

1002 – Office of the County Clerk File Plan

This file plan was developed to be a guide for Office of the County Clerk employees. This guidance document was created to ensure consistent records classification and to provide agencies with other relevant record information. The final disposition authority resides in the Functional Records Retention and Disposition Schedule (FRRDS), 1.21.2 NMAC.

This file plan only list records series of program's specific to the Office of the County Clerk. For records series of a general administrative nature, refer to the General Administrative Records File Plan. For records of a financial nature, refer to the General Financial Records File Plan. For records of a personnel or medical nature, refer to the General Personnel/Medical Records File Plan.

1002-001 DOCUMENT AND INSTRUMENT SYSTEM:

Division/unit: Clerk

Maintenance system: Chronological by date

Record series content: System used to track instruments recorded and documents filed by the general public. Data may include type of document, document title, document number, fee, date and time filed or recorded, change of name, contract of sale and purchase amounts, real estate contract amount, bond amounts, book and page number, instrument number, etc.

Classification: 1.21.2.106 NMAC, County Clerk Recorded Documents

File closure: Date file created

[New - 03/31/2021]

1002-002 DOCUMENT AND INSTRUMENT FILE:

Division/unit: Clerk

Maintenance system: Chronological by date

Record series content: Instruments recorded or documents filed by the general public. File may include type of document, document title, document number, fee, date and time filed or recorded, uniform commercial code statement, deeds (i.e., quitclaim warranty, tax, estate, executors, commissioners, administrators, etc.), liens (i.e., federal tax, hospital, judgments, etc.), lien releases, mining claims, labor records, oil and gas leases, certificates of incorporation, transcripts of court judgments, lis pendens, military discharges, orders for change of name, continuation certificates, contracts of sale and purchase, real estate contracts, right of way easements, assignment of contracts, notices of disclaimer, patents, power of attorneys, probate files, bonds, wills, mortgage records (i.e., mortgages, releases, real estate assignments, etc.), book and page number, instrument number, plats and maps, marriage records (i.e., marriage license applications, marriage certificates, etc.), etc.

Classification: 1.21.2.106 NMAC, County Clerk Recorded Documents

File closure: Date file created

[New - 03/31/2021]

1002-003 DOCUMENT INSTRUMENT INDEX:

Division/unit: Clerk

Maintenance system: Chronological by date

Record series content: Index that lists all instruments recorded and documents filed in the county clerk's office. Index may contain names, instrument type, instrument number, book number, page number, date and time filed, etc.

Classification: 1.21.2.109 NMAC, Indexes and Finding Aids

File closure: Date file created

[New - 03/31/2021]

1002-004 NEWSPAPER PUBLICATIONS:

Division/unit: Clerk

Maintenance system: Chronological by date

Record series content: Copy of newspapers published in the county.

Classification: 1.21.2.114 NMAC, Publications

File closure: Date file created

[New - 03/31/2021]

1002-005 UNIFORM COMMERCIAL CODE STATEMENT FILE:

Division/unit: Clerk

Maintenance system: Chronological by date

Record series content: Collateral and fixture filing of goods by commercial entities. File may include security agreement, filer name, filing type, filing number, book and page number, debtor's legal name, mailing address, type of organization, jurisdiction of organization, organizational identification number, name of additional debtors, secured party's name, alternative designation, lessee, lessor, consignee, consignor, bailee, bailor, seller, buyer, lien, description of real estate, name and address of record owner, continuations, amendments, terminations, partial releases, assignments, certification of county clerk (i.e., day, year, time, instrument number, county clerk signature, and seal etc.), etc.

Classification: 1.21.2.106 NMAC, County Clerk Recorded Documents

File closure: Date filed

[New - 03/31/2021]

1002-006 CLERKS DAILY CASH REPORT AND ALLOTMENT FILE:

Division/unit: Clerk

Maintenance system: Chronological by date

Record series content: Records concerning daily fees collected for recording of instruments or filing of documents and distribution of monies. Report may include payee name, receipt number, amount paid, type of payment (i.e., cash or check), instrument type (i.e., marriage license, copies, miscellaneous, etc.), daily receipt from treasurer, line item distribution (i.e., general fund, lodgers tax, etc.), etc.

