

MULTNOMAH COUNTY CHARTER, Vol. 2, Bk. 1
-County Clerk

4/12

COUNTY
CLERK

PRELIMINARY REPORT
ON THE
ORGANIZATION,
COMPOSITION, &
RESPONSIBILITIES
OF THE
COUNTY CLERK OF
MULTNOMAH COUNTY, OREGON

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Executive Secretary,
Home Rule Charter Committee
November 30, 1964

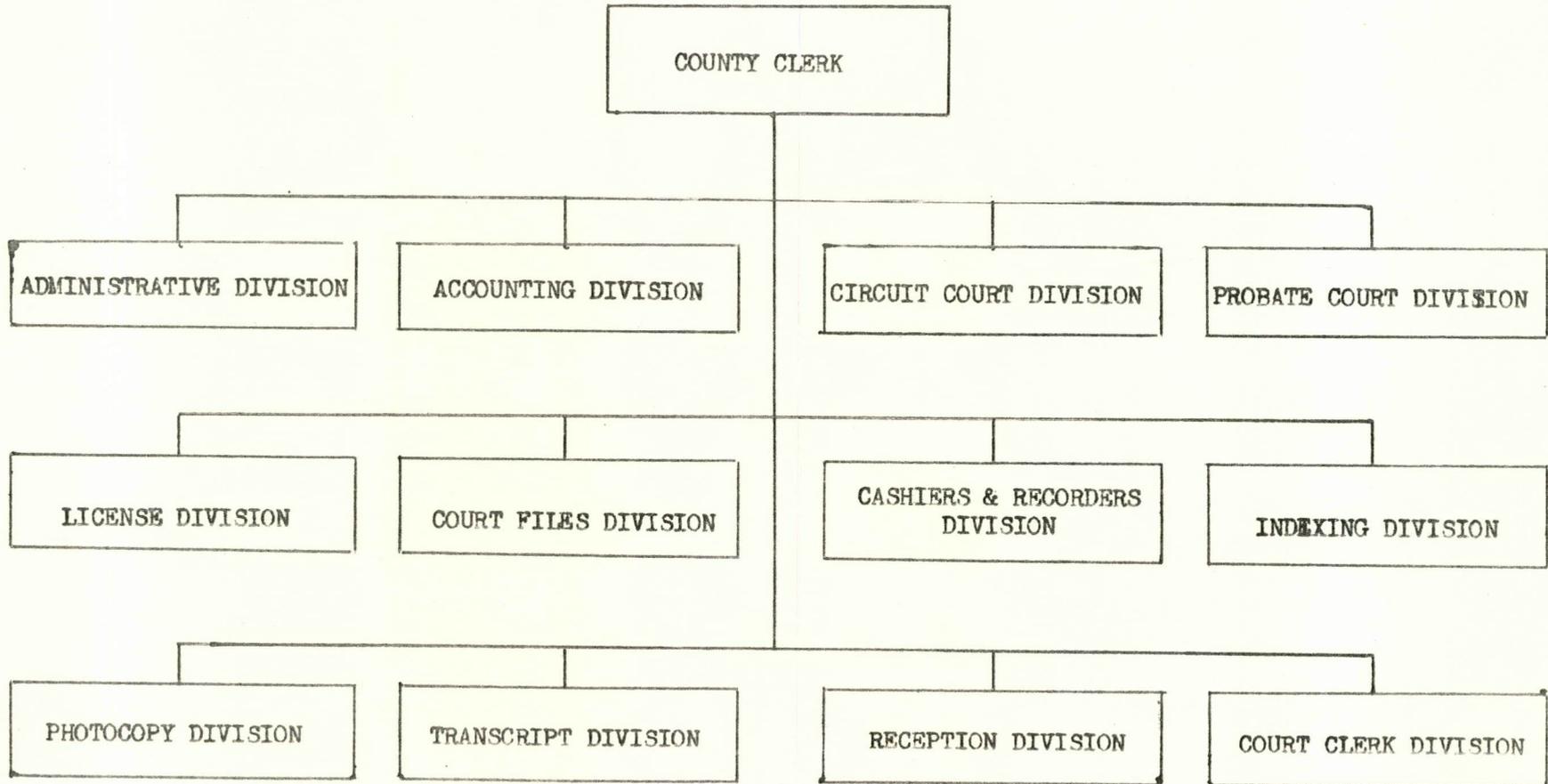
This report is a preliminary report on the present organization and functions of the County Clerk of Multnomah County. The findings are based upon a review of the 1964-65 fiscal year budget request, the Oregon Revised Statutes, and interviews with some of the supervising personnel of the Office of the County Clerk. This report is not complete nor is it intended to be. Minor inaccuracies may be found, but since the membership requested copies of work in progress, it must be expected that the early errors of any analysis will be included.

No effort has been made to evaluate the competence of the County Clerk or any part of his department. The scope of this preliminary report has been limited to present organization and statutory responsibilities.

The review of the Office of the County Clerk reveals an activity employing 81 people with a budget for 1964-1965 fiscal year in excess of a half million dollars. It is headed by a County Clerk who is an elected official of Multnomah County drawing a salary of \$12,500 per year.

Chart I indicates the organization of the Multnomah County Clerk's office as indicated in the budget request for the fiscal year 1964-65. It will be noted that the County Clerk's office is divided into twelve divisions. The Administrative Division is not an operating division per se, and includes the County Clerk, Deputy County Clerk, and a secretary.

ORGANIZATION CHART
(OPERATIONAL)*



* Taken from FY 1964-65 Budget Request

CHART I

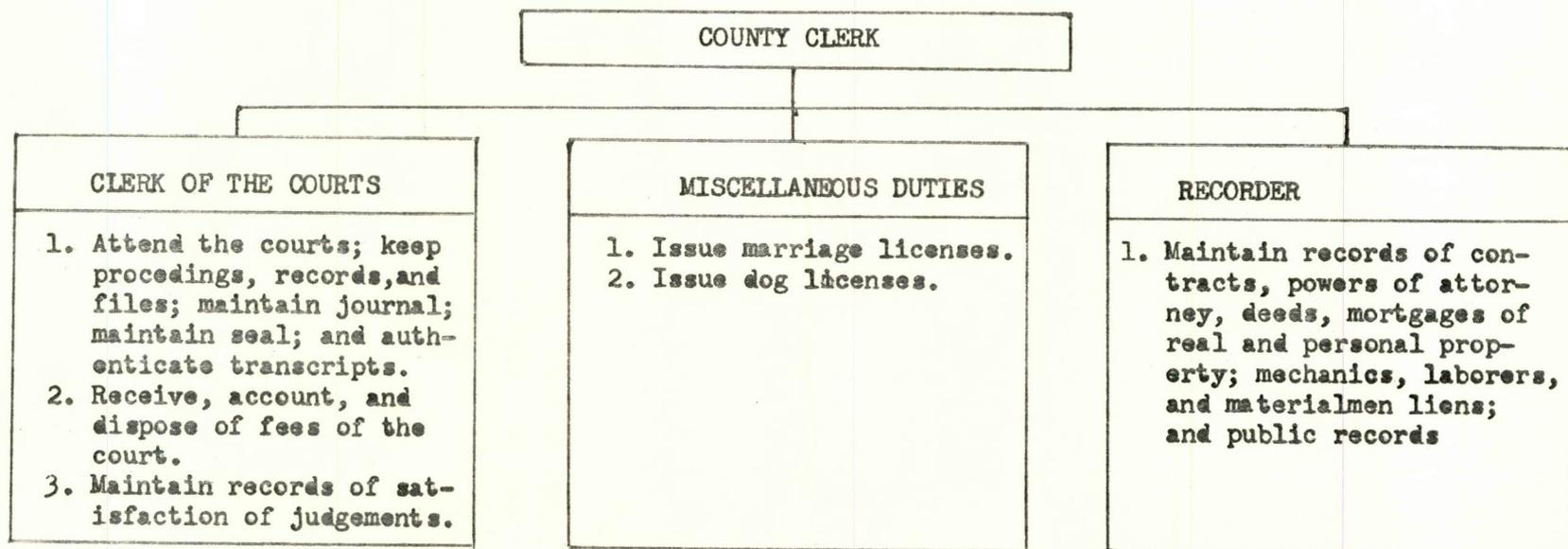
II-2-3

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Chart II is the functional chart of the County Clerk's office and reduces the statutory responsibilities to their simplest terms. Out of some eighty-seven statutes reviewed, only two outlined responsibilities of the County Clerk, and the remainder are procedural in nature or make reference only to the County Clerk as a depository for a copy of a record. Accordingly, the duties of the County Clerk for Multnomah County fall essentially into two categories: (1) the clerical responsibilities in support of the circuit court, and (2) the custodial responsibilities pertaining to public records including the duties of recorder of conveyances.

Another duty of the County Clerk is the issuance of marriage licenses and dog licenses which could be included in the category of custodian of public records, but have been left separate for the sake of clarity.

FUNCTIONAL CHART - STATUTORY



II-2-5

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CHART II

CLERK OF THE COURTS
(FUNCTIONAL)

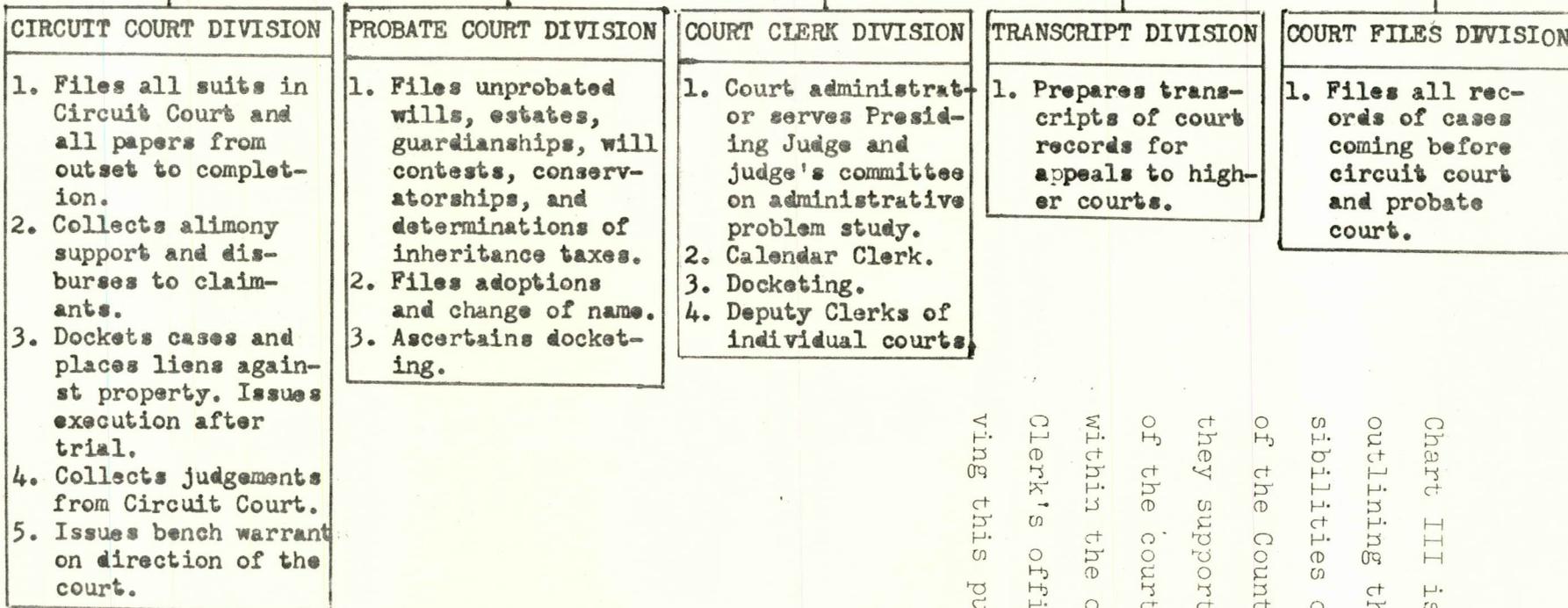


Chart III is a functional chart outlining the functional responsibilities of the various divisions of the County Clerk's department as they support his duties as the clerk of the courts. There are presently within the operation of the County Clerk's office five divisions serving this purpose.

