

RECORDS RETENTION AND DISPOSAL SCHEDULE

GARRETT COUNTY

Clerk of Circuit Court

AGENCY

DIVISION

DESCRIPTION

RECORDS AND RECORD SERIES ARE LISTED BY ITEM NUMBER AND TITLE GIVING FORM NUMBER, IF ANY, DISTRIBUTION OF COPIES, AUDIT REQUIREMENTS AND THE RECOMMENDATION FOR RETENTION. IN SPECIAL INSTANCES, THE RECORD MAY BE MORE CLOSELY DESCRIBED GIVING COVERING DATES, SIZE AND QUANTITY OF RECORDS, FILE ARRANGEMENT, TYPE OF INDEXING AND A DESCRIPTION WITH RESPECT TO ORIGIN AND CONTENT, USE WHILE ACTIVE, AND RELATIONSHIP TO OTHER RECORDS.

Item No.	Form No.	Description and Retention
1		<p>FINANCING RECORD</p> <p>Dates: 1964 -- File Arrangement: Chronological Index: Debtor Index to Financing Statements (Item 2)</p> <p>This record is composed of copies of the financing statements which replaced chattel mortgages, bills of sale, conditional contracts of sales, and factors' liens under 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. Financing statements relating to fixtures to land are indexed and recorded in the Land Records and cross-indexed in the Debtor Index to Financing Statements (Item 2).</p> <p>The original financing statements and collateral papers are returned to the secured parties after recordation.</p> <p>A recorded financing statement with a stated maturity of five years or less is effective until such maturity and for sixty days thereafter. Any other recorded financing statement is effective for a period of five years. A continuation statement may be filed prior to the lapse of any recorded financing statement, but if a lapse occurs, the security interest becomes unperfected.</p> <p>This record supersedes the Conditional Contracts of Sales Dockets, Bills of Sale and Chattel Records, Factors' Lien Records, and indexes thereto.</p> <p>RECOMMENDATION:</p> <p>RETAIN FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST PERTINENT DATE OR RECORD ENTRY THEREIN, THEN DESTROY.</p>

Schedule approved by Department, Agency or Division Representative

Richard L. Davis Clerk of Circuit Court 10/23/75
Signature Title Date

Schedule Authorized by Hall of Records Commission

Disposal Authorized by Board of Public Works

11/14/75
Date

[Signature]
Archivist

12/5/75
Date

[Signature]
Secretary

RECORDS RETENTION AND DISPOSAL SCHEDULE
(CONTINUATION SHEET)

Form No.	Description and Retention						
2	<p>DEBTOR INDEX TO FINANCING STATEMENTS</p> <p>Dates: 1964 -- File Arrangement: Chronological</p> <p>The Debtor Index is arranged alphabetically by name of the debtor and giving the 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:</p> <table border="0"> <tr> <td>a. Financing Statements</td> <td>d. Assignments</td> </tr> <tr> <td>b. Continuation Statements</td> <td>e. Amendments</td> </tr> <tr> <td>c. Termination Statements</td> <td>f. Collateral Releases</td> </tr> </table> <p>If a financing statement involves fixtures to land, it is recorded in the Land Records and a notation to that effect is made in the Financing Statement Index, and if requested by the secured party, it may also be recorded in the Financing Record.</p> <p>The original records are returned to the secured parties or their agents after recordation and indexing.</p> <p>RECOMMENDATION: RETAIN PERMANENTLY</p>	a. Financing Statements	d. Assignments	b. Continuation Statements	e. Amendments	c. Termination Statements	f. Collateral Releases
a. Financing Statements	d. Assignments						
b. Continuation Statements	e. Amendments						
c. Termination Statements	f. Collateral Releases						
3	<p>CONDITIONAL CONTRACTS OF SALE RECORD, INDEXES AND PAPERS</p> <p>Size: c. 13" x 18" x 3" and folded papers Quantity: Undetermined Dates: 1919 - 1964, discontinued File Arrangement: Chronological Index: Alphabetical Index (usually Cott Co.)</p> <p>This was a record of conveyances of goods and chattels in which the transfer of title was made conditional on a number of deferred payments. It gives the names of vendor and vendee, date of filing, a brief description of the property conveyed, date of the contract, names of witnesses, amount of money involved, when and how payable, whether assigned and whether discharged.</p> <p>Conditional Contracts of Sale Dockets, Indexes, and papers were superseded in 1964 by the Financing Record and the Debtor Index to Financing Statements under the provisions of the Uniform Commercial Code of 1963 (Annotated Code of Maryland, 1957 Edition as Amended, Art. 95B, Secs. 9-401-406). Provision for disposal of these records was made in Chapter 578 of the Session Laws of 1965.</p> <p>RECOMMENDATION:</p> <p>RETAIN RECORDS, DOCKETS AND PAPERS FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST RECORD ENTRY OR PERTINENT DATE, THEN DESTROY.</p>						

RECORDS RETENTION AND DISPOSAL SCHEDULE
(CONTINUATION SHEET)

Item No.	Form No.	Description and Retention
----------	----------	---------------------------

4

CHATTEL RECORDS AND ORIGINAL INSTRUMENTS

Size: Undetermined
 Quantity: Undetermined
 Dates: Discontinued, 1964
 File Arrangement: Chronological
 Index: General Index to Chattels (Item 5)

The Chattel Record contains instruments pertaining to the mortgage of personal property, including bills of sale and chattel mortgages, chattel deeds of trust and indentures, agreements, assignment, extensions, and releases if recorded. Chattel mortgages relating to fixtures to land were recorded in the Land Records and cross-indexed to the Land Records in the General Index to Chattels (Item 5).