Classification: 1.21.2.310 NMAC, Reports - Accounting

File closure: Close of fiscal year in which created

[New - 03/31/2021]

1002-007 CLERKS DAILY CASH REPORT AND ALLOTMENT FILE SYSTEM:

Division/unit: Clerk

Maintenance system: Chronological by date

Record series content: System used to track daily fees collected for recording of instruments or filing of documents and distribution of monies. Data may include payee name, date paid, receipt number, amount paid, type of payment (i.e., cash or check), instrument type (i.e., marriage license, copies, etc.), daily receipt from treasurer, line item distribution (i.e., general fund, lodgers tax, etc.), miscellaneous charges, document number, check number, cash totals, check totals, etc.

Classification: 1.21.2.309 NMAC, Ledgers

File closure: Close of fiscal year to which data applies

[New - 03/31/2021]

1002-008 DISCLOSURE OF FINANCIAL INTEREST FORM:

Division/unit: Clerk

Maintenance system: Chronological by date

Record series content: A form completed annually by county employees, appointed and elected officials disclosing any financial interest they may have in outside companies. Form may include name, address, home and work phone number, job title, name of spouse, spouse's employer, sources of income (i.e.,

county employees, elected officials), stocks in voting, special interests, business name, amount paid, real estate owned, board memberships, professional licenses, signature, notary, etc.

Classification:

(A) **Elected or appointed officials:** 1.21.2.428 NMAC, Financial - Campaign

(B) **All other records:** 1.21.2.227 NMAC, Employment Disclosure

File closure: Close of calendar year in which filed

[New - 03/31/2021]

1002-009 DISCLOSURE FOR PERSONS ON RETAINER OR CONTRACT FORM:

Division/unit: Clerk

Maintenance system: Chronological by date

Record series content: A form used by individuals or businesses to disclose any financial interest in county government. Form may include contract description, description of the type of services rendered, total amounts paid for each service rendered, signatures, etc.

Classification: 1.21.2.604 NMAC, Goods and Services

File closure: Date contract terminated

[New - 03/31/2021]

1002-010 to 1002-020

1002-021 LIQUOR LICENSE APPLICATION FILE:

Division/unit: Licensing

Maintenance system: Chronological by date

Record series content: Records concerning annual application to obtain or renew a liquor license. File may include approved application, liquor tax certificate, receipt, inspection notes, change of ownership, etc.

Classification: 1.21.2.652 NMAC, Business Licenses

File closure: Date of last renewal

[New - 03/31/2021]

1002-022 BUSINESS LICENSE APPLICATION FILE:

Division/unit: Licensing

Maintenance system: Chronological by date

Record series content: Records concerning annual application to obtain a business license. File may include license application (i.e., owner and establishment name, location, date, license fee, license number, expiration date, etc.), license type (i.e., commercial, occupational, special event, etc.), receipt, zoning codes lists, etc.

Classification:

(A) **Commercial and occupational:** 1.21.2.652 NMAC, Business Licenses

(B) **Special event:** 1.21.2.506 NMAC, Short-Term Permits

File closure:

(A) **Commercial and occupational:** Date of application

(B) **Special event:** Date license expires

[New - 03/31/2021]

1002-023 to 1002-030

1002-031 AFFIDAVIT OF VOTER REGISTRATION FILE:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Records concerning voter registration information for the county clerk. File may include voter name, address, date and place of birth, zip code, social security number, county name, party affiliation, address changes, return mailings, voter cancellation notices, purge cards, change in voting precinct notice, old precinct number, new precinct number, registration number, undeliverable or reinstated status, statement of qualifications for voting, etc.

Classification: 1.21.2.432 NMAC, Voter Registration

File closure: Date of voter cancellation

[New - 03/31/2021]

1002-032 CERTIFIED LIST OF INELIGIBLE OR DECEASED RESIDENTS:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: A certified list provided to the county clerk that lists deceased residents over the age of 18, mentally incompetent residents, and convicted felons. List may include proclamation of mental incompetence (i.e., name, age, sex, marital status, birthplace, date of birth, social security number, address, etc.), place and date of death of the deceased resident, certificate of fact filed by the clerk of the county wherein the convicted felon is registered, date of conviction, address, etc.

Classification: 1.21.2.431 NMAC, Reports - Election

File closure: Date list issued

[New - 03/31/2021]

1002-033 DECLARATION OF CANDIDACY AND NOMINATING PETITION FILE:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Records used for obtaining the required number of signatures of voters, which is signed on behalf of the person wishing to become a candidate for a political office requiring a nominating petition and filed with the county clerk prior to running for office that are submitted to the county clerk prior to running for office. File contains declaration of candidacy form and the authorized form.