CHART III

II-2-6

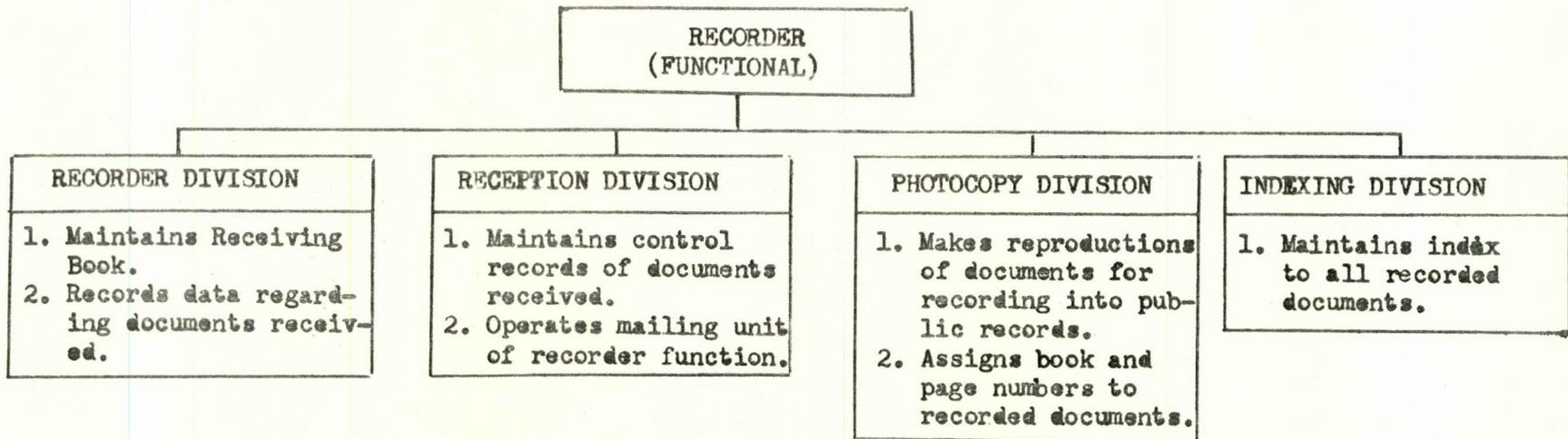


Chart IV is a functional chart outlining the functional responsibilities of the various divisions of the County Clerk's department as they support his duties as the recorder. There are presently within the operation of the County Clerk's office four divisions serving this purpose.

CHART IV

MISCELLANEOUS FUNCTIONS
(FUNCTIONAL)

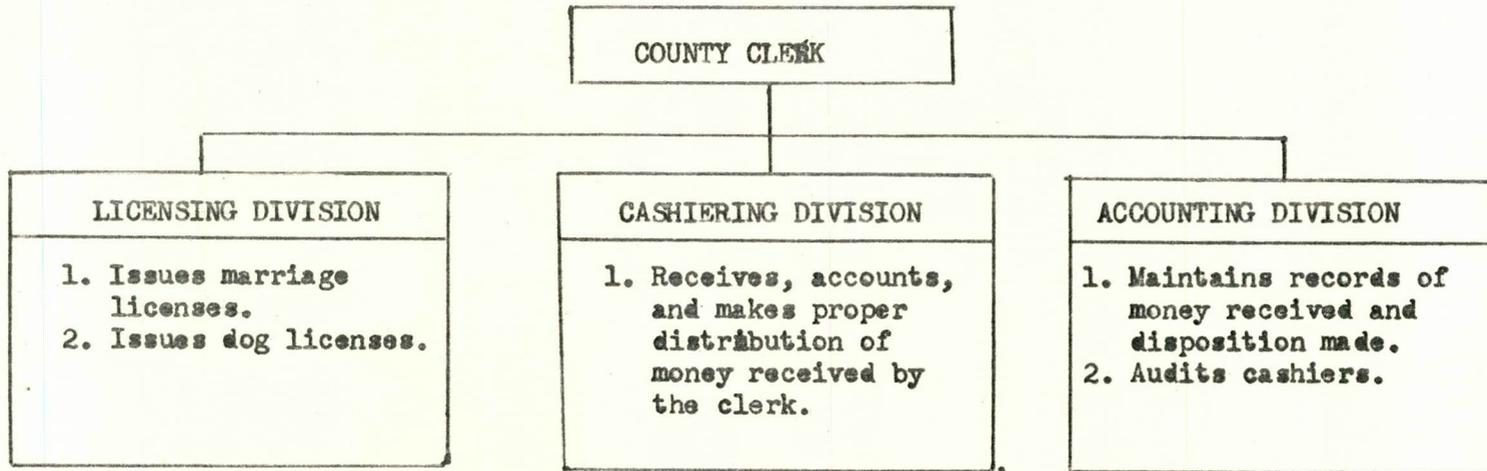


Chart V is a functional chart outlining the functional responsibilities of the various divisions of the County Clerk's department as they support his miscellaneous duties.

CHART V

II-2-8

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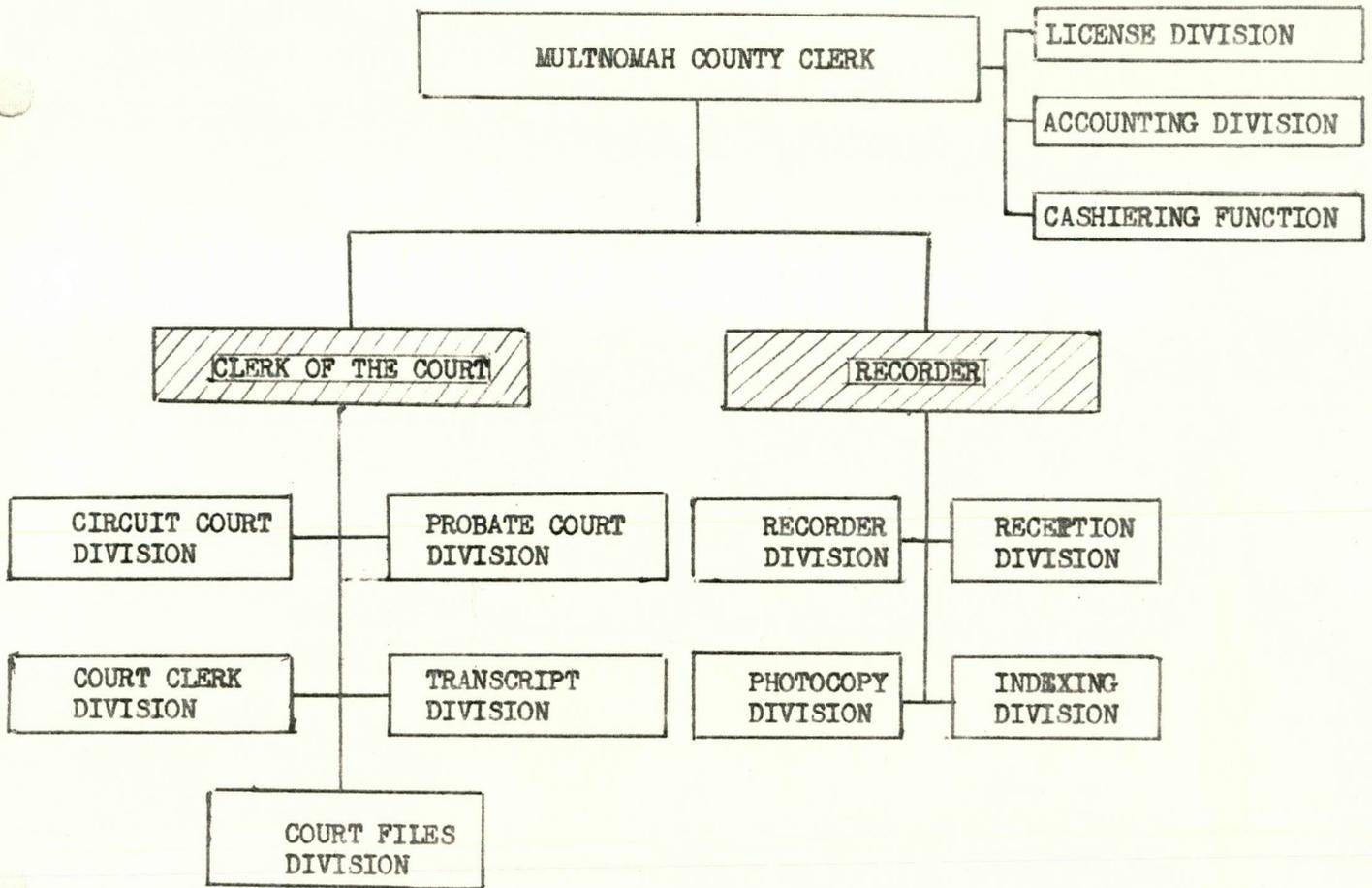


CHART VI

Chart VI is an organization chart of the County Clerk's office realigning the operating divisions into functional placement. The boxes on the chart containing the cross-hatching are for illustrative purposes only and are not a part of the organization of the department. It should further be noted that the cashiering function is actually combined within the Cashiering and Recorder Division; however, cashiering supports both functions while recording supports only one.

Appended hereto are copies of the statutes pertaining to the County Clerk of Multnomah County. In Multnomah County the duties pertaining to elections are carried out by the Board of County Commissioners through the Registrar of Elections. While some counties of Oregon have a recorder of conveyances, the County Clerk of Multnomah County has those responsibilities. Accordingly, the statute review considered all statutes pertaining to county clerks in general, but only those statutes pertaining to the Multnomah County Clerk have been reproduced. Many statutes having reference to the Multnomah County Clerk have not been included when their sole purpose was to make mention of the County Clerk's office as a depository of a document for file. It should suffice to note that the County Clerk has responsibility for receiving and filing public records.

It will be noted that the County Clerk has no policy making decisions to render, and in only one instance does his duty allow him any discretion. This is in the issuance of marriage licenses wherein by law he must ascertain that certain things have been done before he issues a marriage license to an applicant. In all other responsibilities of the County Clerk, the procedures are spelled out in the statutes, and the County Clerk has no discretion whatsoever in the manner of accomplishing his duties.

DUTIES OF COUNTY CLERK IN GENERAL

204.005 Election of county officers.

There shall be elected at the general election, by the qualified voters of each county, the following county officers:

- a) A sheriff.
- b) A county clerk.

* * *

204.010 Terms of office of county officers. (1) Except as provided in subsection (2) of this section, the term of office of each officer mentioned in ORS 204.005 is four years, and until his successor is elected and qualified.

* * *

204.016 Qualifications for county office.

(1) A person is not eligible to any office listed in subsection (1) of ORS 204.005 unless he is a citizen of the United States, a qualified elector under the Oregon Constitution and a resident of the county wherein he is elected for the period of one year next preceding his election, except that in counties of less than 20,000 population the requirement of residency in the county wherein he is elected shall not apply to the county surveyor.

* * *

204.020 When terms of office commence; filing certificate of election, oath and undertaking. (1) The term of office of each officer mentioned in subsection (1) of ORS 204.005 shall commence on the first Monday of January next following his election.

(2) Before entering upon any office listed in subsection (1) of ORS 204.005, the person elected must qualify by filing with the county clerk of the county wherein he is elected his certificate of election, with an oath of office indorsed thereon, and subscribed by him, to the effect that he will support the

Constitution of the United States and of this state, and faithfully demean himself in office. Such person shall also give and file the undertaking provided for in ORS 204.025 to 204.060.

