

REQUEST FOR RECORDS RETENTION SCHEDULE

To be Submitted to the Records Management Division  
Hall of Records Commission

SCHEDULE  
NO. **C 291**

PAGE  
NO. **1**

1. Requesting Agency  
**CECIL COUNTY**

2. Division or Bureau of Requesting Agency  
**Clerk of the Circuit Court**

3. Authorization Requested (Check only one of the squares below).

**A** Dispose of present accumulation. No additional accumulation is anticipated. Records have ceased to have value to warrant retention.

**B** Establish retention schedule for records for which there is a continuing accumulation. The records will cease to have value to warrant their retention after the period of time indicated.

**C** Microfilm and destroy originals. Originals if not microfilmed would be retained for the period of time indicated.

4. Item No.	5. Description of Records Describe records accurately. Include title, form number, size of documents, work or activity to which the records relate, inclusive dates, and quantity (cubic or linear feet). Show recommended retention period.	6. Recommendation of Hall of Records and Board of Public Works.
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<b>1</b>	<p><b>FINANCING RECORD</b></p> <p>Size: 11" x 16" x 2"  Quantity: 9 volumes  Dates: 1964...</p> <p>File Arrangement: Chronological by year, then alphabetical by name of secured party.</p> <p>Index: Debtors' Index to the Financing Record (Item 2)</p> <p>This record series consists of photostatic copies of the original financing statements filed with the Clerk of the Circuit Court, pursuant to the Uniform Commercial Code of 1963 (Annotated Code of Maryland, 1957 edition as amended, Art. 95B, Secs. 9-401-406). The Financing Record includes, in addition to financing statements, continuation statements, assignments, amendments, and collateral releases.</p> <p>A filed financing statement which states a maturity date of the secured obligation of five years or less is effective until such maturity and thereafter for a period of sixty days. Any other filed financing statement is effective for a period of five years from the date of filing. The effectiveness of a filed financing statement with a stated maturity date of five years or less lapses sixty days after the maturity date, and for other filed financing statements on the expiration of such five-year period, unless a continuation statement is filed prior to the lapse. Upon such lapse, the security interest becomes unperfected. After recordation, all papers filed are returned to the secured party or his agent.</p> <p>Financing statements involving real property are recorded in the Land Records and cross-indexed to such records in the Debtors' Index to the Financing Record (Item 2).</p> <p>This record supersedes the Conditional Contracts of Sale Dockets, the Bill of Sale and Chattel Records.</p>	
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(continued)

7. Agency, Division or Bureau Representative

*[Signature]* *[Signature]* *[Signature]*  
Signature Title Date  
June 29, 1966

Schedule Authorized as Indicated in Col. 6 by Hall of Records Commission.

Disposal Authorized as Indicated in Col. 6 by Board of Public Works.

6/30/66 Monica S. Radloff  
Date Archivist

7-12-66 [Signature]  
Date Secretary

REQUEST FOR RECORDS RETENTION SCHEDULE  
(Continuation Sheet)

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1 (cont.)

The recommendation below applies only to the Financing Record and not to the Debtors' Index to the Financing Record (Item 2), which is a permanent record.

RECOMMENDATION: RETAIN FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST PERTINENT DATE OR RECORD ENTRY THEREIN, THEN DESTROY.

2

DEBTORS' INDEX TO THE FINANCING RECORD

Size: 20" x 26" x 2"  
Quantity: 4 vols.  
Dates: 1964...  
File Arr.: Chronological; Cottco Universal Index, alphabetical to name of debtor

Under the provisions of the Uniform Commercial Code of 1963, (Ann. Code of Md., 1957 ed. as amended, Art. 95B, Secs. 9-401-406), the Debtors' Index to the Financing Record replaced Conditional Contracts of Sale Indexes (Item 4), also the Bill of Sale and Chattel Record Indexes (Item 3).

The Debtors' Index (Cottco Universal Index) is arranged by name of the debtor, giving name of the secured party or of the assignee, if the paper has been assigned, the identifying file number with the dates, and the liber and folio of recordation for the following types of instrument:-

- |                            |                        |
|----------------------------|------------------------|
| a. Financing Statements    | d. Assignments         |
| b. Continuation Statements | e. Amendments          |
| c. Termination Statements  | f. Collateral Releases |

If a Financing Statement involves fixtures to land, it is recorded in the Land Records and may be cross-indexed in the Financing Statement Index, if requested by the secured party.

After recordation, the original instrument is returned to the secured party or to his agent.

RECOMMENDATION: RETAIN PERMANENTLY.

3

CHATEL RECORDS, INDEXES, AND ORIGINAL PAPERS

- Size: 12" x 18" x 3"
- Quantity: 45 vols. (incl. Index); 18 document files
- Dates: 1910-1964; DISCONTINUED
- △ File Arr.: Chron.
- Index: Internal alphabetical index, 1910-1955; General Index to Chattel Records, 1955-1964, 2 vols.

The Chattel Records included all instruments pertaining to the mortgage of personal property, including bills of sale and chattel mortgages, chattel deeds of trust and indentures, agreements, assignments, extensions, and releases if recorded.

