

1 **Rule 3-302. Clerk of the Court.**

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3 Intent:

4 To describe the role of the Clerk of the Court.

5 To specify the procedure by which the Clerk of the Court is selected.

6 Applicability:

7 This rule shall apply to the trial courts of record.

8 Statement of the Rule:

9 (1) The Clerk of the district and juvenile courts shall be appointed by the court
10 executive with the concurrence of a majority of the judges assigned to that court
11 location. In locations of the district court administered by contract with the
12 administrative office of the courts, the elected county clerk shall serve as Clerk of
13 the Court.

14 (2) The Clerk of the Court shall:

15 (A) take charge of and safely keep the court seal;

16 (B) take charge of and safely keep or dispose of, according to law, all books,
17 papers and records filed or deposited in the Clerk's Office;

18 (C) issue all notices, process and summonses where authorized by law;

19 (D) keep a record of all orders, judgments and decrees as required by law and
20 this Code;

21 (E) keep minutes of court proceedings;

22 (F) keep a fee record as provided in this Code;

23 (G) keep records of jurors' services as provided in this Code;

24 (H) keep records of witnesses' attendance as provided in this Code;

25 (I) keep a record of executions as provided in this Code;

26 (J) take and certify acknowledgments and administer oaths;

27 (K) keep a record of fines, penalties, costs, and forfeitures as required by law
28 and this Code;

29 (L) prepare revenue reports, reconcile accounting ledgers to bank statements,
30 maintain and serve as custodian of trust accounts and perform such other
31 accounting duties as assigned by the court executive;

32 (M) keep a record of court exhibits and ensure the safekeeping of exhibits;

33 (N) supervise such deputy clerks as required to perform the duties specified in
34 this rule;

35 (O) keep such other records and perform such other duties as assigned by
36 the court executive in accordance with applicable law and the provisions of this
37 Code.

38 (3) The clerk's office shall be open and available to transact business during
39 business hours on all days except Saturdays, Sundays, and legal holidays. When
40 the clerk's office is open, the clerk or a deputy shall be physically present or
41 immediately available by contemporaneous transmission from a different
42 location.