(3) The county clerk of Multnomah County shall, before entering upon the duties of his office, qualify by filing with the treasurer of Multnomah County his certificate of election, with an oath of office indorsed thereon, and subscribed and sworn to by him, to the effect that he will support the Constitution of the United States and of this state and faithfully demean himself in office, and by giving to the state and filing with such treasurer the official undertaking provided in subsection (3) of ORS 204.030.

* * *

204.030 Official undertaking of clerk and coroner. (1) The official undertaking of a county clerk or coroner must be given, approved and filed in the manner prescribed for the official undertaking of a sheriff, and must be in the same amount, except the undertaking of a coroner, which may be given in the sum of \$3,000.

(2) The undertaking may be in substantially the same form as that of a sheriff, substituting the name of "coroner" or "county clerk," for that of "sheriff."

(3) The official undertaking of the county clerk of Multnomah County shall be in the sum of \$25,000, with two or more good and sufficient sureties, who must be residents of the county and have the qualification of bail upon arrest. The undertaking must be approved by the county judge, and must be to the effect that the clerk will faithfully perform all the duties of his office and well and truly according to law pay over and deliver all moneys, books, papers and other property, which shall come into his possession by virtue of his office.

"Whereas at an election held on November —, 19—, A. B. was duly elected sheriff of — County, we, C D and E F, hereby undertake that if A B shall not faithfully pay over, according to law, all moneys that may come into his hands by virtue of his office, and otherwise well and faithfully perform the duties of such office, then we, or either of us, will pay the State of Oregon the sum of \$10,000."

* * *

204.101 Compensation of county officers, deputies and employes to be fixed by county court. The county court or board of county commissioners of each county shall fix the compensation of its own members and of every other county officer, deputy and employe, including justices of the peace, constables and elective district court clerks, but excluding district court judges and any court officer appointed by any judge or judges of either the circuit or district courts exercising jurisdiction in the county and compensated from county funds, where the compensation of such officers, deputies and employes is to be paid from county funds. [1953 c.306 §1]

* * *

Appendix (1)

204.111 Compensation fixed under ORS 204.101 as exclusive compensation. (1) The compensation fixed under ORS 204.101 constitutes full and exclusive compensation for official services rendered to the county, and includes compensation for any special services rendered to the county, such as those performed by the county clerk as clerk of the district court.

(2) No other compensation, commission or fees for services rendered to the county shall be allowed to, received or retained by any county officer, deputy or employe whose compensation is fixed under ORS 204.101, except for the performance of marriage ceremonies and surveys for private persons by county surveyors.

* * *

204.141 Approval by budget committee of change in compensation of elective officers. Before any change in the compensation of an elective county officer is effective it shall be submitted to and approved by the county budget committee or tax supervising and conservation commission at a regular meeting.

* * *

**DEPUTIES AND OTHER EMPLOYEES
(NUMBER, APPOINTMENT AND
AUTHORITY)**

204.601 Number and appointment of deputies and other employes. (1) The county court or board of county commissioners of each county shall fix the number of deputies and employes of county officers whose compensation is to be paid from county funds.

(2) All such deputies and employes shall be appointed by such county officer, and shall hold office during the pleasure of the appointing officer.

* * *

204.625 Deputy of county clerk. Each county clerk may have a deputy to be appointed by such clerk in writing, and to continue during his pleasure. Such deputy has the power to perform any act or duty relating to the clerk's office that his principal has, and his principal is responsible for his conduct.

* * *

201.635 Multnomah County deputies.

(1) Each deputy, assistant and clerk in the offices of the elective officers of Multnomah County and of the constable of the Portland District shall be appointed in writing by the officer in whose office the service is to be performed, which writing shall be filed in the office of the county clerk.

(2) Each such deputy, assistant and clerk shall, before entering upon the duties of his office, take the same oath of office required to be taken by the officer making the appointment, and such oath shall be indorsed on or attached to the writing by which he shall be appointed, and shall be filed with the county clerk and be a public record.

(3) Each such deputy, assistant and clerk shall have the power to perform any act or duty that the officer making the appointment may perform, and for the acts of such deputy, assistant and clerk the officer making the appointment shall be responsible.

(4) Each such deputy, assistant and clerk shall be continuously employed in the discharge of the duties of his office for at least eight hours of each judicial day, and may be directed and required to do and perform any work or duty pertaining to the office of the officer making the appointment. Such officer shall dispose, direct and employ all deputies, assistants and clerks in his office in such manner as to discharge the duties and responsibilities thereof at the least possible expense to the county.

(5) Salaries of each such deputy, assistant and clerk shall be paid out of the county treasury of Multnomah County in the same manner as salaries of county officers are paid.

(6) None of the provisions of the 1961 amendment to this section shall affect the provisions of ORS 204.905.

* * *

DUTIES OF COUNTY CLERK AS CLERK OF THE COURT

205.110 General powers and duties of county clerk. (1) Each county clerk has power to take and certify the proof and acknowledgment of a conveyance of real property or any other written instrument, authorized or required to be proved or acknowledged.

(2) It is the duty of each county clerk for each of the courts for which he is clerk to:

(a) Keep the seal of the court, and affix it in all cases where he is required by law.

(b) Record the proceedings of the court.

(c) Keep the records, files and other books and papers appertaining to the court.

(d) File all papers delivered to him for that purpose in any action, suit or proceeding in the court.

(e) Attend the terms of the court of which he is a clerk, administer oaths and receive the verdict of a jury in any action, suit or proceeding therein, in the presence and under the direction of the court.

(f) Keep the journal of the proceedings of the court at its terms, and under the direction of the court enter its orders, judgments and decrees.

(g) Authenticate, by certificate or transcript, as may be required, the records, files or proceedings of the court, or any other paper appertaining thereto, and filed with him.

(h) Exercise the powers and perform the duties conferred upon him elsewhere by statute.

(i) In the performance of his duties, conform to the direction of the court.

7.110 Custody of records and files. The records and files of the court are to be kept in the clerk's office, in his custody, and he is responsible for them. They shall not be taken out of the office by any one, except by the judge of the court or an attorney thereof, when allowed by special order of the court or judge, or by some general rule prescribed by the court and entered in the journal.

7.130 Search and examination of records and files; certified copies. Whenever requested, the clerk of a court shall furnish to any person a certified copy of any portion of the records or files in his custody. No person other than the clerk is entitled to make such copy, or to have the use of the records or files for such purpose. Whenever requested, the clerk shall search the records and files, and give a certificate thereof according to the nature of the inquiry.

205.240 County clerk to make reports to State Treasurer concerning political subdivisions. (1) On or before April 1 of each year, and at such other times as the State Treasurer shall designate, the county clerk shall file with the State Treasurer a report embodying the name of every civil subdivision and municipal, quasi-municipal, or public corporation, hereinafter designated "subdivision," located or the greater part of which is located in the county, and the name and address of the secretary-treasurer or other person in like position who has custody of the financial records of the subdivision. This section shall not require reports of the name of, or the name and address of any officer of, a school district.

(2) The county clerk shall notify the State Treasurer of the organization, consolidation, merger or dissolution of any subdivision, other than a school district, located or the greater part of which is located in the county, when such event occurs, and the name and address of the secretary-treasurer or other person in like position who is charged with keeping the financial records of such subdivision.

205.360 Clerk to receipt and account for certain probate fees collected. The clerk of the county or circuit courts shall receive and receipt for the sums set forth in ORS 21.310, stating in the receipt the amount so received, from whom received and on what account the sums were received, specifying the cause or proceeding. If it is ascertained at any time that such official has received any money for such fees not so accounted for, or done service without exacting fees therefor as above mentioned, or neglected his duty in any other respect, the payment of his salary shall be withheld until the matter is fully rectified.

205.370 Payment to and disposition of trial fees by court clerk. Trial fees in the circuit court and county court exercising judicial functions shall be paid to the clerk of the court, who shall keep a regular account of them, and by whom paid, in his fee book. He shall pay the amount of such fees received to the treasurer of the county, as often as once a month, taking his receipt therefor in duplicate, one of which the clerk shall file in his office and the other he may retain as his private property. At the annual accounting of the county officers with the county court, the clerk shall exhibit to such court a detailed statement of the trial fees received by him in the course of the year, verified by his own oath.

205.380 Duties of circuit court clerk pertaining to fees collected in Multnomah County. In counties having a population of more than 400,000, according to the latest federal decennial census, the clerk or ex officio clerk of the circuit court shall, by the fourth day of each month, compute from the register referred to in ORS 21.620 the amounts earned by the county during the preceding month and enter in the fee book required by law such amounts, under the title of the case. The clerk shall immediately pay from the amounts on deposit with him in such cases all such sums earned to the county treasurer and take the county treasurer's receipt in duplicate therefor, which receipt shall specify the amount received from each person, the title of the case and the items of service rendered and performed. The clerk shall immediately file one of such duplicate receipts with the county auditor.
[Amended by 1963 c.519 §32]

205.390 Disposition of fees and other receipts of Multnomah County clerk. The county clerk of Multnomah County shall pay into the county treasury all interest received or collected by him on funds of any kind held by him in his official capacity and all compensation collected or received by him under or by virtue of any Act of Congress for any services rendered by him under or in connection with any Act of Congress on the subject of or relating to naturalization, and all fees or emoluments other than his salary collected or received by him from any source in or by reason of his official capacity.

205.510 County clerk not to act or have partner acting as attorney. (1) No county clerk shall during the term of his office institute or assist in instituting any suit, action or probate proceeding in any court of which he is an officer, act as an attorney or counselor with or without hire in any such suit, action or proceeding, or have a partner who shall act as an attorney in any of such proceedings.

(2) The county clerk of Multnomah County and his deputies are prohibited from practicing or having a partner practicing as an attorney-at-law, while in office.

205.520 Location of office of county clerk. The office of the county clerk is in such building or room at the place appointed by law for holding the courts therein as the county court may order, except that the office of the county clerk of Multnomah County is in such rooms in any building at the county seat which the board of county commissioners may order.

205.990 Penalties. Any officer who violates subsection (1) of ORS 205.510 shall be deemed guilty of malfeasance in office and punished therefor as provided by ORS 162.510.

DUTIES OF COUNTY CLERK AS RECORDER

18.400 Satisfaction or assignment of judgment, record of. (1) When any judgment is paid or satisfied, that fact may be noted upon the judgment docket of original entry over the signature of the officer having the official custody of such docket, or of the party entitled to receive and receiving payment or satisfaction, or of the attorney or attorneys representing the judgment creditor in the suit, action or proceeding in which the judgment was rendered; provided, such satisfaction shall not be made by an attorney whose authority over the judgment has expired. Upon annulment or payment or satisfaction and entry thereof being so made, the officer having the official custody of the judgment docket of original entry shall, upon request of any person and payment of a fee of 25 cents for the benefit of the county, issue a certificate showing the fact of satisfaction of such judgment, or annulment of the lien thereof, describing the same sufficiently for identification; and such certificate shall, upon presentation to the officer having official custody of the judgment docket in any county in which a transcript of such judgment may have been docketed, be entered upon such docket for the purpose of making the satisfaction of judgment a matter of record in such county.

(2) Evidence of the satisfaction of any judgment may also be perpetuated by the execution and acknowledgment by the judgment creditor, his assignee or personal representative, of a certificate describing the judgment with convenient certainty, and specifying that the judgment has been paid or otherwise satisfied or discharged. Such certificate shall be acknowledged or proved and certified in the manner provided by law for conveyances of real property, and may be recorded in the record of deeds of any county or counties, upon payment of the same fees as for recording a deed. In case such judgment has been entered in the judgment lien docket of any such county the official custodian of such lien docket shall, upon presentation and recording of such certificate of annulment or satisfaction, make notation of the recording thereof, with reference to the book and page of the record.

