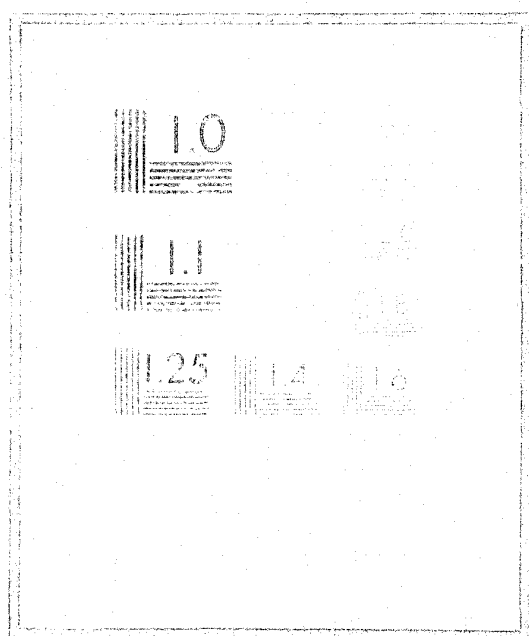


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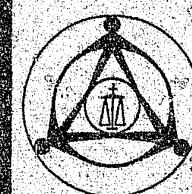
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IN CONNECTION WITH ALIENATED CHILDREN  
REMOVAL PROCEEDINGS IN THE  
DISTRICT COURT OF HUNT COUNTY  
AND WISE COUNTY, TEXAS



**THE AMERICAN UNIVERSITY**

Criminal Courts Technical Assistance Project  
Institute for Studies in Justice and Social Behavior  
The American University Law School  
Washington, D.C.

39574

RECOMMENDATIONS TO ALLEVIATE CURRENT  
RECORD STORAGE PROBLEMS IN THE  
DISTRICT COURTS OF BOWIE COUNTY  
AND WEBB COUNTY, TEXAS

AUGUST, 1974

NCJRS

MAR 8 1977

Consultant:

Robert W. Tobin

ACQUISITIONS

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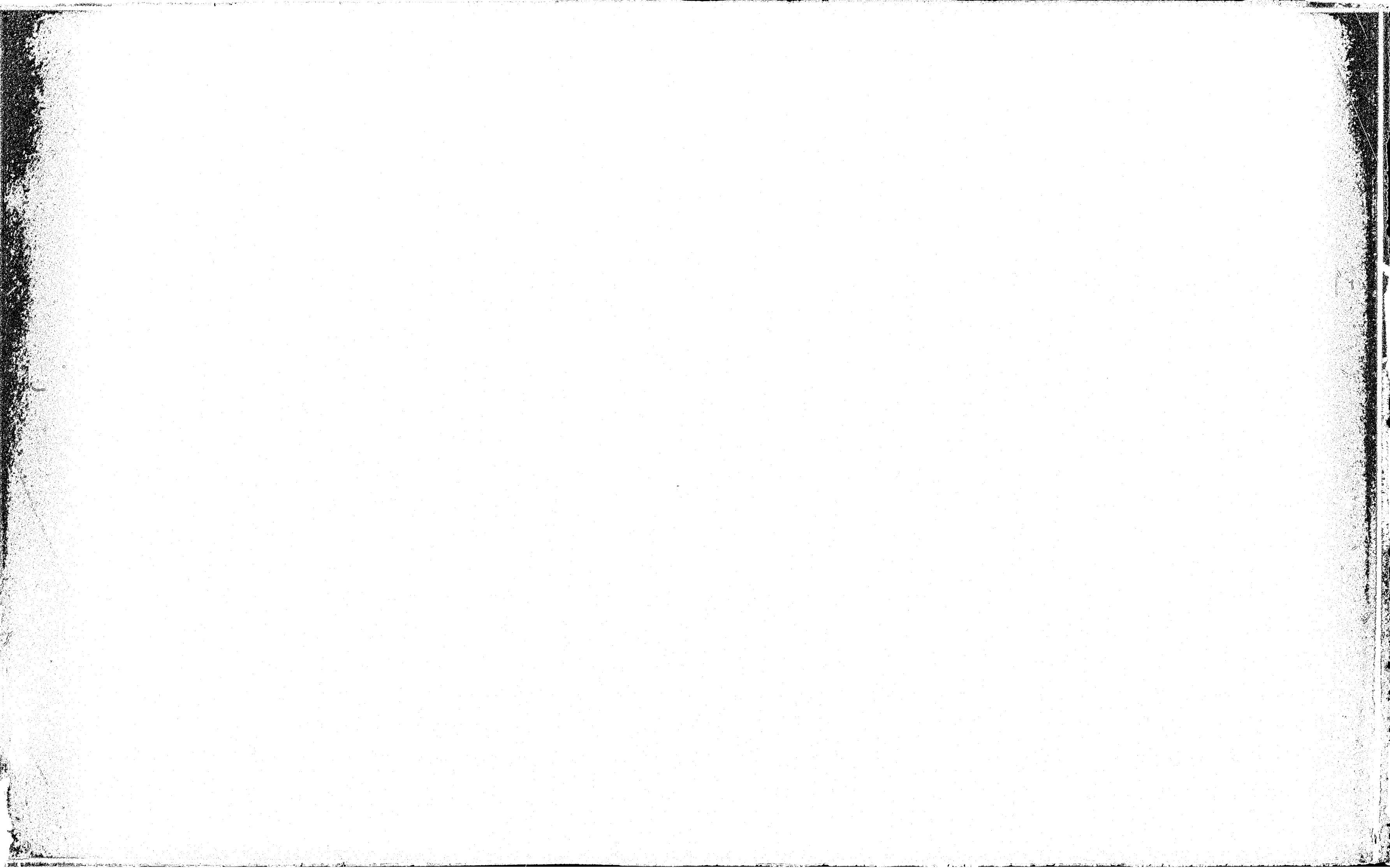
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This report was prepared in conjunction with The American University Law School Criminal Courts Technical Assistance Project, under a contract with the Law Enforcement Assistance Administration of the U.S. Department of Justice.

