

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~~will ~~applies~~ to the trial courts of record.

8 **Statement of the Rule:**

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

13 (2) The Clerk of the Court (or designee) ~~shall~~will:

14 (A) ~~take charge of and safely supervise the safekeeping of~~ ~~keep~~ the court seal;

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

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

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

20 (E) keep minutes of court proceedings;

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

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

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

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

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

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

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

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

32 (N) supervise such ~~deputy court~~ clerks or judicial assistants as required to perform the  
33 duties specified in this rule;

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

| 36 (3) The clerk's office ~~shall~~will be open and available to transact business during business hours  
| 37 on all days except Saturdays, Sundays, and legal holidays. When the clerk's office is open, the  
| 38 court clerk or ~~a deputy judicial assistant~~ ~~shall~~will be physically present or immediately available  
| 39 remotely.

| 40 *Effective: ~~5/1/2016~~November 1, 2024*