(3) An assignment of any judgment, executed in like manner, shall be entitled to record in the deed records of any county, and upon recording the same fact thereof, with like reference to book and page, shall be noted opposite the judgment on the judgment lien docket of such county. In counties where the deed records and the judgment lien docket are in the custody of different officers, the officer recording a certificate of satisfaction or assignment in the deed record shall exhibit the same to the officer having the custody of the judgment lien docket, who shall thereupon make proper entry upon said docket, opposite the entry of such judgment, showing the book and page where assignment or satisfaction of the judgment is recorded.

118.460 Reports by county clerks and custodians of deeds. (1) Each county clerk shall, on the first day of January, April, July and October of each year, make a report to the State Treasurer upon forms furnished by the treasurer, containing the name, residence and date of death of the decedent upon whose estate an application has been made for the issue of letters of administration, letters testamentary or ancillary letters; the estimated value of the property of such decedent; the amount of the property of any such decedent as shown by the inventory and appraisal thereof; the names and places of residence and relationship to the decedent of the heirs at law; the names and places of residence of the legatees, devisees and other beneficiaries in any will of such decedent; the amount of each legacy; and the name and address of the administrator or executor and of his attorney.

(2) The county officer having custody of records of deeds shall, at the same time, make a report to the State Treasurer containing a statement of any conveyance filed or recorded in his office of any property which appears to have been made or intended to take effect in possession or enjoyment after the death of the grantor or vendor, with name and place of residence of the vendor and vendee, and a description of the property transferred, as shown by such instrument.

126.235 Recording order of appointment. Within 60 days after the date of his appointment, a guardian of the estate shall cause to be recorded in the record of deeds of each county, other than the county in which the guardian is appointed, in which real property of the ward is situated a copy of the order of appointment certified by the clerk of the court.

126.466 Recording orders confirming or directing sale of real property. Within 60 days after the date of the order of the court confirming or directing the sale of real property of the ward situated in any county other than the county in which the order was made, the guardian shall cause to be recorded in the record of deeds of such other county a copy of the order for the sale and of the order confirming or directing the sale, both certified by the clerk of the court.

126.545 Recording order discharging guardian. After the entry of the order of the court discharging a guardian of the estate upon the termination of the guardianship, any person may cause to be recorded in the record of deeds of each county, other than the county in which the discharge was made, in which real property of the ward is situated on the date of the discharge, a copy of the order discharging the guardian certified by the clerk of the court.

126.471 Sale, mortgage or lease of property of spendthrift ward. (1) If the court, upon the filing of a petition under ORS 126.411 for the sale, mortgage or lease of any of the property of a ward who is a spendthrift, determines that the ward is competent and consents to the sale, mortgage or lease and that the sale, mortgage or lease is necessary or proper for any purpose referred to in ORS 126.406, the court may order the sale, mortgage or lease to be made subject to such terms and conditions as the court may consider necessary, without the issuance of citation, publication of notice of sale or confirmation by the court. If the proceeds of the sale of mortgage exceed \$1,000, the guardian, within 15 days after the date of the sale or mortgage, shall make and file in the guardianship proceeding a return of his proceedings concerning the sale or mortgage.

(2) In the absence of a determination by the court that the ward who is a spendthrift is competent and consents to the sale, mortgage or lease of his property, such sale, mortgage or lease may be made only as otherwise provided in ORS 126.406 to 126.495.

(3) A conveyance of real property executed by a guardian under subsection (1) of this section shall set forth the book and page of the journal of the court where the order for the sale is entered. The effect of the conveyance shall be the same as though made by the ward while not under legal disability.

(4) Within 60 days after the date of the order under subsection (1) of this section for the sale of real property of the ward situated in any county other than the county in which the order for the sale was made, the guardian shall cause to be recorded in the record of deeds of such other county a copy of the order for the sale certified by the clerk of the court.

DUTIES OF COUNTY CLERK AS RECORDER (CONTINUED)

205.210 Recording duties of county clerk of Multnomah County. (1) The county clerk of Multnomah County shall have the care, custody and control of the books, papers and files, and records of contracts, powers of attorney, deeds, mortgages of real and personal property, and of mechanics', laborers' and materialmen's and other liens in Multnomah County, and shall perform all the duties in regard to the filing, recording and indexing of deeds, mortgages, contracts, powers of attorney, and mechanics', laborers', materialmen's and other liens in Multnomah County, and in regard to the entry of satisfaction and discharge thereof.

(2) He shall keep a receiving book, each page of which shall be divided into several columns, with heads to the respective columns as follows:

- (a) Number
- (b) Nature of instrument
- (c) Time of receipt
- (d) Name of grantor
- (e) Name of grantee
- (f) To whom delivered
- (g) Fee received

He shall make in such receiving book correct entries of every instrument required by law to be recorded. Such book shall be open to public inspection, and the instruments to be recorded shall be open to public inspection before being recorded to those whose business requires that they inspect the same.

(3) Whenever any instrument has been received by him for record, he shall immediately indorse upon such instrument his certificate, noting the day, hour and minute of its reception, and fees received for recording, and, when recorded, he shall further certify upon such instrument the book and page where recorded. The date of record of such instrument is the date of filing.

(4) Whenever any instrument has been filed, the county clerk shall immediately make an entry of the same in his receiving book, under the appropriate heading, with the amount paid as fee for recording the same.

(5) After such instrument has been recorded, the county clerk shall deliver it to the person authorized to receive the same, writing the name of the person to whom it is delivered in the appropriate column.

205.130 Duties of recorder of conveyances. The recorder of conveyances shall:

(1) Have the custody of, and safely keep and preserve all files and records of deeds and mortgages of real property, and all maps, plats, contracts and powers of attorney affecting the title to real property.

(2) Record, or cause to be recorded, in a legible and permanent manner, in suitable books to be provided by the county and kept in his office, all:

(a) Deeds and mortgages of real property, powers of attorney and contracts affecting the title to real property, authorized by law to be recorded, assignments thereof and of any interest therein when properly acknowledged or proved;

(b) Certificates of sale of real property under execution or order of court, or assignments thereof or of any interest therein when properly acknowledged or proved;

(c) Original or certified copies of death certificates of any person appearing in the county records as owning or having a claim or interest in land in the county; and

(d) Affidavits concerning any person owning or appearing to have an interest in any land in the county, or concerning his interest therein.

(3) Perform all the duties in regard to the filing, recording and indexing of deeds and mortgages of real property, contracts and powers of attorney affecting the title of real property, and in regard to the entry of satisfaction and discharge of the same, together with other documents authorized by law to be recorded.

205.140 Copies of records certified by recorder as evidence. A transcript of the record of any instruments duly recorded by the recorder of conveyances under the authority of ORS 205.130 and 205.160 to 205.190, or a photographic or photostatic copy thereof, duly certified by the recorder, under the seal of his office, may be read in evidence in any court with like force and effect as the original instrument.

205.150 Seal of recorder. The county court shall provide a suitable seal for the use of the recorder of conveyances.

205.160 Indexes kept by recorder of conveyances. (1) The recorder of conveyances shall keep a general index, direct and indirect, in his office.

(2) The general index direct shall be

DUTIES OF COUNTY CLERK AS RECORDER (CONTINUED)

divided into seven columns, with heads to the respective columns as follows:

- (a) Time of reception
- (b) Names of grantor
- (c) Names of grantee
- (d) Nature of instrument
- (e) Volume and page where recorded
- (f) Remarks
- (g) Brief description of tract

The recorder shall make correct entries in such general index of every instrument recorded under the appropriate heading, entering the names of the grantors in an alphabetical form.

(3) The general index indirect shall be divided into seven columns, with heads to the respective columns as follows:

- (a) Time of reception
- (b) Names of grantees
- (c) Names of grantors
- (d) Nature of instrument
- (e) Volume and page where recorded
- (f) Remarks
- (g) Brief description of tract

The recorder shall make in such general index correct entries of every instrument required by law to be entered in the general index direct, entering the names of the grantors in alphabetical order.

(4) Whenever any mortgage, bond or other instrument has been released or discharged from record, or by recording a deed or lease, the recorder shall immediately note in both general indexes under the column headed "Remarks," and opposite the appropriate entry, that such instrument has been satisfied.

205.180 Receiving book kept by recorder of conveyances. (1) The recorder of conveyances shall keep a receiving book, each page of which shall be divided into five columns, with heads to the respective columns as follows:

- (a) Time of reception
- (b) Name of grantor
- (c) Name of grantee
- (d) To whom delivered
- (e) Fees received

He shall make in such receiving book correct entries of every instrument required by law to be recorded.

(2) Whenever any instrument has been received by him for record, he shall immediately indorse upon such instrument his certificate, noting the day, hour and minute of its reception and fees received for recording and, when recorded, a reference to the book and page where it is recorded. The date of record of such instrument is the date of filing.

(3) Whenever any instrument has been filed, the recorder shall immediately make an entry of the same in his receiving book, under the appropriate heading, with the amount paid as fee for recording.

(4) After such instrument has been recorded the recorder shall deliver it to the person authorized to receive the same, writing the name of the person to whom it is delivered in the appropriate column.

205.190 Platting of maps of towns, villages, cemeteries. Each recorder and ex-officio recorder of conveyances shall keep a large, well-bound book, in which shall be platted all maps executed prior to May 22, 1909, of towns, villages, or additions to the same, or cemeteries, within his county, together with any description, acknowledgment or other writing therein. He shall keep an index to such books of plats, which index shall contain the name of the town, village, addition or cemetery plat. He shall not be bound to perform any duty required by ORS 205.130, 205.160, 205.180 and 205.190 for which a fee is allowed, unless such fee has been paid or tendered, but when any such map has, prior to May 29, 1919, been incorrectly recorded in the plat records or deed records of his county, and such plat so incorrectly recorded is again presented by anyone to him for record, he shall correctly record such map in the book of plats without charge therefor, and shall make notation on the margin of the original record of the map in the book of plats, of the fact of such re-recording, giving the book and page where the re-recording appears. The original map so re-recorded, as well as all maps recorded under this section, as well as all original maps or plats recorded prior to May 29, 1919, in the book of plats or deed records, shall be safely kept by him in his office in a suitable receptacle (having due regard to the aged, frail or worn condition of such maps) to be provided by the county. He shall not refuse to comply with this section by reason of the fact that some portion of the lands so platted were brought under any statute of this state relating to the registration of land titles.

205.220 Recording copies of estate records; copy as evidence. Any copies of records of any estate administered in this state, certified to as true and correct by the clerk of the court in which the estate was or is being administered, shall be received and recorded by the officer having charge of the deed records of any county upon the payment of the fees required by law. A certified copy of such record shall be received as prima facie evidence of the original record in any court of this state.

205.230 Duty to search records and furnish certificates. Where applicable the recorder of conveyances in counties in which such office is or may be established by law, and in other counties, the county clerk, without liability upon the county, or upon such officer either personally or in his official capacity, must, upon the application of any person and upon the payment or tender of the fees to such recorder or clerk therefor, make searches and furnish a certificate in accordance with the provisions of ORS 79.4070 including provisions for fees, otherwise such county clerk or recorder of conveyances shall furnish a certificate showing all unreleased chattel mortgages, conditional sales contracts, bills of sale, affidavits of renewal, and all other instruments and liens filed in his office affecting the personal property of a designated person, firm or corporation. Such certificate shall state the names of the parties to such instruments, the dates thereof, the dates of filing, the extent to which they purport to affect the property to which they relate, the nature of the lien and the character of the property affected, the document numbers under which they are filed, and in case of chattel mortgages, the maturity of the obligations thereby secured. The recorder shall collect a fee of \$1 for making the search and certificate above provided for, and, in addition thereto, a fee of 10 cents for each instrument over five covered by such certificate.

205.340 Indexing fees of recorder. The recorder of conveyances shall receive from the county for indexing records already made such compensation as the county judge and county commissioners may deem sufficient. For indexing every tract or lot of land thereafter in the direct or indirect indexes, 10 cents for each tract or lot of land, shall be paid the recorder by the person having the instrument recorded.