Organizations undertaking such projects under Federal Government sponsorship are encouraged to express their own judgement freely. Therefore, points of view or opinions stated in this report do not necessarily represent the official position of the Department of Justice. The American University is solely responsible for the factual accuracy of all material presented in this publication.



Robert W. Tobin, a specialist in criminal justice system operations, was assigned by the project to perform the requested study. During the week of July 8 through 12, Mr. Tobin made a site visit to both courts in study as well as met with officials of the Texas Criminal Justice Council (SPA) in order to obtain an overview of the Texas court system in general and discuss the needs of the District Courts in particular. During the site visit to Webb County on July 8 and 9, Mr. Tobin met with the District Court Clerk, Manuel Gutierrez and other criminal justice officials as well as inspected the court facilities. The site visit to Bowie County was conducted on July 10 and 11 during which time Mr. Tobin met with the District Court Clerk, Ms. Winnie Stone and Mr. Glenn Godwin, Director of Criminal Justice for the Ark-Tex Council of Governments as well as toured the court facilities in Boston.

B. Methodology

The observations and recommendations in this report are based upon the following efforts of the consultant.

1. An initial interview with Mr. Bill Willis of the Criminal Justice Council to obtain an overview of the Texas court system and a state level perspective on court record management; Mr. Willis provided caseload statistics for both counties;

2. An on-site analysis of the indexing, docketing and filing systems in the two District Clerk Offices followed by estimates of the types and quantities of records;



3. Interviews with Manuel Gutierrez, the District Clerk of Webb County and Winnie Stone, the District Clerk of Bowie County, to ascertain their definitions of needs and their understanding of the local situation;
4. Review of funding and financial aspects of microfilming including:
  - ° Review of rejected microfilm funding application by Webb County and a pending microfilm application by Nueces County (both for LEAA funding).
  - ° Discussions with the regional coordinators, Pioquinto Mendoza (Webb County) and Glen Godwin (Bowie County).
5. Review of microfilm vendor proposals submitted to Webb County.
6. Review of Criminal Courts Technical Assistance Project Report on microfilming alternatives for Nueces County<sup>1</sup> District Court.
7. Brief survey of related record systems in both counties, particularly those of the County Clerks. In Webb County this involved reviewing the operation of a microfilm system.
8. Review of relevant legislation.

