

Subsection (a) is expanded to apply to all officers, thus closing this gap in the present law.

Subsection (b), applicable to clerks, is a synthesis of Art. 17, §§ 38 and 48, which are proposed for repeal.

SUBTITLE 2. GENERAL DUTIES OF CLERK.

SEC. 2-201. IN GENERAL.

(A) THE CLERK OF A COURT SHALL:

(1) HAVE CUSTODY OF THE BOOKS, RECORDS, AND PAPERS OF HIS OFFICE;

(2) MAKE PROPER LEGIBLE ENTRIES OF ALL PROCEEDINGS OF THE COURT AND KEEP THEM IN WELL BOUND BOOKS OR OTHER PERMANENT FORM;

(3) WHEN REQUESTED IN WRITING TO DO SO, RECORD ANY PAPER FILED WITH HIS OFFICE AND REQUIRED BY LAW TO BE RECORDED IN THE APPROPRIATE PLACE, WHETHER OR NOT THE TITLE TO LAND IS INVOLVED;

(4) UNLESS PROHIBITED BY LAW OR ORDER OF COURT, PROVIDE COPIES OF RECORDS OR PAPERS IN HIS CUSTODY TO A PERSON REQUESTING A COPY, UNDER THE SEAL OF THE COURT IF REQUIRED;

(5) ISSUE ALL WRITS WHICH MAY LEGALLY BE ISSUED FROM THE COURT;

(6) DELIVER A FULL STATEMENT OF THE COSTS OF A SUIT TO A PARTY REQUESTING A COPY;

(7) RECEIVE ALL BOOKS, DOCUMENTS, PUBLIC LETTERS, AND PACKAGES SENT TO HIM PURSUANT TO LAW, AND CAREFULLY DISPOSE OF THEM AS THE LAW REQUIRES;

(8) ADMINISTER AN OATH;

(9) REPLACE WORN BOOKS AND RECORDS WITH NEW ONES; AND

(10) PERFORM ANY OTHER DUTY REQUIRED BY LAW OR RULE.

(B) NO DUTY TO RECORD UNTIL COSTS PAID.