205.350 Fees for approving and recording plats. The fee for performing the services set forth in ORS 92.090, 92.100 and 271.230, shall be as follows:

(1) For approval by the county court, the county clerk shall collect \$1.

(2) For recording and indexing any plat, the recorder or county clerk, in whose office the deed records of the county are kept, shall charge as follows:

(a) For plats containing 20 lots, or less, \$6.

(b) For plats containing over 20 lots, and less than 30 lots, \$7.

(c) For plats containing 30 lots, and less than 50 lots, \$8.50.

(d) For plats containing 50 lots, and less than 75 lots, \$10.

(e) For plats containing 75 lots, and less than 101 lots, \$12.

(f) For plats containing over 100 lots, in addition to the charge of \$12, he shall make a charge of three cents per lot for all lots over 100.

DUTIES OF COUNTY CLERK AS RECORDER (CONTINUED)

205.320 Fees collected by recorder or county clerk. In every county there shall be charged and collected, in advance, by the recorder of conveyances, or county clerk if there is no recorder of conveyances, for the benefit of the county, the following fees, and no more, for the following purposes and services:

(1) For recording, otherwise than by means of photography, microphotography, photocopying or filming, any instrument required or permitted by law to be recorded, for each folio, 20 cents. In any event, a minimum fee of \$1.50 for five folios, or less, shall be collected for the recording of any instrument. For a chattel mortgage upon any migratory chattel required by law to be registered with the Department of Motor Vehicles and license issued by the department thereon there shall be charged and collected, in addition to the recording or filing fee, 50 cents, which sum forthwith shall be transmitted to the Department of Motor Vehicles.

(2) For filing and making entry when required by law of any instrument required or permitted by law to be filed, when it is not recorded, \$1.

(3) For filing and making entry of the assignment or satisfaction of any filed, but not recorded, instrument, \$1.

(4) For supplying to private parties copies of records or files, made otherwise than by means of photography, microphotography, photocopying or filming, as follows:

(a) For copies prepared and compared by the clerk or recorder, for each folio, 15 cents.

(b) For copies not prepared by the clerk or recorder, but by him compared, for each folio, 10 cents.

(5) For each official certificate, 50 cents.

(6) (a) This subsection applies only to the photographic, microphotographic, photocopying or filming method of recording. For purposes of this subsection, "page" means one side of a sheet, other than a rider, of an instrument, 13½ inches, or less, long and 8½ inches, or less, wide, and "rider" means one side of any sheet affixed to a page, and not more than 8½ inches by 9 inches in dimensions.

(b) For recording any instrument required or permitted by law to be recorded, for the first page, \$1.50, for each additional page, \$1, and for each rider, 50 cents, but the minimum fee shall not be less than \$1.50.

(c) For supplying to private parties copies of records or files, for each page, 50 cents, and for each rider, 50 cents.

(d) For each official certificate, 50 cents.

(7) For taking affidavit for and making and issuing marriage license and registering the return thereof, \$3.

(8) For taking and certifying acknowledgment or proof of execution of any instrument, \$1.

(9) For issuing and indexing execution based on a transcript of judgment, \$1.

(10) For preparing clerk's certificate of satisfaction of judgment, 50 cents.

(11) For certifying to the official character of a notary public, 50 cents.

(12) For recording the commission of a notary public, \$1.50.

(13) For issuing any license required by law, other than a marriage or liquor license, and for which no fee is otherwise provided by law, \$1.

(14) For any service not enumerated in this section which the clerk or recorder may be required by law to perform, such fees as may favorably compare with those established by this section for similar services, and as may be established by order or rule of the county court or board of county commissioners.

205.400 Fees not charged state or agencies for recording deed or certifying copy. No fee shall be charged the State of Oregon, or any commission or board thereof, by any county clerk or recorder of conveyances, for filing or recording any deed conveying real estate to the State of Oregon or for preparing or certifying a copy thereof.

205.530 Location of office of recorder of conveyances. The office of the recorder of conveyances is in the county courthouse, in such rooms as the county court may designate.

DUTIES OF COUNTY CLERK AS RECORDER (CONTINUED)

182.060 County clerk or recorder to file instruments affecting realty for state boards and commissions. When requested by a state board or commission, the county clerk or recorder, as the case may be, shall file or record, or both, in his office any instrument affecting real property and immediately shall return to the board or commission a receipt for the instrument, aptly describing it and showing the legal charge for the filing or recording of the instrument.

517.230 Records of vacations; fees. (1) Any town or plat of any city or town is vacated by a county court or municipal authority of any city or town, the vacation order or ordinance shall be recorded in the records of the county and shall be indexed under the letter "V," title "Vacations." Whenever a vacation order or ordinance is so recorded, the county surveyor of such county shall trace upon the original plat with red ink, the portion so vacated and write therein the word "Vacated" with appropriate reference by number to notation, and shall make a notation on the original plat, in red ink, giving the book and page of the deed record in which the order or ordinance is recorded.

(2) For recording in the county deed records, the county clerk or county recorder shall collect the same fee as for recording a deed. For the services of the county surveyor for marking the record upon the original plat, the county clerk or county recorder shall collect \$2.50 to be paid by him to the county surveyor.

517.220 Affidavit or lack thereof as evidence; recording fee. The affidavit described in ORS 517.210, when so recorded, or a duly certified copy thereof, is prima facie evidence of the facts therein stated. Failure to file such affidavit within the prescribed time is prima facie evidence that such labor has not been done. The fee for recording the affidavit is \$1. All claims constituting one group belonging to the same person, persons, association or corporation may be included in one affidavit without additional charge.

517.030 Recording copy of discovery notice and the affidavit of work; fee. The locator shall, within 60 days from the posting of the location notices by him upon the lode or claim, file for record with the recorder of conveyances, if there is one, who shall be the custodian of mining records and miners' liens, otherwise with the clerk of the county where the claim is situated, a copy of the notice posted by him upon the lode or claim, having attached thereto an affidavit showing that the work required by ORS 517.020 has been done, and shall pay the recorder or clerk a fee of \$1 for such record, which sum the recorder or clerk shall immediately pay over to the treasurer of the county and shall take his receipt therefor, as in case of other county funds coming into the possession of such officer. The recorder or clerk shall immediately record the location notice and the affidavit annexed thereto. No location notice shall be entitled to record, or be recorded, until the work required by ORS 517.020 has been done and the affidavit in proof thereof is attached to the notice to be recorded.

517.052 Recording copy of location notice and affidavit of work; fee. The individual locating a placer deposit shall, within 60 days from the posting of the location notice upon the claim, file for record with the recorder of conveyances, if there is one, otherwise with the clerk of the county where the claim is situated, a copy of the notice posted by him upon the claim, together with the affidavit of excavation described in ORS 517.048. The fee for filing such location notice shall be the same as required by ORS 517.030 for recording location notices of mineral-bearing rock claims. The recorder or clerk, as the case may be, shall immediately record the location notice and affidavit annexed thereto in a book kept by him for that purpose. No placer location notice shall be entitled to record or be recorded until the work required by ORS 517.048 has been done and the affidavit in proof thereof is attached to the notice to be recorded.

204.845 Duties of officers collecting fees in Multnomah County. (1) The county clerk, sheriff, assessor, treasurer, auditor and justices of the peace of Multnomah County and the district attorney of the Fourth Judicial District shall, when collecting fees, percentages, commissions and charges for or on account of any service rendered, except that no charge shall be made for services rendered for or on behalf of the state or of Multnomah County, keep a fee book, in which shall be entered all items of service performed, and fees, percentages, commissions and charges collected, with the name of the person or persons for whom service was performed, and the amount collected. Such book shall be open to public inspection during office hours. Each of such officers shall on the first Monday in each month make out in duplicate a full and correct transcript from his fee book of the entries for the preceding month, file one copy thereof with the county clerk and the other with the treasurer, and attach thereto an affidavit, duly subscribed and sworn to, as follows:

"I, [insert name of officer and name of office], do swear that the foregoing is a true and correct statement of all the fees, percentages, commissions, charges, compensations and collections of whatever nature or kind allowed by law, and collected by me in pursuance thereof, for services rendered by me or my deputies in my official capacity for the month of —, 19—, and that I have paid the same to the county treasurer."

(2) If the officers named in subsection (1) of this section fail to collect in advance all fees, percentages, compensations, charges and collections established and allowed by law, and which are to be paid to the treasurer of Multnomah County, such officers shall be held liable on their official bond for the amount so remaining uncollected, and such amount shall be deducted from the salary of the officer failing to collect or pay the same over.

204.850 Accounting for fees collected by Multnomah County officers. On or before the fourth day of each month every officer of Multnomah County authorized by law to charge any fee, commission, percentage, allowance or compensation, must make and file with the auditor an itemized statement under oath of all moneys received by him during the preceding month, the nature of the service for which the charge was made and the amount of such charge. Such officer must at the same time, or oftener if required, exhibit to the auditor or other proper officer all the treasurer's receipts for moneys deposited with him during the preceding month, and all the receipts remaining in his hands unused or not issued at the close of business on the last day of the preceding month.

204.855 Duties of officers collecting fees in Multnomah County. (1) The clerk of the circuit court, county clerk, clerk of the county court or board of county commissioners, recorder of conveyances and sheriff in counties with a population of more than 400,000, according to the latest federal decennial census, who collect the fees and charges mentioned in ORS 21.410, 21.610 and 205.320, shall enter an account thereof in books kept in their several offices, and pay the same over to the county treasurer, except that the sheriff is not required to remit to the treasurer the amount received for the care or preservation of property.

(2) The officers named in subsection (1) of this section each shall keep a fee book, in which shall be entered all items of service performed and fees collected, with the names of the person or persons for whom such service was performed and the amount collected. The fee book shall be a public record. Each officer shall, when depositing fees with the county treasurer, as prescribed by ORS 204.805, take the treasurer's duplicate receipts therefor, specifying on the receipt so taken the kind of service performed, from whom received, and the amount received for such services. Each officer shall immediately file one duplicate receipt with the county auditor. The sheriff is not required to remit to the treasurer the amount received for amounts received for the care or preservation of property.

(3) When the official term of any officer named in subsection (1) of this section is terminated by expiration of time, death, resignation, removal from office or otherwise, the money in the custody of such officer by virtue of his office belonging to the county or litigants shall be immediately turned over to his successor in office, and duplicate itemized receipts shall be immediately filed with the county auditor.

* * *

204.905 Office hours in Multnomah County. In all counties having a population of 400,000, or more, according to the latest federal decennial census, the offices of all county officials shall be kept open for business on every day from 9 a.m. until 5 p.m. except Saturdays and nonjudicial days enumerated in ORS 1.060. Such offices may remain open on Saturday, in which case the officers in the various departments shall provide a rotation system among employes so that attendance upon the public business on Saturdays will be fairly divided among the employes of the department concerned, and the employes not required to be present may be relieved from their duties on such day.

* * *

416.550 Procedure to perfect lien. (1) Upon receiving notice under ORS 416.530, to perfect its lien the state commission shall:

(a) File a notice of lien, substantially in the form prescribed in ORS 416.560, with the recording officer of the county in which the person against whom claim is made or action is brought resides. If the claim or action be against a corporation, the notice of lien shall be filed with the recording officer of the county within the state in which such corporation has its principal place of business. If the claim or action be against a public body, agency or commission, the notice of lien shall be filed with the recording officer of the county in which the public body, agency or commission has its main offices; and

(b) Prior to the date of satisfaction of the judgment or payment under the settlement or compromise, send a certified copy of the notice of lien by registered mail to each person or public body, agency or commission against whom claim is made or action is brought by the recipient.