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<sup>1</sup>This report provided an excellent summary of alternatives in the area of microfilm technology. It spoke of the limitations of microfilm for active cases and recommended emphasis on historical records. It also pointed out that the record problem is largely civil. A funding application by the Nueces County District Clerk largely ignores the consultant report.

## II. ANALYSIS OF EXISTING SITUATION

### A. General Problem Statement

In both counties, the immediate issue was described as a record storage problem which might be resolved by microfilming. There is, in fact, a serious record storage problem in both counties, and microfilming would help alleviate the problem.

However, record storage is only part of the problem, and not the essential part. The essential problems are the outdated record-keeping requirements of the Texas court system and the basic weakness of the record systems in both counties, particularly indexing. Since these problems are beyond the scope of the technical assistance effort, the focus of the report will be upon the narrower issue of storage. However, it must be stressed that storage problems are more the symptom than the root of record problems in these counties and to embark upon a microfilming program alone without any accompanying policy changes, must be viewed as a stop gap rather than a cure.

Texas law permits use of microfilm records for all legal purposes, provided that the originals are destroyed pursuant to a microfilm plan approved by the District judges of the particular county. This is a blueprint for record management anarchy. Unfortunately, Texas does not have a highly developed office of court administration at the state level, and thus lacks a coherent statewide policy toward retention, purging and microfilming court records. The result of this administrative void is that the SPA may end up filling a variety of discrete microfilming applications, all based on different policies.

The record management problems of the District Clerks are seen very differently at the state level than at the local level. The Criminal Justice Council must view applications for record microfilming in context with many other competing technological demands. Records management technology is expensive, and, on a scale of priorities, the microfilming of old records does not rank very high. It would be fair to say that the Criminal Justice Council does not look forward to funding a host of microfilm projects and buying a variety of microfilm equipment.<sup>2</sup> Where such projects are regional in scope and serve prosecution or probation agencies, they are more likely to win the support of the SPA. However, the general attitude towards microfilming of court records is not enthusiastic.

The record storage problems of District Clerks are much more urgent when viewed from the local level. The District Clerks of Webb County and Bowie County operate in antiquated facilities with records literally overflowing the available space. This is particularly true of Webb County which has two closet-size rooms as its principal storage area.

At the county level, the priority need for microfilming seems different than it does in Austin. The District Clerks feel they must reduce the record glut immediately or be inundated. Local criminal justice coordinators

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<sup>2</sup>There is a chain-reaction effect in many types of applications. District Clerks in south Texas are in close communication on the subject of micro-filming and exchange applications and specifications. The influence of Harris County is very strong. There is a tendency to adopt systems of other counties without due consideration to local needs.



and county officials perceive the need and are, on the whole, sympathetic. There is therefore a high probability that the 1975 regional plans encompassing Webb County and Bowie County will include microfilming projects, thus raising a possibility of divergence between state and local priorities on LEAA funding.

A key factor in assessing the difference in viewpoint on LEAA funding of microfilming is the relevance of such projects to the criminal justice system. Most record storage problems are, in fact, caused by civil cases and by old records which have little relevance to current functioning of the criminal justice system. There is a tendency, therefore, for regional plans and funding applications to distort problem definitions in order to enhance funding possibilities. This leads to an over-statement of the criminal record problem and emphasis on microfilming retrieval systems for pending case records--a dubious use of microfilming.

B. Specific Factors in Bowie County

1. Court Organization

Three District Courts serve Bowie County, the 5th, 102nd and 202nd. The first two districts include counties other than Bowie County. The 202nd District, which is primarily a criminal bench, is confined to Bowie County. Each District Court has one judge.<sup>3</sup>

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<sup>3</sup>The District Court system of Texas is a crazy-quilt of overlapping one-judge courts. This clearly is a complicating factor for court administration in general and record management in particular.

The District Courts in Bowie County exercise civil jurisdiction above the JP level, equity and domestic relations jurisdiction, juvenile jurisdiction, felony jurisdiction, and misdemeanor jurisdiction. In short, the District Courts exercise general jurisdiction.