Classification: 1.21.2.423 NMAC, Candidacy

File closure: Date of expiration of term of office for which candidacy was declared

[New - 03/31/2021]

1002-034 EXPENDITURE CONTRIBUTION REPORT:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Expenditures made or contributions received from individuals or entities to a candidate's campaign. Report may include name and address of the person or entity, amount of expenditure or contribution, date of expenditure or contribution, total itemized amounts, etc.

Classification: 1.21.2.428 NMAC, Financial - Campaign

File closure: Date of term of office for which report submitted has expired

[New - 03/31/2021]

1002-035 ELECTION PROCLAMATION FILE:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Authenticated copy of an election proclamation issued by the governor calling for an election to be held in each county and precinct of the state on the date prescribed by law. File may contain copy of proclamation issued by the governor, notice of election proclamation issued by the county clerk, proof of election notice, correspondence, etc.

Classification: 1.21.2.495 NMAC, Orders and Proclamations

File closure: Date of election for which proclamation was issued

[New - 03/31/2021]

1002-036 CERTIFICATE OF VOTING MACHINE PREPARATION:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Certification of the voting system to be used in an election by the county clerk in accordance with specifications issued by the secretary of state. Certificate may include date of election, preparation date, machine number, precinct location, protective counter number, remarks, check list, voting system technician name and signature, county clerk name, signature and seal, etc.

Classification:

(A) **Elections in which a federal candidate appears on the ballot:** 1.21.2.427 NMAC, Election Administration - Statewide

(B) **Elections in which there is no federal candidate:** 1.21.2.425 NMAC, Election Administration - Local

File closure:

(A) **Elections in which a federal candidate appears on the ballot:** Date of the election

(B) **Elections in which there is no federal candidate:** Date of adjournment of applicable state or county canvassing board, whichever is later

[New - 03/31/2021]

1002-037 ELECTION DAY TROUBLE CALL LOG:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: A log of election day voting system problems. Log may include name of county, precinct number, date, time, voting machine number, malfunction, cause of malfunction, name of voting system technician, name of dispatcher, problem description, instructions given, technician dispatched, time of dispatch, signature of technician, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure:

(A) **Elections in which a federal candidate appears on the ballot:** Date of the election

(B) **Elections in which there is no federal candidate:** Date of adjournment of applicable state or county canvassing board, whichever is later

[New - 03/31/2021]

1002-038 APPLICATION FOR ABSENTEE VOTER BALLOT:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Application submitted by a voter requesting absentee voter ballot for county, state and federal elections. Application may include election date, county name, type of absentee voter ballot (i.e. primary, general, school, special, etc.), name of voter, voter year of birth, physical address, unique identifier, mailing address, signature of registered voter, etc.

Classification:

(A) **Elections in which a federal candidate appears on the ballot:** 1.21.2.427 NMAC, Election Administration - Statewide

(B) **Elections in which there is no federal candidate:** 1.21.2.425 NMAC, Election Administration - Local

File closure:

(A) **Elections in which a federal candidate appears on the ballot:** Date of the election

(B) **Elections in which there is no federal candidate:** Date of adjournment of applicable state or county canvassing board, whichever is later

[New - 03/31/2021]

1002-039 NOTICE OF REJECTION OF ABSENTEE BALLOT APPLICATION:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Rejection notice submitted by the county clerk to a person requesting an absentee voter ballot. Notice may contain an explanation on the reasons for the rejection of an absentee ballot application (i.e., address on the application does not match the address of voter registration, the year of birth provided does not match the year of birth on the certificate of voter registration, county clerk records indicate that the person is ineligible to vote, name on the application does not match the name on the voter registration, a person is not a registered voter in the county, etc.), etc.

Classification:

(A) **Elections in which a federal candidate appears on the ballot:** 1.21.2.427 NMAC, Election Administration - Statewide

(B) **Elections in which there is no federal candidate:** 1.21.2.425 NMAC, Election Administration - Local

File closure:

(A) **Elections in which a federal candidate appears on the ballot:** Date of the election

(B) **Elections in which there is no federal candidate:** Date of adjournment of applicable state or county canvassing board, whichever is later

[New - 03/31/2021]

1002-040 ABSENTEE VOTER REGISTER:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Register concerning election records of absentee voters. Register may include county, election type, election date, date application received, date ballot sent out, time and date ballot returned, method of delivery of ballot, voter name, address, register identification number, birth year, registration status, precinct, party affiliation, type of district (i.e., senate, commission, congressional, etc.), ballot style, ballot accepted or rejected by clerk, voided or replaced, notations and certificate for elections, affidavit of non-receipt of absentee ballot, application for presidential election, presidential ballot, etc.

