

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

2 **Intent:**

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

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

5 **Applicability:**

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

7 **Statement of the Rule:**

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

12 (2) The Clerk of the Court shall:

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

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

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

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

18 (E) keep minutes of court proceedings;

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

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

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

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

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

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

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

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

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

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

32 (3) The clerk's office shall be open and available to transact business during business hours on all  
33 days except Saturdays, Sundays, and legal holidays. When the clerk's office is open, the clerk or a  
34 deputy shall be physically present or immediately available remotely.