(2) Upon the filing of a notice of lien by the state commission, the recording officer shall enter the name of the injured person, the approximate date of the injury and the name of the state commission as lienor in the hospital lien docket provided for in ORS 87.575 and shall make an index thereto in the names of the injured persons and the state commission.
[Formerly 411.560]

432.145 Fees for certified copies and search of files. (1) The fee for making an abbreviated birth certificate is \$1.

(2) The board may prescribe a fee not to exceed \$1 for any search of the files and records, and when no certified copy is to be made it may prescribe a fee not to exceed \$1 for each hour of search or fraction thereof in excess of one hour.

(3) The fee for a full certified copy of a vital statistics record is \$2.

(4) The fee for a certified copy of a recorded court order registering an unrecorded birth under ORS 432.280, to be furnished by the clerk of the circuit court or the State Registrar, is \$2.

86.130 Discharge by foreign executors, administrators and guardians. Foreign executors, administrators and guardians may discharge mortgages upon the records of any county upon recording with the recording officer of the county in which the mortgage is recorded, a certified and authenticated copy of their letters testamentary, or of administration, or of guardianship. The certificate or authentication shall include a statement that the letters have not been revoked, and such certificate shall be recorded in the mortgage records.

86.100 Discharge of record on deed of release. Any mortgage shall also be discharged upon the record thereof, by the recording officer in whose custody it is, whenever there is presented to him a certificate executed by the mortgagee, his personal representatives or assigns, acknowledged or proved and certified as prescribed by law to entitle conveyances to be recorded, specifying that such mortgage has been paid or otherwise discharged. Every such certificate, and the proof or acknowledgment thereof, shall be recorded at full length, and a reference shall be made to the book and page containing such record, in the minute of the discharge of such mortgage made by the recording officer upon the record thereof.

87.050 Recording. The recording officer shall record the claim described in ORS 87.035 in a book kept for that purpose, which records shall be indexed as deeds and other conveyances are required by law to be indexed.

86.070 Record of assignment. Every assignment of mortgage shall be recorded at full length, and a reference shall be made to the book and page containing such assignment upon the margin of record of the mortgage.

93.610 Separate books for recording deeds and mortgages. Separate books shall be provided by the county clerk in each county for the recording of deeds and mortgages. In one book all deeds left with the clerk shall be recorded at full length, with the certificates of acknowledgment or proof of their execution, and in the other all mortgages left with the county clerk shall in like manner be recorded.

93.620 Time and place of receipt for record; certification. The county clerk shall certify upon every conveyance recorded by him the time when it was received and a reference to the book and page where it is recorded. Every conveyance is considered recorded at the time it was so received.

93.630 Index of records of deeds and mortgages. The county clerk shall also keep a proper index, direct and inverted, to the books for the recording of deeds, and also one to the books for the recording of mortgages, in which he shall enter, alphabetically, the name of every party to each instrument recorded by him, with a reference to the book and page where it is recorded.

93.640 Unrecorded conveyance or assignment of sheriff's certificate of sale void as to subsequent purchaser. (1) Every conveyance affecting the title of real property within this state which is not recorded as provided by law is void as against any subsequent purchaser of the same real property, or any portion thereof, in good faith and for a valuable consideration whose conveyance is first filed for record, and as against the heirs and assigns of such purchaser.

(2) Every assignment of sheriffs' certificates of sale of real property on execution or mortgage foreclosure which is not recorded in the records of deeds in the county where the land is situated within five days after its execution is void as against any subsequent purchaser of such certificate of sale, or the real property covered thereby, or any portion thereof, in good faith and for a valuable consideration whose assignment is first recorded.

93.650 Effect of record or certified transcript in evidence. The record of a conveyance duly recorded, or a transcript thereof certified by the county clerk in whose office it is recorded may be read in evidence in any court in the state, with the like effect as the original conveyance. However, the effect of such evidence may be rebutted by other competent testimony.

93.660 Effect of abstract of title as evidence. Any abstract of title to real property in this state certified by any person regularly engaged in this state in the business of preparing and certifying such abstracts shall be received in all courts as prima facie evidence of the existence, condition and nature of the record of all deeds, mortgages and other instruments, conveyances or liens shown or mentioned in the abstract as affecting the property, and that the record is as described in such abstract.

93.670 Power of attorney and executory contract for sale or purchase of lands; recordability; effect as evidence; revocation. (1) Every letter of attorney, or other instrument containing a power to convey lands, as agent or attorney for the owner of such lands, and every executory contract for the sale or purchase of lands, when acknowledged or proved in the manner prescribed for the acknowledgment or proof of conveyances, may be recorded in the county clerk's office of any county in which the lands to which such power or contract relates is situated. When so acknowledged or proved, such letter, instrument or contract, and the record thereof when recorded, or the certified transcript of such record, may be read in evidence in any court in this state without further proof of the same.

(2) No letter of attorney, or other instrument so recorded, is deemed to be revoked by any act of the party by whom it was executed unless the instrument containing such revocation is also recorded in the same office in which the instrument containing the power was recorded.

93.680 Patents, decrees in equity and official grants, recordability; evidence. (1) The following are entitled to be recorded in

the record of deeds of the county in which the lands lie, in like manner and with like effect as conveyances of land duly acknowledged, proved or certified:

(a) The Patents from the United States or of this state for lands within this state

(b) Decrees of courts of equity in this state requiring the execution of a conveyance of real estate within this state.

(c) Approved lists of lands granted to this state, or to corporations in this state.

(d) Conveyances executed by any officer of this state by authority of law, of lands within this state.

(2) The record of any such patent, decree, approved lists or deeds recorded, or a transcript thereof certified by the county clerk in whose office it is recorded, may be read in evidence in any court in this state, with like effect as the original.

93.690 Recording of instruments evidencing passage of title to land from United States to the State of Oregon. (1) The clerk of the State Land Board shall forward all patents and clear lists of land and other documents evidencing that title to land has passed from the United States to the State of Oregon, which have been or shall be received by the State of Oregon, to the officer in each county of the state in which any of such land is situated whose duty it is to record conveyances of real estate. Upon the receipt of such patents, clear lists or other documents, the recording officer of the county shall, without charging or collecting any fee therefor, forthwith record the instruments in the records of deeds of the county and index them in the manner provided for indexing deeds. When the recording officer has properly recorded such instruments he shall return them to the clerk of the State Land Board.

(2) When any such instrument includes land in more than one county, the record of the instrument in each county need include only the description of the land lying wholly or partly in that county and all other land may be indicated as omitted.

93.700 [Reserved for expansion]

93.710 Instruments creating certain interests in realty; effect of recording. Any instrument creating a license, easement, profit a prendre, or a leasehold interest or oil, gas or other mineral interest or estate in real property, which is executed by the person from whom the interest is intended to pass, and acknowledged or proved in the manner provided for the acknowledgment or proof of other conveyances, may be indexed and recorded in the records of deeds of real property in the county where such real property is located. Such recordation, whether the instrument be recorded prior to or subsequent to May 29, 1963, constitutes notice to third persons of the rights of the parties under the instrument irrespective of whether the party granted such interest or estate is in possession of the real property. Any such interest when so acknowledged or proved, or certified in the manner prescribed by law by any of the authorized officers, may be read in evidence without further proof thereof. [Amended by 1963 c.416 §1]

93.720 Certificates of foreclosure; entry of record. (1) Whenever a decree foreclosing a mortgage on real estate is returned in the circuit court of any county, the clerk of the court, in counties where there is a recorder, shall make out a certificate stating that such mortgage has been foreclosed, the date of foreclosure and the number of the journal and page thereof in which such decree is entered. The clerk shall deliver the certificate to the recorder, who shall enter upon the margin of the record of such mortgage the word "foreclosed" and the date of foreclosure, with the number and page of the journal of the decree.

(2) In counties where the county clerk acts as recorder of conveyances, he shall, upon the entry of any decree foreclosing a mortgage on real estate, make on the margin of the record of such mortgage the record provided for in subsection (1) of this section.

93.730 Recordation of decrees in other counties. A certified copy of any judgment, decree or order of confirmation affecting lands in this state made in any suit may be recorded in the records of deeds in any county in which the land affected is wholly or partly situated by any party interested in the land or suit. After the transcript is so recorded, the decree is notice to all persons of such suit and the judgment, order or decree, as completely as if the entire proceedings were had originally in the county in which the transcript is recorded. The record of the transcript is prima facie evidence of title as therein determined.

93.740 Notice of lis pendens; contents; recordation; effect; discharge. In all suits

in which the title to or any interest in or lien upon real property is involved, affected or brought in question, any party thereto at the commencement of the suit, or at any time during the pendency thereof, may file of record with the county clerk or other recorder of deeds of every county in which any part of the premises lies, except in the county in which the suit is brought, a notice of the pendency of the action containing the names of the parties, the object of the suit, and the description of the real property in the county involved, affected, or brought in question, signed by the party or his attorney. From the time of filing the notice, and from that time only, the pendency of the suit is notice, to purchasers and incumbrancers, of the rights and equities in the premises of the party filing the notice. The notice shall be recorded in the same book and in the same manner in which mortgages are recorded, and may be discharged in like manner as mortgages are discharged, either by such party or the attorney signing the notice.

93.750 Recordability of telegraphic copies of powers of attorney and other acknowledged instruments. Any power of attorney, or other instrument in writing, proved or acknowledged, and certified, so as to be entitled to record, may, together with the certificate or proof or acknowledgment, be sent by telegraph. The telegraphic copy, as defined in ORS 758.090, shall prima facie have the same effect in all respects and may be admitted to record and be recorded in the same manner and with like effect as the original.

93.760 Recordability of documents, orders and decrees of the United States District Court. (1) Copies of documents, orders and decrees in proceedings in the District Court of the United States for the District of Oregon, which have been certified by the clerk of such court, and which affect title to real property in this state, shall be entitled to be recorded in the deed records of any county in which such real property is located.

(2) Whenever any person presents to the recorder of conveyances, or county clerk acting as such, a certificate from the clerk of the United States District Court of the foreclosure of any mortgage on real estate the recorder shall make the record required by subsection (1) of ORS 93.720, provided in such section.

93.770 Recordability of petitions, orders and decrees under National Bankruptcy Act. Copies of any petition, with the schedules omitted, and copies of orders and decrees filed or made and entered in any proceeding under the National Bankruptcy Act which have been certified by the clerk of the United States District Court for the District of Oregon, shall be entitled to be recorded in the deed records of any county where the bankrupt owns or has an interest in real property.

91.525 Property submitted to unit ownership by declaration. (1) In order to submit any property to the provisions of ORS 91.505 to 91.675, the owner thereof shall record a declaration in the office of the recording officer of the county in which such property is located. The declaration shall be executed in accordance with ORS 91.530 and acknowledged by the owner of the property.

(2) A preliminary declaration, setting forth as many of the particulars required by ORS 91.530 as may then be practicable, may be recorded before construction of a building described in the declaration is completed. The preliminary declaration shall not relieve the owner from the necessity of filing the declaration as required by ORS 91.530.

79.4010 Place of filing; erroneous filing; removal of collateral. (1) The proper place to file in order to perfect a security interest is as follows:

(a) When the collateral is equipment used in farming operations, or farm products, or accounts, contract rights or general intangibles arising from or relating to the sale of farm products by a farmer, or consumer goods, then in the office of the county clerk or, if the county clerk be not a recorder of conveyances, then in the office of the county recorder and in either event in the county where the goods are kept or the crops are growing or to be grown.

(b) When the collateral is goods which at the time the security interest attaches are or are to become fixtures, then in the office where a mortgage on the real estate concerned would be filed or recorded.

(c) In all other cases, in the office of the Secretary of State and in addition, if the debtor has a place of business in only one county of this state, also in the office of the county clerk or, if the county clerk be not a recorder of conveyances, then in the office of the county recorder of such county, or if the debtor has no place of business in the state, but resides in the state, also in the office of the county clerk or, if the county clerk be not a recorder of conveyances, then in the office of the county recorder of the county in which he resides.