Classification: 1.21.2.431 NMAC, Reports - Election

File closure: Date of election to which register applies

[New - 03/31/2021]

1002-041 ABSENTEE VOTER REGISTER SYSTEM:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: System used to track election records of absentee voters. Data may include date of election, county, election type, date application received, date ballot sent out, time and date ballot returned, method of delivery of ballot, voter name, address, register identification number, birth year, registration status, precinct, party affiliation, type of district (i.e., senate, commission, congressional, etc.), ballot style, ballot accepted or rejected by clerk, ballot voided or replaced, notations and certificate for elections, affidavit of non-receipt of absentee ballot, affidavit for replacement of absentee ballot, application for presidential election, presidential ballot, etc.

Classification: 1.21.2.431 NMAC, Reports - Election

File closure: Date of election to which data applies

[New - 03/31/2021]

1002-042 CERTIFIED VOTERS INDEX LIST:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Certified list of voters by precinct, party affiliation and address. List includes voter's name, gender, address, zip code, party affiliation, county, precinct number, date, page number, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: Date superseded by new listing

1002-043 PRECINCT VOTER AND SIGNATURE ROSTER LIST:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Voter lists and signature rosters used for confirmation of registration and voting during an election. List may include county, voter name, gender, place of residence, birth year, party affiliation, precinct of residence, voter signature, voter consecutive number, page number, date and name of election, etc.

Classification:

(A) Elections in which a federal candidate appears on the ballot: 1.21.2.427 NMAC, Election Administration - Statewide

(B) Elections in which there is no federal candidate: 1.21.2.425 NMAC, Election Administration - Local

File closure:

(A) Elections in which a federal candidate appears on the ballot: Date of the election

(B) Elections in which there is no federal candidate: Date of adjournment of applicable state or county canvassing board, whichever is later

[New - 03/31/2021]

1002-044 MONTHLY FILE MAINTENANCE LIST:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: A list generated from the voter registration and election management system that is used to update voter information at the county clerk's office. List may include voter's name, address, party affiliation; precinct name and number; additions, deletions or changes made to the county register, etc.

Classification: 1.21.2.110 NMAC, Logs

File closure: one year after list created

[New - 03/31/2021]

1002-045 VOTING MACHINE PERMIT:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Permit issued to a voter at the polls. Permit may include election date, voters list number, voting machine operator, public counter number, voting machine assigned letter, etc.

Classification:

(A) Elections in which a federal candidate appears on the ballot: 1.21.2.427 NMAC, Election Administration - Statewide

(B) Elections in which there is no federal candidate: 1.21.2.425 NMAC, Election Administration - Local

File closure:

(A) Elections in which a federal candidate appears on the ballot: Date of the election

(B) Elections in which there is no federal candidate: Date of adjournment of applicable state or county canvassing board, whichever is later

[New - 03/31/2021]

1002-046 NOTICE OF APPOINTMENT OF ELECTION OFFICIALS FORM:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: County clerk appointments of election officials to individual precinct boards. Form may include qualification of members, training received, certification by county clerk, member's oath of office, removal from the board, disqualifications, election information, precinct number, polling location, election date, election school information, return deadline date, official's name and address, official's response (i.e., ability to serve, inability to serve or willingness to remain on the standby list), etc.

Classification: 1.21.2.421 NMAC, Appointments - Elections

File closure: Date of appointment

[New - 03/31/2021]

1002-047 BALLOTS:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: A printed and certified ballot used by voters to make decisions in elections (i.e., absentee, labels, cards, sheets, provisional paper and emergency paper, etc.). Ballot may include numbered position on ballot, physical ballot layout, office, names of candidates, bonds, constitutional amendments and other questions to be voted on, marking, casting and recording of votes, etc.

Classification:

(A) **Elections in which a federal candidate appears on the ballot:** 1.21.2.427 NMAC, Election Administration - Statewide

(B) **Elections in which there is no federal candidate:** 1.21.2.425 NMAC, Election Administration - Local

File closure:

(A) **Elections in which a federal candidate appears on the ballot:** Date of the election

(B) **Elections in which there is no federal candidate:** Date of adjournment of applicable state or county canvassing board, whichever is later

[New - 03/31/2021]

1002-048 MACHINE PRINTED RETURN:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Printout of the number of votes cast for each candidate and all write in candidates. Return may include name of write in candidates, independent candidates, all votes cast, etc.

