

DUTIES OF THE OFFICE

The County Clerk is an elected official in county government. The Constitution of the State of Arkansas provides for the election of the County Clerk to a two-year term of office with the requirements that he/she be a qualified elector and resident. In the event of a vacancy in office, the Quorum Court fills the vacancy by appointment, the appointee serving until the next general election, when a successor is elected. All Constitutional Officers are required to have a faithful performance bond to guarantee his/her proper performance of the duties. This may be accomplished either through the State Fidelity Bond Program, which covers all employees on the payroll, or a Fidelity Bond purchased for the officer. He/she must also take the constitutional oath of office.

The County Clerk is entitled to that salary fixed for his/her office by applicable law and Quorum Court appropriation, but he/she cannot keep the various fees collected in the performance of his/her duties as the County Clerk, as in that respect, he/she is only an agent or trustee for the County Treasury.

To assist the Clerk in the performance of his/her duties, the County Clerk may appoint such number of deputies as the Quorum Court may approve. The Clerk generally supervises the deputies and may discharge them and regulate their employment within the guidelines established by the Quorum Court. The office of the County Clerk is to be operated according to the office budget which is established annually by the Quorum Court of the County. In general, the county Clerk's duties are divided into six areas: Probate Court, Quorum and County Court, voter registration and absentee voting, recording and issuing of licenses and other records, tax books and board of equalization and financial records.

As Clerk to the probate court, the clerk files all instruments making them a matter of record in decedent estate cases, and swears in all witnesses in contested estates. The Clerk also in this capacity maintains all records relative to adoptions and guardianship cases within the county.

The County Clerk shall serve, unless otherwise designated by county ordinance, as the secretariat of the Quorum Court. These duties involve keeping a complete permanent record of the proceedings of the Quorum Court including minutes, ordinances, resolutions and an index to provide easy access to the information (ACA 14-14-903).

As Clerk of the County Court, the County Clerk maintains the County Court record. This record includes all business of the County Court which include items such as: annexations, incorporations, county purchases, election results, proclamations, levy of taxes, board appointments, bonds, improvement districts, right of way acquisition, contracts, and agreements signed by County Judge, etc.

The Clerk became the official voter registrar with the adoption of Amendment 51 to the Arkansas Constitution in 1966. The Clerk maintains an accurate and up-to-date voter registration list within the office and stores the ballot boxes between elections.

The County Clerk or the Clerk's designee serves as the secretary of the Board of Equalization and records the minutes of their meetings (ACA 26-27-307). Also, if the clerk is the preparer of the tax books, he/she is responsible for extending the taxes in the information provided by the assessor and the Board of Equalization (ACA 26-28-101 through 26-28-108).

The County Clerk is the official bookkeeper of county government and usually handles the payroll for all county employees. As Clerk of the county court, the clerk has the duty of keeping a regular account between the treasurer and the county. The clerk charges the treasurer with all monies received and credits the treasurer with all monies dispersed. In addition, the clerk keeps an accurate account of all financial transactions within the county and files all documents, vouchers, and other papers pertaining to the settlement of any account to which the county is involved. It is the responsibility of the County Clerk to prepare all checks on the treasury for monies ordered to be paid by the County Court and to keep complete and accurate records of all these financial transactions ready for the court's inspection at any time (ACA 16-20-402).

The records which are kept by the County Clerk are vital to the efficient and effective operation of county government. Thus, it is necessary that these records be accurately recorded and well maintained.