(2) A filing which is made in good faith in an improper place or not in all the places required by this section is nevertheless effective with regard to any collateral as to which the filing complied with the requirements of ORS 79.1010 to 79.5070 and is also effective with regard to collateral covered by the financing statement against any person who has knowledge of the contents of such financing statement.

(3) A filing which is made in the proper place in this state continues effective even though the debtor's residence or place of business or the location of the collateral or its use, whichever controlled the original filing, is thereafter changed.
[1961 c.726 §79.4010; 1963 c.402 §6]

Definitional cross references:

- "Account," ORS 79.1060.
- "Collateral," ORS 79.1050.
- "Consumer goods," ORS 79.1090.
- "Debtor," ORS 79.1050.
- "Equipment," ORS 79.1090.
- "Farm products," ORS 79.1090.
- "Financing statement," ORS 79.4020.
- "Good faith," ORS 71.2010.
- "Goods," ORS 79.1050.
- "Knowledge," ORS 71.2010.
- "Person," ORS 71.2010.
- "Secured party," ORS 79.1050.
- "Security interest," ORS 71.2010.
- "Signed," ORS 71.2010.

408.420 Recording discharge papers. Each county clerk, or recorder of conveyances if there is one, shall maintain in his office a special book in which he shall, upon request, record the final discharge of any war veteran. No recording fee shall be collected when the war veteran requesting such record is an actual resident of said county or was such a resident at the time of his entrance into the service of the United States. In all other cases a legal fee shall be charged. There shall be kept in connection with such record, an alphabetical index referring to the name of the soldier, sailor or marine whose name appears in each discharge paper so recorded. Such books as are necessary for the recording of the discharge papers shall be paid for by the several counties in the manner provided for paying other claims against the county.

408.430 Free services to veterans rendered by county clerk. The county clerk and the clerk of the county court in each county shall administer all oaths required in matters of pensions, certify pension vouchers, affix the seal of the county court whenever required, and make and prepare copies of any documents of record in his office and certify thereto any matter required by veterans seeking benefits from any agency or department of the State of Oregon or Federal Government, without any charge or fee or compensation.

DUTIES OF COUNTY CLERK
AS RECORDER (CONTINUED)

/ 87.095 Index of lien notice. Upon presentation of the notice described in ORS 87.090 to the recording officer of any county, he shall file it in his office and index it in a book, to be kept by him for that purpose and called "index of liens upon chattels."

LIENS OF LOGGERS AND WOODWORKERS

MINING LABOR AND MATERIAL LIEN

POSSESSORY LIEN FOR LABOR AND MATERIAL
EXPENDED ON CHATTEL

NON POSSESSORY LIEN FOR LAEOR AND
MATERIAL EXPENDED ON CHATTEL

LIEN FOR LABOR AND MATERIALS
FURNISHED TO RAILROAD CONTRACTOR

AGISTER'S LIEN

SHEEPHERDER'S LIEN

LIEN FOR PREPARING LAND FOR
CULTIVATION OR CONSTRUCTION

LIEN OF FISHERMEN AND FISH WORKERS

FARM LABOR LIEN

LIENS OF MECHANICS AND MATERIALMEN

HORSESHOER'S LIEN

NURSERYMAN'S LIEN

CROP LIEN

ATTORNEY'S LIEN

POSSESSORY LIEN OF PERSON WHO TRANSPORT
OR STORES PERSONAL PROPERTY

INNKEEPER'S LIEN

HOSPITAL LIEN

LANDLORD'S LIEN

VETERINARY HOSPITAL LIEN

STABLE-KEEPER'S LIEN

LIEN FOR STUD OR ARTIFICIAL
INSEMINATION SERVICES

TIMBERLAND OWNER'S LIEN

UNIFORM FEDERAL TAX LIEN
REGISTRATION ACT

LIEN FOR CONTRIBUTIONS TO EMPLOYEE
BENEFIT PLAN

MISCELLANEOUS PROVISIONS
AFFECTING LIENS

62.360 Filing cooperative contracts. (1)
 A cooperative may file any contract authorized by ORS 62.355 in the office of the county clerk of the county in which the member resides or in which products covered by that contract have been or are to be produced. If the cooperative has substantially uniform contracts with more than one member residing or producing such products in any county, it may, in lieu of filing the original contracts, file:

(a) A true copy of the uniform contract; and

(b) A sworn list or sworn lists of the names of members who have executed such contract and who reside or produce such products in that county, and the effective date of the contract as to each such member.

(2) The county clerk shall number consecutively and file each such contract, and shall record alphabetically in a book to be kept for that purpose and available for public inspection the name of each party to the contract and enter opposite that name the file number of the contract and its effective date as to that party. For filing such contract the fee is the same as for filing a chattel mortgage, and for recording names of parties to such contract the fee is two cents for each name.

(3) Filing and recording pursuant to this section shall operate as constructive notice to all persons of the existence and contents of the contract. Any right, title, interest or lien created as to the products covered by the contract subsequent to such filing and recording is subject to the cooperative's right, title or interest under that contract. If the member creates any mortgage upon any such products subsequent to such contract filing and recording, and if the member and the mortgagee jointly notify the cooperative in writing of the existence and amount of the mortgage, all payments which after such notice become due from the cooperative to that member by reason of the cooperative's sale or other handling of those products shall be paid by the cooperative to the mortgagee until the amount of the mortgage has been paid, and the balance thereafter shall be paid to the member.

(4) When a contract filed under this section has been terminated in any manner, the cooperative shall give, upon demand, a statement of termination to the member party to the contract, who may file the statement in the office of the county clerk where the contract was originally filed. The county clerk shall stamp "Expired" after the name of the member in the alphabetical record. The fee for the filing and stamping is 25 cents. A cooperative may file at any time in the office of the county clerk where the contract was originally filed, a sworn list of the names of all persons whose contracts have been terminated in any manner other than by expiration of their term, and the county clerk shall stamp "Expired" after the name of each of

those persons in the alphabetical record. For such filing and stamping the county clerk shall receive a fee of two cents for each such name.

[1957 c.716 §33]

648.005 Definitions. As used in ORS 648.005 to 648.125, "real and true name" means the surname coupled with one or more given names or one or more initials or any combination thereof of an individual, or the corporate name of a corporation as filed with the Corporation Commissioner or the name of a limited partnership as filed under ORS chapter 69.

648.010 Registration of assumed business name required; application for registration. (1) No person or persons shall carry on, conduct or transact business in this state under any assumed name or under any designation, name or style, other than the real and true name of each person conducting the business or having an interest therein, standing alone or coupled with words which merely describe the business carried on and do not suggest the existence of additional owners, unless the person or all the persons conducting the business or having an interest therein sign and cause to have filed a verified application for registration with the Corporation Commissioner. Words which suggest the existence of additional owners within the meaning of this section include such words as "Company," "& Company," "& Sons," "& Associates" and the like.

(2) The application shall set forth:

(a) The designation, name or style under which the business is to be conducted.

(b) The real and true name of each person conducting or intending to conduct the business, or having an interest therein, together with the street address of each such person.

(c) Every county in which the assumed name or other designation, name or style is used or is intended to be used to carry on, conduct or transact business.

(d) The name and street address of the person authorized to represent the applicant or applicants for the assumed business name. If the application is granted and the assumed business name registered with the Corporation Commissioner, the person authorized to represent the registrant or registrants shall be authorized to receive notices and perform other duties required by the registrant or registrants of the assumed business name under the provisions of this chapter. The registrant or registrants shall keep current the name of the authorized representative in the office of the Corporation Commissioner.

(e) Such other information as the Corporation Commissioner shall require.

(3) Subject to ORS 648.015, the Corporation Commissioner shall register the assumed business name contained in the application and shall notify the registrant or registrants of such registration.

(4) The registration of an assumed business name remains in effect for five years from the first day of the month next following the date of the filing of the application unless sooner canceled. Such registration may be renewed by application under the provisions of ORS 648.035.

**ISSUANCE, APPLICATION, TRANSFER-
RING, TERM, LOSS AND FORFEITURE**

497.210 Who may issue licenses. (1)
The game commission or an authorized agent of the game commission, under such rules and regulations as are made by the commission, may issue licenses according to law and collect the fees prescribed by law therefor.

(2) Any county clerk may issue licenses according to law and the applicable rules and regulations of the commission, and may collect the fees prescribed by law therefor. [Amended by 1955 c.109 §2]

677.140 Filing of license with county clerk; transmission of copy of judgment of conviction. Each person receiving a license to practice medicine and surgery in this state shall file it or a copy thereof with the county clerk in each county in which he carries on a substantial portion of his practice. The county clerk shall file the license or copy thereof, and enter a memorandum thereof, giving the date of the license, the name of the person to whom it is issued and the date of such filing, in a book to be provided and kept for that purpose. The county clerk shall also, on or before February 1 of each year, furnish to the secretary of the board a list of all licenses filed in his office during the preceding year, and upon notice to him of the death of a person so licensed, or of the suspension or revocation of the license granted to such person, the county clerk shall enter at the appropriate place in the record kept by him a memorandum of such facts, so that the record kept by the county clerk corresponds with the records of the board as kept by the secretary. The absence of such record of any license claimed to be held by any person shall be prima facie evidence that no such license has been issued. The county clerk of any county shall upon request of the secretary of the board furnish a complete list of all such licenses on file in his office. In case any licentiate is convicted of a crime, the clerk of the court in which such conviction shall be had shall send to the secretary of the board a certified copy of such judgment.

61.972 Contents, verification and filing of solicitor's report. All persons, corporations, societies or other organizations, except those specified in ORS 61.980, that solicit funds for charitable, benevolent, eleemosynary, political, educational or religious purposes and collect more than \$250 in any calendar year shall file, on or before February 15, with the county clerk of each county in which the funds were solicited, a detailed report in duplicate showing the amount of the funds received or disposed of during the year ending December 31 preceding. The report shall contain a detailed list of all salaries and wages paid and expenses allowed to any officer, employe, agent or other person, giving his name, and of all moneys expended for supplies, equipment and other expenses. This report shall be verified by the person soliciting the funds under his own authority, or if filed by a corporation, society or other organization by its managing officer or agent. The county clerk shall forward the duplicate copy of the report filed with him to the Attorney General.

106.041 Necessity for marriage license; application. (1) All persons wishing to enter into a marriage contract shall obtain a license therefor from the county clerk upon application, directed to any person or religious organization or congregation authorized by ORS 106.120 to solemnize marriages, and authorizing such person, organization or congregation to join together as husband and wife the persons named in the license.

(2) No license shall be issued by the county clerk until the provisions of this section, ORS 106.050, 106.060 and 106.071 are complied with.

(3) Each applicant for marriage license shall file with the county clerk from whom the license is sought a written application for the license on forms provided for this purpose by the State Board of Health which shall set forth certain statistical data regarding age, place of birth, sex, race, occupation, residence and previous marital status of the applicant and, if required, the name and address of the affiant under ORS 106.050.
[1953 c.143 §2]

106.050 Affidavit prerequisite to the issuance of a marriage license. Before a marriage license issues, the applicant therefor shall file with the county clerk an affidavit of some person other than either of the parties seeking the license showing the facts specified in ORS 106.060 or any of them that may be necessary to be shown in the particular case, except the consent of the parent or guardian; and such affidavit shall be sufficient authority to the clerk, so far as such facts are concerned, for issuing the license.

106.100 Retention of license by person solemnizing marriage; clerk's memorandum. The person solemnizing the marriage may retain the marriage license in his possession. The clerk who issues the license, before delivering it, shall enter in the marriage book a memorandum of the names of the parties, the consent of the parent or guardian, if any, the name of the affiant, the substance of the affidavit upon which the license is issued and the date of the license.

106.110 Unlawful issue of marriage license prohibited. No county clerk shall issue a license contrary to the provisions of ORS 106.041 to 106.077 or 106.100.