The County Court is primarily a probate court. Although in many Texas counties the County Court has juvenile and misdemeanor jurisdiction, this situation is not true in Bowie County.

A District Clerk serves the three District Courts and a County Clerk serves the County Court and performs record-keeping functions relating to land records, chattel mortgages, birth certificates, marriage certificates, etc. The District Clerk, an elected official, maintains an integrated record system for all District Court activities within Bowie County. The only court records of significance which are maintained by the district are the minutes for each District Court.

2. Court Caseload

For a period of five years, the volume of cases in Bowie County has averaged approximately 2500 cases per year, of which some 60 to 70 percent are civil cases with a very small number of juvenile cases.

3. Scope of Record System Maintained by District Court Clerk and Feasibility of Utilizing Microfilm

The principal types of records maintained by the District Clerk for Bowie County are contained in Table 1 on page 9. The foregoing estimates of case records are very rough due to various factors:

- The method for assigning case numbers has been changed several times over the court of the years.
- A fire in 1898 destroyed some, but not all records.
- The number of papers per case has tended to increase in recent years.

Moreover, there are a variety of records which were not included in the following table, primarily records of payments to jurors and depositions. The latter are found in boxes and files in various parts of the court house.

Bowie County went through a reindexing process some years ago. Many older index books could be discarded if they were microfilmed. The volumes which have been reindexed could be preserved and cross-indexed to microfilm numbers with a microfilm copy for security purposes. The initial microfilming should probably be confined to cases which are encompassed by the reindexing, i.e., cases prior to 1962.

There appear to be between 1.5 and 2 million papers in disposed case files. In addition, there are some 75,000 pages in disposed dockets which, if they are microfilmed at all, should be microfilmed with the basic case records and included therewith. The same approach applies to minutes. Most minutes are in oversize volumes which include 120,000 pages or more. There are some 22 loose-leaf legal-sized volumes of minutes which should constitute no problem in microfilming.

Microfilming of fee books would appear to have no great purpose. They are essentially auditing records with no significant historical value. The same applies to records of payment to jurors.

TABLE I

RECORDS MAINTAINED BY DISTRICT CLERK

Name of Record	Type of Record	Estimated Volume	Storage Location
Pending Dockets	Loose-leaf pages, roughly 1 per case. Separate dockets for non-jury civil, jury civil, felony, misdemeanor, tax, condemnation, adoption/ juvenile, divorce, child desertion	4,000 pages	Primarily Branch Office (name given to new office of Clerk on second floor.)
Closed Dockets	Loose-leaf pages, roughly one per case. Separate dockets for felony, misdemeanor, civil, juvenile/adoption. There is a separate case numbering sequence for each of these four categories.	75,000 pages	Disposed criminal dockets are in vault; disposed civil dockets are in branch office.
Fee Books	Bound volumes with oversize pages	35 volumes	Located in vault; some old fee books are on third floor.
Execution Dockets	Bound volumes with oversize pages	1 volume	Located in branch office; some old books are on third floor.
Index Books	Bound volumes with oversize pages	21 volumes (17 of them are civil)	Criminal indices are in vault, civil indices in branch office.

4. Storage Problems

Records are contained in six storage areas--the Clerk's Office, the vault, the so-called branch office, the grand jury room, the second floor hall and the third floor.

There are some 144 file drawers in the grand jury room alone. All disposed misdemeanor cases are in the hall with a number of loose trays of disposed civil case jackets on top of the files. There are several hundred large volumes stored in the vault and branch office. These are located primarily on lower shelves with the result that most case records are located in jacket drawers high up on the wall where they are virtually inaccessible.

Due to the location and overcrowding of file drawers, significant problems of file security and possible misfiling have developed. Control is lost when records are dispersed so widely, not to mention the poor utilization of space.

5. Other Record Management Problems

Indexing and Filing-- The indexing and filing system is weak because of the following factors:

- Sequential numbering without letter prefixes has been used; in 1935 the numbering system was ended at 20,000 and a new sequence started with a zero prefix.
- Misdemeanor and felony sequences became confused and a letter prefix had to be added to the misdemeanor numbers.
- Until recently, juvenile cases were indexed with adult cases.

