



## 2010 Best Practice Application Records Management

### 2010 Records Management Best Practice Application

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#### **1. Title: Electronic Public Information (EPI)**

#### **2. Background**

County clerk offices were required to physically post paper copies of all county legal and public notices at their county courthouses, with legal notices literally littering courthouse lobbies to post a wide scattering of records and notices that was not only wasteful but extremely inefficient and unnecessary when around-the-clock accessibility to such notices through the internet has been readily available for years. A change in the law allowing Electronic Public Information (EPI) would create significant cost savings in each Texas county's staff time and supplies.

#### **3. The Problem**

Prior Texas law required county clerk offices to post legal and public notices as paper documents on a bulletin board for public viewing during regular courthouse hours. These notifications had to be posted immediately after they were filed with the clerk's office, meaning that a clerk's office staff member had to walk or drive

the notice to the courthouse and post it in a publicly accessible area. This requirement applied even if notices were posted on a county's official website.

The state's restriction on official county postings was especially significant to Collin County Clerk Stacey Kemp's office. Her staff receives an average of 80 notices each month (each consisting of multiple pages, often numbering into the hundreds and, depending on the type of filing, even thousands of pages) and has received more than 100 in one month. As the county continues to grow in population, the amount of public notices also increases (some of the larger counties in Texas receive up to 300 notices a month). The extensive amount of resources required to complete the monthly postings, including binders, clipboards, staff hours and thousands of pages of paper, also continued to increase the costs of compliance. In addition, these notices were only available Monday through Friday from 8:00 a.m. to 5:00 p.m., so the public had to physically visit the courthouse in order to see the notices. And, unlike past years when the clerk's office resided next to the courthouse, since new county facilities were built in 2008 the county clerk's staff can no longer walk across the parking lot to the courthouse, but rather must drive to post notices. Given all these drawbacks, Ms. Kemp and her staff had to find a way to provide citizens convenient access to this essential information while creating more efficient and less costly work processes for the county clerk's office.

#### **4. Description of the Program**

EPI has eliminated the need to have county staff print out copies of notices and driving to and from the courthouse to physically post them. These electronic postings are a big step forward in making all Texas county clerk offices more efficient, environmentally friendly and customer service based organizations.

## **5. Objectives of the Solution**

With more government entities embracing paperless environments as both environmentally responsible and cost effective, the Collin County Clerk looked to 'going green' as much as possible in a department whose business is all records and mostly paper.

## **6. Plan for Development & Implementation**

During the regular session of the 80<sup>th</sup> Texas state legislature, Ms. Kemp presented a bill that would allow all county clerk offices in Texas to post legal and public notices electronically, including trustee sales, which by themselves each generates thousands of pages. Ms. Kemp testified about the need for change and asked that the Texas legislators pass the bill for a more efficient and cost effective posting process that would make notices available 24 hours a day, 7 days a week.

HB 3601 became effective September 1, 2009, and allows county clerks across Texas to post official copies of legal and public notices electronically as an alternative to paper. This new law allowing Electronic Public Information, or EPI, provides for posting of notices on:

- electronic kiosks
- electronic bulletin boards
- county websites
- any other electronic information access

To enable public access to the electronic postings, Ms. Kemp placed three public computers dedicated specifically to accessing public and legal notices and foreclosure listings. The computers were obtained from the County's surplus inventory, saving an estimated \$6,000 in equipment costs.

The computers were placed in the lobby of the county's administration building, in the county courthouse and in the County Clerk's office, providing online access to all the postings while the buildings are open to the public. In addition, all postings are on the county clerk's web site under the *Public Meetings and Notices* pages, accessible from any computer with internet access, from the local library to the comfort of one's own home or business.

## **7. Benefits of the Solution**

The change in state law from requiring paper-only public notices to now allowing electronic postings of such notices has been a great cost and time saver for the Collin County Clerk's Office, and a great convenience to those living and conducting business in Collin County. But even more remarkable is how this change, originated by and campaigned for by the Collin County Clerk, has truly revolutionized the work processes of every county clerk's office in the state of Texas. By eliminating the need to create and post volumes of paper notices exclusively, the Collin County Clerk's Office has moved the state of Texas forward in government cost savings, promoted environmental protection, and provided significantly greater public access and convenience to government records.

## **8. Use of Technology**

County clerk electronic postings are conventional in terms of technology use, utilizing standard computer and internet technology to provide public access to legal and public notices. However, the efficacy of the use of EPI is substantial in its impact on the processes of county clerk offices throughout Texas, as it is practically revolutionary relative to the way notices were legally required to be posted prior to September 2009, when the law was changed.

## **9. The Cost of the Program**

There are no new costs associated with the electronic postings process, other than significant cost savings due to reductions in staff time and office supplies (binders, paper, printer ink, etc.). In addition, the computer kiosks set up in the various county buildings came from surplus county equipment, saving an additional estimated \$6,000.

## **10. The Result of the Program**

The Electronic Public Information process is an unmitigated success for the Collin County Clerk's Office, and a greatly significant change in the legal posting requirements for all Texas county clerk offices. The benefits to the Collin County Clerk is three or four times as great for some of the state's larger counties, so the statewide impact of this new EPI process cannot be understated or underappreciated in terms of cost and environmental impacts, and in the much greater and more convenient access that the public now has to county legal and public information notices.