106.120 Who may solemnize marriage; recording of authority. (1) Marriages may be solemnized by any judicial officer of the state anywhere within his jurisdiction, or by congregations or organizations as indicated in subsection (2) of ORS 106.150, or by any minister of any church organized, carrying on its work and having congregations in this state, who is authorized by such church to solemnize marriages, and who has filed for record with the county clerk of the county in which he resides or in which the marriage is solemnized, evidence satisfactory to the county clerk that he has been so authorized. In the case of a nonresident minister, such filing shall be in any county in which he performs any marriage ceremony, but no minister shall be required to file such evidence of authority in more than one county.

(2) The evidence of authority, if approved by the county clerk, shall be recorded by him in a book called "Authority to Solemnize Marriages," for which he shall charge 10 cents per folio for recording and indexing; but no charge shall be less than 25 cents. Whenever any minister who has filed such evidence of authority with one county clerk solemnizes any marriage in any other county, he shall attach to or indorse upon the certificate required by ORS 106.170, a statement over his signature showing his place of residence and the county clerk with whom his evidence of authority to solemnize marriages is recorded.

December 9, 1964

SI COHN, COUNTY CLERK, REMARKS TO THE HOME RULE CHARTER COMMITTEE

There are one or two little issues that Judge Bryson spoke about that it is true that I take issue with, but that is another matter. We fought it out at two different legislatures already and are probably going to have to do the same thing at the next legislature. While I am on the subject, the matter pertaining to the court clerks whereby statute of law comes under the jurisdiction of the County Clerk, whether or not they should be under the jurisdiction of the judge and appointed by the judge. But there are two thoughts there. One is would the judges assume financial responsibility in case a clerk makes an error which has been done, and which is in the courts at the present time and I am being sued for it? And the main question arose as to whether or not if the judges have the privilege of appointing the clerk, they would call them law clerks and they would not come under Civil Service. This is an inroad to Civil Service, an opening wedge that might disrupt Civil Service. That was the main point that I brought up, and I believe that was the point that probably defeated the issue when it was brought up at the last legislature. However, our differences have never been very serious. We have been very cooperative, and as far as the administrative assistant is concerned, I have never interfered in the slightest degree with his activities. He works primarily for the judges, even though the office comes primarily under the County Clerk's office.

I am going to take five or six minutes of your time to outline to you some of the functions and activities of the County Clerk's office and its various departments. The County Clerk's office does provide many public services. Among them, in addition to the duties performed solely as the County Clerk, the statute provides that the County Clerk is also ex-officio clerk of the courts for Multnomah County and also the Multnomah County Recorder. To perform the duties imposed by statute on these three distinct offices, the office is divided into eight main departments. They are: recording, probate, circuit court, license, assignment clerk, auditing, index, and photostat. Now, in addition to these various departments, we have file clerks, transcript clerks and cashiers. The heads of the various departments are very well qualified by long experience and the entire personnel has worked in close cooperation, and I feel the result is that the office functions very smoothly and very efficiently. In this respect I refer you to over 1,000 attorneys who have had occasion to avail themselves of the services of the County Clerk's office, and I can honestly say that in the 14 years that I have been in the office, I have yet to ever hear a single serious complaint, not only from attorneys, but also from outside sources, but primarily from attorneys who avail themselves of our services.

In the recording department we record all instruments affecting title to real estate in Multnomah County, chattel mortgages, mechanics liens, and powers of attorney. We also file in this department liens on chattels of conditional sales on personal property. Also, U.S. Military records are recorded here.

The probate department files all proceedings in estates, guardianship, conservatorship, and will contests. Also legal changes of name and adoptions and all matters pertaining to county roads proceedings.

In the Circuit Court department are filed all proceedings in cases that are heard before the Circuit Court excluding probate matters. Petitions of delayed birth decrees where no record of the original birth is obtainable are also filed by this department and issued by the judge. Executions and attachments are issued there after proceedings are filed. The record of all cases from the time of the filing of the complaint or petition to the final conclusion of the case are also on file in this department. When ordered by the court, alimony and child support is paid into this department, and I, in turn, issue my personal, supposedly, my personal check to the recipients. May I say in this respect that at the present time we have, when I came here 14 years ago, we had around about 2,000, we have at the present time over 5,000 accounts, and during the past year the amount of money taken in in that one department which is dispersed going and coming, is over \$8,000,000. It is increasing daily.

In the licensing department are issued marriage licenses, also fish and game licenses, dog licenses, pool and dance hall licenses. Articles of incorporation are recorded here, and a record of the signature and the imprint of the seal of all notaries in Multnomah County are kept on file in this department. Medical and other licenses of practioners are on file there, and the certificates of registered nurses are also in this department.

We have an index department on the first floor which contains all record books, everything pertaining to the various departments. Files and indexes for all instruments that come to the recording department. In addition, all the court journals for both probate and Circuit court, after being bound, are kept there. The records of all student names in Multnomah County are also in this department. It requires a staff of nine indexers to keep these records properly indexed.

The assignment clerk department which is on the 6th floor has to do with the assignment of cases to the various courts, keeps a record of cases ready for trial, and sets them for definite trial dates for all departments of the Circuit Court, excluding probate and domestic relations. The jury panel is drawn from this office and assigned to the various courtrooms for trial work. A record of their time and pay is kept there. The courtroom clerks in each department of the Circuit Court work out of this office.

The photostat department reproduces most all the instruments and documents that are taken in in above departments on photostat paper which becomes a permanent record and is kept in the index room where it is available to the public. Certified copies are prepared there for all the other departments. Also, we have been using microfilm machines. We are doing more of this than ever, although we started in about eleven years ago, but we eventually will do microfilming in all departments. We are currently catching up on some of the old records to the point where we are current in some departments at the present time. This department also maintains a blueprint machine which is used mostly for work done for other county offices.

The auditing department maintains the financial records of the office. The Auditor receipts in the books, keeps a trial balance, and disperses monies collected to the Treasurer and to the Secretary of State. The turnover to the County Treasurer of fees collected by the County Clerk for services rendered in different departments will approximate around a little over \$630,000 for fees. During the past few years the revenue of the office has shown a very definite gradual increase. Despite this gain in business, the County Clerk's office has increased the employment very, very slightly. The fees for the recording instruments alone in the recording department has been averaging approximately about \$1,700 per month. Also the fees in the alimony and child support has been averaging approximately about \$1,500 per month which is just about enough to make it more or less self-supporting because when we issue checks to the recipients we charge them fifty cents when the amount is \$50.00 or over and if it is under \$50.00 we charge then twenty-five cents and that approximately takes care of the salaries of the five individuals who we have in that particular department.

To maintain the various departments of the office we have at the present time 80 employees. I might say finally that we have in 1963, and I think in 1964 it will be still higher, taken in in litigations and fees and current receipts and so on, \$8,420,000 and this year it will run over nine million dollars. That in the main gives you sort of a rough idea of what the activities of the County Clerk's office are.

December 9, 1964

QUESTIONS ASKED OF MR. COHN BY THE HOME RULE CHARTER COMMITTEE

Mr. Stephenson: If you were, and let's take the politics out of this, on a lifetime job and you nevertheless were responsible to someone who paid your salary for the degree of efficiency with which you operated the office of County Clerk, would you have in mind anything that might be done to improve the efficiency in your department?

A. Well, frankly, I just can't see at this time any improvement I could make if I had my own way. Of course, needless to say, mine is a constitutional office and I merely follow the dictates of the laws as they are prescribed in the books, but there is very little improvement that I can think of offhand that we could make at this time.

Mr. Stephenson: Are there any areas in which data processing might be applied?

A. Well, it could possibly be. I have attended both meetings recently, the Univac and the IBM demonstrations and what they have to offer, and frankly, I cannot see too much help for our office. Possibly some, primarily for the benefit, as I've been able to see it, for the Sheriff and the Assessor's offices. It might affect my office to some extent, but I haven't been able to determine where yet.

Mr. Stephenson: Well, that type of thing lends itself more readily to the bookkeeping operations than it does to what you have. I am aware of that, and my question took that into account. But could there be anything said concerning the audit function of your office?

A. Well, the audit function of my office, Mr. Stephenson, is not a large operation. We only have two, an accountant and an account clerk. All the audit is is just a cash receipt for the monies that come in every day and for the checks that are issued and the monthly statements. Just a bookkeeping proposition. We have regular auditors, outside auditors, that come in and audit our books periodically. But it is strictly a bookkeeping situation of our daily activities, etc.

Mrs. Nemer: Mr. Cohn, you have been elected to office many times, and you are the caliber of person who would no doubt have been appointed to office had that been the case, but looking ahead to another situation, can you give us your feelings on whether or not there are any advantages to your office being elective, and, if so, what they are?

A. Well, it is possible that I might be a little biased there, so I think that about answers your question.

Mrs. Nemer: No, it really doesn't. Because you have performed such an outstanding service for so long, I think you are in a position to give a committee looking into the future your feelings, naturally not for you personally or the long services you have performed and are performing, but actually in the areas where your work is involved and for the set up for the whole county in the future, this being a time of change.

A. I'll answer this in this respect, Mrs. Nemer. When you are elected to office and you serve for four years, and you are the choice of the people and elected by the people, and if you do your job as prescribed by law and do it properly, and the electorate is willing to elect you again for another four years, and another four years, it seems evident that you must be doing the job properly as prescribed by law. No, I definitely feel that these positions should be elective. It may sound selfish on my part, and naturally I am a little biased, but I feel that this should be an elective position. I think that the electorate and the 250,000 or 260,000 people should have a voice in the selection of the people that are going to operate their government.

Mr. Stephenson: By the same token, do you feel that the office should be a partisan one, rather than a non-partisan one?

A. In that respect, of course, I happen to be on the majority party, but I have always felt that any county position should be non-partisan. I am speaking strictly against my own interests because I realize I am in the majority party and naturally I would suffer less, i.e. I have more chance to be elected on a party basis than on a non-partisan. It has never made any difference to me. I have hired the majority of the people in my office and never once have I asked what their party affiliation is. It has never occurred to me for a moment to ask, "Are you a Democrat or a Republican?" The question is whether or not they are qualified and if they are qualified, that is the man I want or the woman. And, incidentally, 80% of my employees are Republicans, so that is the best evidence.

Mr. Sonderen: Mr. Cohn, you indicated that you had nine people in the indexing department, are you talking about the people on the first floor?

A. Yes.

Mr. Sonderen: The \$1,700 that you stated you took in in that department doesn't actually make that department self-sustaining then, does it?

A. That department doesn't take in the \$1,700.

(Mr. Earl Burton:) Mr. Cohn, you misquoted that figure, it should be \$17,000. The handling charge is \$1,700.

Mr. Cohn: Excuse me, I did get my figures mixed. It's just the difference between one and nothing.

Mr. Sonderen: Does that figure, i.e. the nine people, include the cashiers that actually take in this money for the instruments that go down into the indexing department, or are they in addition to this?

A. Well, we have in the recording department now six people, i.e. four recorders and two cashiers.

Mr. Sonderen: Have you looked into the fact of Univac or IBM handling any of the filing and indexing of these liens, especially?

A. I have been given to understand when I made an inquiry, to me it's all as clear as mud, that if that system were to be put into effect, it probably would affect that department downstairs. That would be the department it would affect. In fact, the only department it would affect.

Mr. Sonderen: The microfilming department is under your jurisdiction, is that available to all the departments of the county?

A. Yes.

Mr. Sonderen: Who utilizes it outside of your department.

A. All departments, every department.

Mr. Sonderen: The voter's registration department and everyone?

A. Yes, everyone.

Mrs. Damskov: I would like to ask, Mr. Cohn, do you thing there are any technical qualifications that are coming up in the future that would make your job one that could not be filled by just anyone who wanted to run for it?

A. No, I don't think so. When I came to office I was just as green as anyone could possibly be. I was in the furniture business all my life which is far removed from county government. And by experience and the proper business applications, just as I would in my own business, I learned. I didn't learn it in the first month or two or in six months, but after a few years I finally got acquainted with it. There are a lot of technicalities.