Chattel mortgages relating to fixtures to land were ~~and have con-~~  
~~tinued to be recorded in the Land Records and have been cross-indexed~~  
~~to the Land Records in the Indexes to Bills of Sale and Chattel Mort-~~  
~~gages. Prior to 1910, when a separate record series was initiated,~~  
~~all Chattel Mortgages and Bills of Sale were recorded with the Land Records.~~

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Hawth*

HALL OF RECORDS COMMISSION  
APPROVED

*Recorded and indexed  
with the Land Records as  
well as in the  
Chattel Records.*

REQUEST FOR RECORDS RETENTION SCHEDULE  
(Continuation Sheet)

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3 (cont.)

Under the provisions of the Uniform Commercial Code (Ann. Code of Md., 1957 ed. as amended, Art. 93B, Secs. 9-401-406), Financing Statements replace Bills of Sale and Chattel Mortgages and are recorded in the Financing Record (Item 1) and indexed in the Debtors' Index to the Financing Record (Item 2). Financing Statements relating to real property (fixtures to land) are recorded and indexed in the Land Records. After recordation, the original papers are returned to the secured party or his agent.

Chapter 578, Session Laws of 1965, provides for destruction of Financing Records five years and sixty days after the last entry, including the chattel records and papers superseded by the Uniform Commercial Code.

The recommendation below applies equally to the Chattel Records and Indexes and to the original Chattel Papers.

RECOMMENDATION: RETAIN FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST PERTINENT DATE OR RECORD ENTRY, THEN DESTROY.

4

CONDITIONAL CONTRACTS OF SALES DOCKETS, INDEXES, AND ORIGINAL PAPERS

SUPERSEDES SCHEDULE C-234, ITEM 1 (3/16/62).

- o Size: 13" x 19" x 3"
- o Quantity: 38 vols. (incl. Indexes); 24 document files
- o Dates: 1916-1964 (Dockets and Indexes) } --DISCONTINUED  
1957-1964 (Original Papers)
- o File Arr.: Chron.
- o Index: Buyers' Index to Conditional Sales Contracts, 1916-1964, (4 volumes)

The Dockets give the names of vendor and vendee, dates of filing and of the contract, a brief description of the property involved, the conditions of payment, name of the assignee, if any, and date of the assignment, with a notation of release if recorded.

Under the provisions of the Uniform Commercial Code of 1963, Conditional Contracts of Sale Dockets, Indexes, and Papers were superseded in 1964 by the Financing Record (Item 1) and the Debtors' Index to Financing Statements (Item 2). Chapter 578, Session Laws of 1965, provided that Conditional Contracts of Sale Dockets, Indexes, and Papers may be destroyed five years and sixty days after the last entry or pertinent date. Since 1964, the original Financing Statements have been returned to the secured party or his agent.

The following recommendation applies equally to the Dockets, Indexes, and original papers.

RECOMMENDATION: RETAIN FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST PERTINENT DATE OR RECORD ENTRY, THEN DESTROY.

HALL OF RECORDS COMMISSION  
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of  
3*

*95-B  
10-102  
Sept 3*

(continued)

REQUEST FOR RECORDS RETENTION SCHEDULE  
(Continuation Sheet)

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5	<p><b>MOTOR VEHICLE DOCKETS</b></p> <p>Size: 11" x 16½" x 2" Quantity: 110 volumes Dates: 1937-1965 (DEPOSIT IN CIRCUIT COURT DISCONTINUED) File Arr.: Chron.</p> <p>The Motor Vehicle Dockets are supplied by the Department of Motor Vehicles to the Maryland courts having original jurisdiction in motor vehicle cases. The dockets contain an average of 250 pages, and the earlier ones were blank forms for entry by the clerk of the court in which the case was tried. Later, blank pages were substituted for the forms, the white copies of arrest tickets were stapled directly to the page, and hand entries were discontinued.</p> <p>Arrest Tickets were made out originally by the arresting officer in quintuplicate and are distributed as follows:-</p> <ul style="list-style-type: none"><li><u>White original</u> - Motor Vehicle Docket</li><li><u>Yellow copy</u> - To Dept. of Motor Vehicles</li><li><u>Orange copy</u> - Retained in the police station</li><li><u>Pink copy</u> - Retained by the arresting officer</li><li><u>White copy</u> - To the defendant</li></ul> <p>The white <u>original</u> and the yellow and orange copies are filed in the court office until disposition of the case, after which disposition is entered on all three copies, with signature of the presiding judge or magistrate. The white original becomes the Motor Vehicle Docket entry and is stapled in the docket and indexed by name of the defendant; the yellow copy is forwarded to the Department of Motor Vehicles; the orange copy is returned to the police station and filed. The pink copy is retained by the arresting officer, who makes his own notation of disposition. The white <u>copy</u> is given to the defendant at the time of arrest.</p> <p>The Motor Vehicle Dockets subject to this schedule are those formerly deposited with the Clerk of the Circuit Court by trial magistrates and justices of the peace according to the law then existing. In 1965, the General Assembly enacted legislation relieving the Clerks of Court of the responsibility of accepting and retaining the dockets and papers of lower courts. Provision was also included to permit destruction of Motor Vehicle Dockets five years after the last pertinent docket entry (Laws of Maryland, 1965, Chapter 607).</p> <p><b>RECOMMENDATION: RETAIN FOR FIVE YEARS AFTER THE LAST DOCKET ENTRY, THEN DESTROY.</b></p>	HALL OF RECORDS COMMISSION APPROVED