- Civil and felony cases were once indexed together.
- Transition from jackets to flat filing is in progress but virtually all records are folded into jackets and are not in good condition.
- The volume of current cases makes the use of large books very inefficient. Alphabetizing is difficult since cases are grouped in rough alphabetical categories; a number of bulky volumes may have to be searched to locate a case.

It would be a mistake to go into microfilming without revising the whole indexing system. It would be better to arrange case numbers within a year as follows:

°MIS 75-1 et seq.

°FEL 75-1 "

°CIV 75-1 "

°JV 75-1 "

It would also be preferable to use batch data processing for open and closed indexing. It is not terribly expensive and would greatly simplify and improve indexing. Moreover, the open index and closed index would contain many more items than the current index.

For purposes of data processing, it would seem inadvisable to go back many years in a reindexing process. Computerized indices might include cases since 1962, or possibly, begin with current cases. Micro-film cross-references could be written in index volumes for old cases and carried in the data processing system for the less aged disposed cases.



Record Retention - The District Court Clerk, Winnie Stone, has already proposed to the judges that the following records be destroyed after microfilming:

- (1) Civil - up to 1946
- (2) Felony - up to 1939
- (3) Misdemeanors - up to 1959

This is a fairly conservative proposal. Seven to ten years retention on civil cases and felonies and two to three years retention on misdemeanors should be adequate.<sup>4</sup> Since under Texas law microfilm records are acceptable, the retention span could actually be cut to a very few years. Even if a few cases are reopened, it would be more efficient to create a hard copy of the case record than to preserve original records for ten or fifteen years.

6. Needs of Related Agencies

Other county agencies have microfilming needs of a different nature than the District Clerk.

The County Clerk has literally hundreds of large oversize volumes and indices on real estate records, all of which must be on a quick-response retrieval system if the originals are to be destroyed. The alternative is to use microfilming to reduce existing records to legal-size, so that they can be contained in smaller and more manageable volumes. Microfilming will be of limited utility if tied to the existing grantor-grantee indexing system which is composed of many bulky index volumes, and the best approach, therefore, would be to use a tract index for land records along with computerized indexing.

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<sup>4</sup>A matter of concern to the District Clerk is the reopening of cases, e.g., contempts, decree modifications, and post conviction remedies.

The County Clerk has various other records which may be microfilmed: probate records, birth certificates, marriage certificates, etc. Obviously, legal constraints may be a factor on record destruction.

Bowie County also has microfilming needs in the tax area - specifically, auto license cards (roughly 80,000), tax receipts for ten-year period (roughly 40,000 per year) and voter registration. There are needs for hard copy and for some retrieval. Basically, these are easier applications than those of the District and County Clerk.

C. Specific Factors in Webb County

1. Court Organization - Webb County is served by two district courts, the 49th and 111th. The 49th district includes two small rural counties in addition to Webb County. The 111th district is confined to Webb County.

The 49th District Court is primarily a criminal bench in Webb County and also is the forum for tax cases. The 111th handles primarily civil and juvenile cases. However, some civil cases are filed in the 49th. Due to the vagaries of district court organization in Texas, division of jurisdiction between judges is largely by agreement and local practice. However, attorneys can choose which judge they wish to hear a civil case by filing in one or the other district.

As in Bowie County, juvenile and misdemeanor jurisdiction is at the district court level and the principal judicial function of the County Judge is probate. The District Clerk maintains records for both district courts. The County Clerk serves the County Court, as well as maintains various local records (birth, etc.).

As in Bowie County, the District Clerk keeps a relatively integrated record system, distinguishing between districts only in the maintenance of separate minute books. However, in Webb County the District Clerk keeps separate statistics for each district, and the assignment of cases to a district is more strictly governed by the forum choice of the attorneys. The case records more consistently carry numerical designations of the two district courts.

2. Court Caseload - The average annual caseload of the district courts of Webb County is running between 1200-1500 cases per year. Until recently a very high percentage of this caseload was represented by civil cases, but the number of criminal filings has been increasing dramatically:

<u>Year</u>	<u>Criminal Filings</u>
1966	142
1967	195
1968	257
1969	248
1970	342
1971	416
1972	512
1973	689

As in Bowie County, the number of misdemeanors does not differ greatly from the number of felonies because many minor misdemeanors are heard in JP courts or city courts.

