expense.
- (d) The county commission shall meet at least one (1) time in each calendar year.

*(Formerly: Acts 1939, c.91, s.1; Acts 1955, c.319, s.1; Acts 1969, c.141, s.1; Acts 1972, P.L.41, SEC.1.) As amended by P.L.50-1991, SEC.3.*

## Thank You!

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