

SEC. 2-206. DESTRUCTION OF RECORDS.

(A) IN GENERAL.

THE CLERK OF A CIRCUIT COURT OR THE CHIEF CLERK OF THE DISTRICT COURT, UNDER RULES AND REGULATIONS PROMULGATED BY THE COURT OF APPEALS, MAY AUTHORIZE THE DESTRUCTION OF PLEADINGS, PAPERS, AND FILES IN HIS CUSTODY WHICH, BECAUSE OF THEIR CHARACTER, SERVE NO USEFUL PURPOSE IN BEING RETAINED.

(B) CONDITIONS.

BEFORE ANY PLEADINGS, PAPERS, OR FILES ARE DESTROYED, THE PROPOSED DESTRUCTION SHALL BE APPROVED [[IN WRITING BY THE ADMINISTRATIVE JUDGE OF THE COUNTY OR A MAJORITY OF THE RESIDENT JUDGES IN THE CASE OF]] IN WRITING BY THE JUDGE EXERCISING THE FUNCTIONS OF ADMINISTRATIVE JUDGE IN THE COUNTY IN THE CASE OF CIRCUIT COURT RECORDS OR THE CHIEF JUDGE OF THE DISTRICT COURT IN THE CASE OF DISTRICT RECORDS, AND THE RECORDS SHALL BE DISPOSED OF IN ACCORDANCE WITH THE PROVISIONS OF §§ 7, 8, AND 10 OF ARTICLE 54 OF THE CODE.

REVISOR'S NOTE: This section is new language restating a synthesis of the provisions presently appearing as Art. 17, §1A and Art. 26, §150(d) relating to the destruction of records. No similar provision covering the appellate courts has been found. The section attempts to clarify which judge has the authority involving destruction of records, by referring to the judge exercising functions of administrative judge. Rule 1200(c) provides that in single judge counties, the resident judge exercises these functions.

[[SEC. 2-207. PENALTIES.

A CLERK IS SUBJECT TO A FINE OF \$100 IF HE:

(1) NEGLECTS OR DELAYS IN PERFORMING HIS OFFICIAL DUTIES AS REQUIRED BY LAW;

(2) DELIVERS A BLANK WRIT TO ANY PERSON;
OR

(3) DELIVERS LAWS OR PUBLIC DOCUMENTS SENT TO HIM TO SOMEONE OTHER THAN THE PERSON ENTITLED TO