3. Scope of Record System and Feasibility of Utilizing Microfilming -

The District Clerk handles cases in five categories: civil, criminal, juvenile, tax, and eminent domain. The records in Webb County go back to approximately 1880 and the estimated volume is as follows:

	<u>Total Records</u>	<u>Active Cases as of 5/1/74</u>
Civil	28,789	856
Criminal	15,781	242
Tax <sup>5</sup>	7,390	(included in civil)
Juvenile	1,723	60
Eminent Domain <sup>6</sup>	--	--
	<u>53,683</u>	<u>1,158</u>

In addition to basic court records, the District Clerk has some 55 large bound index books (27 civil, 17 criminal, 4 juvenile, 7 tax). He also has some 81 minute books (many of them legal-size loose-leaf):

	<u>49th</u>	<u>111th</u>
Criminal	22	--
Civil	28 <sup>7</sup>	26
Juvenile	--	1
Tax	4	--
		TOTAL -- 81

<sup>5</sup>An interesting factor of the Texas court system is the number of delinquent tax cases filed (over 7000 in Webb County since the 1880's) and the fact that tax cases are treated separately.

<sup>6</sup>This is a recent category. The clerk assigns case numbers for the administrative hearing stage. If a contest develops, the case receives a civil number.

<sup>7</sup>The 49th District had all civil cases until the 111th District was created.

There are also a number of fee books. The civil fee books are unbound. The clerk has started a new set of books for probation fees and is about to introduce such a ledger system with NCR equipment to handle all fees.

The District Clerk maintains loose-leaf docket books for pending and closed cases<sup>8</sup> with approximately 55,000 pages in the volumes, as well as execution books which are large bound volumes with their own index. In addition, there are the usual variety of miscellaneous records, e.g., juror payment records, depositions, etc.

As in Bowie County, the bulk of the record system is devoted to civil cases (roughly 75-80 percent). The estimated number of papers in case records is between 900,000 and 1.2 million, exclusive of docket pages and minutes. An estimate regarding the total pages involved in all case records would be approximately 1.2 million to 1.5 million pages.

If pages in large books are to be microfilmed, additional thousands of pages should be added to the total. These pages would probably be handled by a planetary camera and thus done at a fairly slow speed.<sup>9</sup> Simultaneous microfilming of smaller pages on a rotary camera could occur if help were available.

4. Storage Problems - The Webb County District Clerk faces the worst space problem ever encountered by the Consultant in a general jurisdiction court. The Clerk has some 50,000 case records and several hundred large volumes of records in two small vault rooms with some overflow in a hall. The

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<sup>8</sup>Before the docket pages for a closed case are transferred to a volume, they are placed in a hold file from which statistics are prepared.

<sup>9</sup>Given the volume in Webb County, one person could be occupied for a year or more in historical microfilming. That is why microfilming of current cases would be difficult, even if it were technically feasible.

situation is intolerable. The Webb County Courthouse is not a spacious building and there appears no immediate likelihood that the space problem will be alleviated. The quickest solution is to microfilm old records.

Unfortunately, it is hard to imagine where microfilm equipment could be placed. While there is understandable reluctance to have court records taken outside the courthouse, it would seem advisable to explore the possibility of using space outside the courthouse for microfilming or having the microfilming done reasonably in a governmental facility (e.g., the state correctional system has some microfilming centers). The possible risk of a record loss seems small compared to the problems of superimposing a microfilm operation on a very crowded office.

5. Other Record Management Problems - The District Clerk of Webb County has inherited a record management system with a weak indexing system and a very inconvenient filing system. Record trays run literally up to the ceiling, and papers suffer from being folded into jackets. Space problems make flat filing difficult except for pending cases.

The District Clerk anticipates a reevaluation of the system as part of a microfilming program but recognizes that total reindexing may be impractical. He does, however, plan to reindex for recent years, or at the least, to start with current cases. Clearly, this reindexing is essential.

6. Related Record Systems - The County Clerk of Webb County has a county-funded microfilming system which includes a planetary camera, a rotary camera, a processor, an edit station, a reader-printer and storage trays. He has a roll system and is reducing records to smaller size so that they can be included in manageable volumes.



