

Re: A-41857 - concerns

From : Manuel Chapa <manuel.chapa@co.hidalgo.tx.us>

Wed, Nov 27, 2013 10:01 AM

Subject : Re: A-41857 - concerns**To :** Monica Badillo <monica.badillo@co.hidalgo.tx.us>, Veronica Ortiz <veronica.ortiz@co.hidalgo.tx.us>

Good morning

Please attach the email below to AI# 41857

Thanks

Manuel Chapa

From: "Ricardo Contreras" <ricardo.contreras@co.hidalgo.tx.us>**To:** "Manuel Chapa" <manuel.chapa@co.hidalgo.tx.us>**Sent:** Wednesday, November 27, 2013 9:57:15 AM**Subject:** Fwd: A-41857 - concerns

Good morning Manuel!

Below is the email confirmation regarding legal's review and approval of the agenda item set for December 3rd. Please let me know if you have any questions or require additional information.

From: "Victor M. Garza" <victor.garza@da.co.hidalgo.tx.us>**To:** "Ricardo Contreras" <ricardo.contreras@co.hidalgo.tx.us>**Sent:** Tuesday, November 26, 2013 4:21:43 PM**Subject:** RE: A-41857 - concerns

Mr. Contreras,

Thank you for your request. The District Clerk Record Archives Preservation and Restoration Plan is in compliance with the requirements of HB 1513, and Texas Government Code 51.305 (as amended).

Should you have any additional questions, please don't hesitate to call.

Respectfully,

Victor M. Garza*Assistant District Attorney*

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From: Ricardo Contreras [mailto:ricardo.contreras@co.hidalgo.tx.us]
Sent: Tuesday, November 26, 2013 10:01 AM
To: victor garza
Subject: A-41857 - concerns

Good morning Victor:

As previously discussed, our office has made several revisions to the attached Records Archive Preservation & Restoration Plan, as recommended by the county auditor's office. The district clerk office resubmitted the agenda item (A-41857) currently scheduled for commissioners' court on Tuesday, December 3rd. It appears the auditor's office still has the following concerns with the plan:

1. The plan does not specify the type of documents that make up the records archive.

Please refer to the Executive Summary which includes the following:

HB 1513 allows for temporary increases in the records archive fees and the records management and preservation fees charged by the district clerk for enhanced record management efforts, including the restoration and preservation of archived records which may include but is not limited to all case papers that are a part of:

- *Civil and Family Law Cases*
- *Criminal Cases*
- *Juvenile Cases*
- *Historic Court Records (dated 1950 or earlier)*
- *Case papers in a case from any period that, because of its notoriety or significance, might possess enduring value*
- *Exhibits*

Additionally, Section 51.305, Government Code, already defines a "court document" as "any instrument, document, paper, or other record that the district clerk is authorized to accept for filing or maintenance."

2.The plan does not specify the years of the documents the plan aims to preserve and restore.

The district clerk office, through this plan, intends to preserve and restore **any** and **all** documents as

referenced in our Executive Summary and defined by Sec. 51.305, since the inception of the Hidalgo County District Clerk Office. Although we have documents predating the 1900's, our office would prefer to refrain from specifying dates in an effort to avoid excluding any years/documents not referenced in the plan.

Please advise. The budget office is also requesting confirmation that our office has consulted with legal regarding the auditor's concerns and any directive from legal to be included as part of the agenda item.

We appreciate any assistance you can provide. Please let me know if you have any questions or require additional information.

Ricardo Contreras
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