Under the provisions of the Uniform Commercial Code of 1963 (Annotated Code of Maryland, 1957 Edition as Amended, Art. 95B, Secs. 9-401-406). Financing statements replaced bills of sale and chattel mortgages, and a new Index to Financing Statements was substituted for the former indexes and record books. Chapter 578, Session Laws of 1965, provided for destruction of these records five years and sixty days after the last entry.

This record and the Chattel Index (Item 5) was not always maintained as a separate record series in all counties. Chattel papers were sometimes recorded with the Land Records and indexed in the Land Record Indexes and in a few instances, chattels were entered in separate volumes but interfiled with the Land Records. In addition, when a separate series for chattels was maintained, the early volumes often contained other records such as manumissions and records of fixtures to land which should not be destroyed but should be retained permanently. Unless it can be clearly ascertained that the series contains only chattels of personal property, the recommendation for disposal (Items 4 and 5) will not apply in that county.

RECOMMENDATION: RETAIN RECORDS AND ORIGINAL PAPERS FOR FIVE YEARS AND SIXTY DAYS AFTER RECORDATION, THEN DESTROY.

5

GENERAL INDEX TO CHATTELS

Size: Undetermined
 Quantity: Undetermined
 Dates: Discontinued, 1964

The General Index to Chattels was arranged alphabetically then by date of receipt of the record indexed giving the names of the grantees or mortgagees, the date and names of the grantors or mortgagors, the type of instrument, a brief description of the property and the liber and folio of recordation in the Chattel Records (Item 4). Instruments affecting the title to land were also indexed in the Land Record indexes.

RECOMMENDATION: RETAIN INDEXES FOR FIVE YEARS AND SIXTY DAYS AFTER THE LAST ENTRY MADE THEREIN, THEN DESTROY.

Item No.	Form No.	Description and Retention
6		<p>MOTOR VEHICLE DOCKETS, ARREST TICKETS AND MISCELLANEOUS PAPERS</p> <p>Size: 11" x 16½" x 2" Quantity: Undetermined Dates: c. 1916 -- File Arrangement: Chronological Index: Internal alphabetical index to name of defendant</p> <p>Motor Vehicle Dockets, a Department of Motor Vehicle form, has been supplied to the Maryland courts having original jurisdiction in motor vehicle cases. Each docket has an average of 250 blank pages to which are stapled the original copies of the Maryland Uniform Traffic Summonses, after disposition of the cases. The older docket books contained blank forms for hand entries by the clerks of the various courts.</p> <p>The traffic summonses are made out by the police office in sextuplicate and distributed as follows:</p> <ol style="list-style-type: none"> 1. <u>White original:</u> To court of jurisdiction, to be stapled in the DMV docket after disposition of the case and notation has been made on white original. 2. <u>Buff copy:</u> To headquarters at Pikesville (CARD), where a punched card is prepared with information from the summons and filed, showing only that case has been set for trial. 3. <u>Yellow copy, with white original:</u> To the court, with the bottom portion of the pink slip attached to the yellow copy until disposition of the case, at which time the disposition is entered on all copies, as well as on the white original. Then they are separated and the pink copy is forwarded to headquarters (CARD), where a second punched card is prepared and matched with the first, showing that the case is closed. The yellow copy is then forwarded to the Department of Motor Vehicles for its records on disposition of the case, and the white original is placed in the DMV docket. 4. <u>White copy:</u> To defendant at the time of the issuance of the summons. 5. <u>Pink copy:</u> Retained by the issuing officer in his book. The bottom portion of the ticket is removed and attached to the yellow copy. (See above). 6. <u>White copy:</u> To DMV for its file as a notice that a summons has been issued. The yellow copy received after disposition of the case is a notice that the case has been closed and that the DMV should take any appropriate action required.

(continued)

M-1A
71

RECORDS RETENTION AND DISPOSAL SCHEDULE
(CONTINUATION SHEET)

SCHEDULE
NO. C-418

PAGE
NO. 5

Item
No. Form
No.

Description and Retention

5

Disposition of Motor Vehicle Dockets was provided for by the 1965 session of the General Assembly (Laws of Maryland, 1965, Chapter 607). They are no longer deposited with the clerks of the circuit courts but a backlog exists in most counties and these dockets are subject to the recommendation below.

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