The system figures to be dedicated to the needs of the County Clerk for years to come since there are mountains of land records to copy. It is unlikely that the District Clerk will be able to use the system much, and so he will require some equipment of his own. It would be wise, however, for Webb County to consider a joint center which could better utilize personnel, reduce hardware redundancy and improve the level and efficiency in the staff.

While there has been talk of serving other counties, with the exception of the probation office and District Attorney in Webb County, this possibility is unlikely over the short term.

### III. RECOMMENDATIONS

#### A. State-Level Actions<sup>10</sup>

##### 1. State-Level Policy on Record Retention, Purging

Some state-level policy should be articulated regarding record retention and purging, even if some degree of local flexibility is permitted. Presumably, this should emanate from the Judicial Council, if that body is so empowered. Conceivably, the SPA could have some influence through its funding role.

##### 2. State-Level Review of Recordkeeping Requirements

A review of current recordkeeping requirements should be undertaken. The District Clerks of Texas are currently required to maintain records which are redundant and not very useful. Separate minute books and separate execution books are maintained. Docket entries are often placed on jacket covers as well as on docket pages. This system is anachronistic in the light of modern record management technology and has no significant legal justification. In most jurisdictions minute books are being abandoned.

##### 3. Microfilm Plans

Texas law is liberal on the use of microfilming of court records and the use of copies made from microfilm records. The prerequisite is that the District Clerk submit a microfilm plan which obtains the approval of the District Court judiciary in the county. Harris County apparently has a good plan. However, plans for other counties provide very little policy guidance and are in the consultant's opinion inadequate.

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<sup>10</sup>While recommendations pertaining to state-level action may be beyond the scope of this study, they necessarily effect what can be done on a local basis and therefore must be mentioned.

Some state-level effort should be undertaken to develop a model microfilm plan with the following components:

- o The types of court records to be encompassed by the microfilming plan.
- o The length of time originals of case records will be retained after case disposition, with the time period designated for each type of case.
- o The types of records which can be destroyed without microfilming (presumably financial records after the audit period).
- o The point at which microfilming will occur (presumably at point of disposition or at point of purging).
- o Linkage of records in same case<sup>11</sup> and indexing procedures.
- o Editing procedures.
- o Duplication and security procedures.
- o Method of destruction and archival considerations.
- o Reopening of cases, reproduction of hard copy records or splicing procedures.

It is not essential that a microfilm plan delve into detailed record management procedures in each of the above areas, but policy in each area should be clearly stated.

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<sup>11</sup>This addresses linking records in the same case which are located in different books or files, e.g., docket page, jacket records, minutes in same case.

B. General Recordkeeping Considerations in Webb County and Bowie County

Any microfilm system in the above counties should be accompanied by a revision of the existing record system, particularly the indexing system. It is not necessary that this revision be complicated or expensive.

Among the changes which should be considered are:

- o Flat filing (Bowie County is already headed in this direction but has more filing space than Webb County).
- o Numbering of cases consecutively within years with a letter prefix designating the particular type of case (e.g., civil, juvenile, etc.).
- o Elimination of bulky index books which are difficult to handle, not well alphabetized and unsuitable for duplication;<sup>12</sup> it might, however, be wasteful to try and reindex all past cases and 10-12 year past period may be adequate.
- o Serious consideration of computerized indexing with batch print-outs, a system which is not terribly expensive in terms of machine time but which has a number of benefits such as:
  - A separate index for closed and pending cases with the latter small and very easy to handle.
  - The index would carry many more informational items than the current index, thereby reducing the need to consult case records as much.
  - The closed case index could carry microfilm reference numbers.
  - Security is provided by having a magnetic tape of the index outside the courthouse.
  - Multiple print-outs of the index can be provided permitting several people to simultaneously use the index.
  - Statistical reporting can be spun off from index records.

<sup>12</sup>Access to a case is through one book, which automatically impedes retrieval.

C. Need for Microfilming in Webb County and Bowie County

There is absolutely no doubt that both counties have record storage problems which could be alleviated by microfilming. A pressing need exists and the desirability of microfilming is clear.