Classification: 1.21.2.431 NMAC, Reports - Election

File closure: Date of election to which return applies

[New - 03/31/2021]

1002-049 CANVASS OF RETURN TALLY SHEET:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Records concerning canvassing of election results. Sheet may include election type, election date, county name, districts, candidate names, other election issues, total number of votes, tally mark square, total votes tallied, affidavit by board of canvass chairman, members' names and signatures, etc.

Classification:

(A) **Elections in which a federal candidate appears on the ballot:** 1.21.2.427 NMAC, Election Administration - Statewide

(B) **Elections in which there is no federal candidate:** 1.21.2.425 NMAC, Election Administration - Local

File closure: Date of election to which sheet applies
[New - 03/31/2021]

1002-050 CERTIFICATE OF NOMINATION OR ELECTION FILE:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Certificate concerning nominations in a primary or general election. File may include certificate of election for general elections, authorizing newly elected official to discharge duties of office for elected term or certificate of nomination for primary elections. Certificate may include election date, location, name of elected official, office, seal, clerk signature, etc.

Classification: 1.21.2.423 NMAC, Candidacy

File closure: Date replaced by new elected official or new nomination for primary election

[New - 03/31/2021]

1002-051 OATH OF OFFICE CERTIFICATE:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Oath of office certificate completed by all elected officials. Certificate may include county, name and signature of elected or appointed official, affidavit, name of elected office, notary seal and signature, name and signature of person administering oath, etc.

Classification: 1.21.2.453 NMAC, Oaths of Office

File closure: Date term ends

[New - 03/31/2021]

1002-052 PRECINCT MAP:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Map showing designation of precinct boundaries, representative districts and senatorial districts. Map may include state, county and municipal boundary lines, urban and nonurban precincts, written description of the precincts, etc.

Classification: 1.21.2.111 NMAC, Planning and Development

File closure: Date map superseded

[New - 03/31/2021]

1002-053 AFFIDAVIT OF AUTHORIZATION:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Affidavit completed by candidates requesting information from voter file, to be used for campaign purposes only. Affidavit may include county name candidates name, date requested, information requested, voter data, special voter list, election campaign purposes, governmental purposes, signature and address of requester, signature authorization, date material provided, signature of recipient, signature of data processor, etc.

Classification: 1.21.2.518 NMAC, Information Release

File closure: Date submitted

[New - 03/31/2021]

1002-054 PROVISIONAL BALLOT OUTER ENVELOPES:

Division/unit: Elections

Maintenance system: Chronological by date

Record series content: Completed voter affidavit for provisional or absentee ballot never received. Affidavit may include county, precinct, voter information, voters affidavit and signature, presiding judge

signature, initials of chair of the county canvassing board and information why ballot was counted or not counted, etc.

Classification:

(A) **Elections in which a federal candidate appears on the ballot:** 1.21.2.427 NMAC, Election Administration - Statewide

(B) **Elections in which there is no federal candidate:** 1.21.2.425 NMAC, Election Administration - Local

File closure:

(A) **Elections in which a federal candidate appears on the ballot:** Date of the election

(B) **Elections in which there is no federal candidate:** Date of adjournment of applicable state or county canvassing board, whichever is later

[New - 03/31/2021]

1002-055 to 1002-070

1002-071 DESCENDANTS PROBATE PACKET:

Division/unit: Probate

Maintenance system: Chronological by date

Record series content: Forms and supporting documentation completed for the probate of an estate. Packet may include instructions for probate, explanation of forms, application for informal appointment of personal representative, order of informal appointment of personal representative, acceptance of appointment as personal representative, letters of testamentary or administration, notice of informal appointment of personal representative, proof of notice, notice of known creditors, notice to creditors, inventory of assets, accounting, verified statement of the personal representative pursuant to Section 34-7-17 NMSA 1978, etc.

Classification: 1.21.2.615 NMAC, Case Files - Court of Record

File closure: Date file created

[New - 03/31/2021]

1002-072 RECORD OF DESCENDANTS ESTATES:

Division/unit: Probate

Maintenance system: Chronological by date

Record series content: Records concerning actions filed against an estate in probate. Record may include all heirs', their decedents' surviving spouses' names, ages, place of residence; a note of every sale of real estate made under the order of the court; money received; reason received; relationship to the deceased, if a minor; list of warrants issued against the county treasury, and for what reason pursuant to Section 34-7-20 NMSA 1978; bonds given by personal representatives, conservators, guardians and all wills admitted to probate pursuant to Section 34-7-21 NMSA 1978; etc.

Classification: 1.21.2.615 NMAC, Case Files - Court of Record

File closure: Date file created

[New - 03/31/2021]