1. Microfilming of Pending Cases or Recently Disposed Cases in Webb County and Bowie County

Microfilming leaves a lot to be desired when applied in a dynamic record system with frequent retrieval demands. Therefore, neither county should use microfilming for pending case records. Microfilming should not even be used for recently disposed cases since retrieval demands for such cases are fairly frequent and post-judgment transactions often occur (e.g., contempt, decree modifications, habeas corpus petitions, etc.). It is therefore recommended that both counties retain original case records for a period of two to seven years after case disposition (depending on the nature of the case<sup>13</sup>) and that microfilming initially take place at the time of record purging rather than at the time of disposition.<sup>14</sup>

If, on the basis of actual experience, the clerks decide to move up the time of microfilming to the point of disposition, this decision will be based on firm knowledge of the pluses and minuses of the step.

The problem, however, is that this course of action provides neither total record security (i.e., new records are not covered) nor creates a significant impact on current operations of the criminal justice system. In short, a need exists, but it may not be a need which clearly justifies LEAA funding. This is, of course, a priority problem for Texas and is not within the scope of these recommendations.

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<sup>13</sup>Misdemeanor records should not be held long.

<sup>14</sup>For a two year period both counties will have all they can do to microfilm old cases.

2. Request for Proposals Issued by the District Clerks of Webb County and Bowie County

Requests for proposals tend to be either too general or too specific. The technical specifications which were included in microfilm funding applications from Webb and Nueces Counties were too specific. They were clearly Kodak-oriented and assumed a set of user requirements which were not well articulated.

The request for proposal should be very specific as to user needs, but should, at the same time, avoid detailed technical specifications on such things as reduction ratios, throughput speed, etc. These factors are important, but it is sufficient to make the vendor describe the capability of his equipment in each area of comparison without making specific capability an absolute prerequisite to bidding.

The needs of the District Clerks in Webb County and Bowie County are approximately the same:

- o Microfilming of older, non-dynamic records, many of which are oversize (pages in big volumes) or in poor condition (folded, torn and partly illegible records in jackets).
- o Linkage of all records pertaining to one case (e.g., jacket, case records, minutes, docket page) so that multiple index references are avoided (indexing of historical cases is far easier than indexing in a dynamic context).
- o A microfilm index system which is linked to court indices.
- o A limited retrieval capability, i.e., a viewer which can handle the microfilm proposed by the vendor.<sup>15</sup>

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<sup>15</sup>There is no need for a number of viewers where historical records are involved.



- o Printing of hard copy records from microfilm (since the originals will be destroyed).
- o Processing capability (however, the alternative of outside processing should be addressed in the RFP).
- o Duplication capability for security purposes.
- o Microfilm storage.
- o Editing capability.
- o Service support.
- o Training of employees.
- o Supplies.

To compare technical and cost factors in vendor proposals, vendors should be asked to respond in each area of user need, to define in each area the vendor's corporate capability or equipment capability and to indicate cost factors.

Among the specific comparison factors should be:

- o Camera reduction ratios and paper size limits.
- o Threading, duplication features of cameras.
- o Throughput speed of cameras and processors.
- o Size and type of microfilm (e.g., jacket, rolls).
- o Type of processing (wet, dry, etc.)
- o Use of cartridge or magazines.
- o Images per storage unit (roll, jacket).
- o Type of hard copy.
- o Retrieval speeds.
- o Encoding and indexing systems.
- o Estimated annual cost of system operation based on vendor's proposed system and on first-year throughput.

#### IV. SUMMARY

No doubt exists that microfilming is a necessity for the District Clerks of Webb County and Bowie County. Some doubt exists as to whether the needs extend to active case records.

Assuming that the microfilming will be largely confined to historical records, the needs in both courts could probably be met by purchase<sup>16</sup> of the following types of equipment:

- A planetary camera.
- A rotary camera.
- A reader-printer suited to the proposed microfilm (probably 16 mm rolls in cartridges or magazines).
- A processor.
- A duplicator.
- An editing station.
- Storage facility for microfilmed records.

The exact equipment configuration should be determined by the vendor response to the user requirement defined in the RFP.

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<sup>16</sup> Lease or lease-purchase does not seem feasible.

**END**