

What is a Municipal Clerk

An Overview of the Municipal Clerk Profession

"No other office in municipal service has so many contracts. It serves the mayor, the city council, the city manager (when there is one), and all administrative departments without exception. All of them call upon it, almost daily, for some service or information. Its work is not spectacular, but it demands versatility, alertness, accuracy, and no end of patience. The public does not realize how many loose ends of city administration this office pulls together."

Professor William Bennett Munro (1934)

What is the history of municipal clerks?

Along with the tax collector, municipal clerks are the oldest public servants in local governments. Clerks, in one form or another, have been around since before the advent of writing. They have been known by such titles as "scribes," "reminders," "remembrancers," "clerks," "mayors of the palace," and "clarkes."

From earliest times, the clerk has been historian, archivist, public reader of official documents, keeper of the laws, and fee collector, as well as being responsible for publishing official documents. Over the years, these duties have remained unchanged.

What do municipal clerks do today?

While humble in its beginnings as a profession and unchanged in some respects, so diverse is the role of the municipal clerk today, that no two clerks' roles are alike. Nevertheless, clerks share eight core responsibilities:

- General management
- Records management
- Elections
- Meeting administration
- Management of by-laws, articles of incorporation, ordinances or other legal instruments
- Human resources management
- Financial management
- Custody of the official seal and execution of official documents

The municipal clerk's role goes far beyond the responsibilities set out in the eight core responsibilities. Most clerks are responsible for maintaining the local body of laws known as city codes. With changing technology and laws and increased demand for information, clerks are responsible for website administration. Another semi-universal responsibility is that of managing boards and commissions and providing training to board and commission members. Clerks by necessity must be on top of changing laws and new laws to ensure that their organizations and employees stay in compliance with the laws.

Many clerks issue marriage certificates, passports, business/sales tax licenses, liquor licenses, off-track betting licenses, and bingo licenses. Some clerks are responsible for managing their organization's policies and procedures.

If that weren't enough, some clerks are called upon to double as finance directors, public information officers, and risk managers for their organization and to serve as city/town managers.

Where do clerks fit within the hierarchy of their municipal organizations?

"Municipal Clerks are the hub of government, the direct link between the inhabitants of their community and their government. The Clerk is the historian of the community, for the entire recorded history of the town (city) and its people is in his or her care."

International Institute of Municipal Clerks website: www.iimc.org

More than simply public servants, clerks sit in the center of a wheel, the spokes of which are the city/town council, city/town manager, the organization, and the public.

Clerks are leaders in their organizations. Their leadership is defined by service to the organization, community, and elected body. They are the elections officials for the community. Clerks head up their departments, supervise personnel, administer records management programs, share vital information, participate in administrative meetings, exercise quasi-judicial authority, establish administrative procedures, set policies, and are a critical communications link in a 360 degree circle. Clerks spend equal parts of time working with senior administrators, mid-level administrators, staff at every level of the organization, the public, and elected and other officials within and outside their organizations.



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ARIZONA MUNICIPAL CLERKS' ASSOCIATION

Are cities and towns required to have municipal clerks?

Arizona laws require municipalities to appoint city/town clerks: A.R.S. §§ 9-237 and 9-271. Clerks are one of only a handful of municipal officials designated by statute.

Do statutes prescribe the duties of city/town clerks?

A number of Arizona statutes regulate the duties and responsibilities of clerks.

The Arizona Constitution, Article 4, Part 1, Section 1(9) states that municipal initiative and referendum petitions shall be “addressed” to the “city clerk.”

Likewise, Title 19 of the Arizona Revised Statutes assigns the duty of receiving, processing, and verifying initiative, recall, and referendum petitions to the clerk. These laws further place the responsibility for receiving pro and con arguments on municipal clerks, as well as assigning and collecting a fee for the arguments and for preparing and distributing informational pamphlets to the voters.

Rule 4.1 of the Arizona Rules of Civil Procedure Code, upheld by Arizona case law, designates municipal clerks as one of only three officials authorized to receive service of process of summonses and complaints, claims, notices of claim, and other special actions against a municipal organization.

Title 16 of the Arizona Revised Statutes delegates local election activities to the city/ town clerk, thus making the clerk the de facto elections official. See also A.R.S. § 9-821. In addition, Title 16, Chapter 9, charges city/town clerks with the responsibility for enforcing campaign finance law and receiving campaign finance reports.

Clerks are required to keep the record of all proceedings of the elected public body, keep and preserve all books and records pertaining to the elected body, post penal ordinances, and file and record oaths of office. A number of laws require that plat maps, proceedings for the removal of commissioners, improvement district plans, maps of service areas, legal opinions, statements of posting places, notices of public meetings, and official public records be filed with the city/town clerk. Clerks are vested with the authority to prepare certified copies of official documents on behalf of the organization and to maintain custody of the official seal. By inference, clerks are entrusted with the custody of ordinances and resolutions.

A.R.S. §§ 9-237, 9-271, 9-802, 9-813, 9-821, 19-142, 36-1405, 38-431.02, and 38-507.

*Some statutes may not apply to your city or town.

What educational opportunities are offered to Arizona municipal clerks?

A multitude of educational opportunities are available to Arizona clerks. The annual Clerks’ Academy and Institute are offered by Arizona State University in conjunction with the Arizona Municipal Clerks’ Association and the International Institute of Municipal Clerks.

The Arizona Municipal Clerks Association also offers a one-day annual conference in conjunction with the League of Arizona Cities and Towns’ election training, at which educational training is conducted.

The League of Arizona Cities and Towns sponsors courses throughout the year including elections training, the League annual conference, and other sessions. In addition, the Election Services Division staff of the Secretary of State’s Office offers Election Officer Certification and Training classes every two years.

Are professional certifications available to municipal clerks?

Two certifications are offered through the International Institute of Municipal Clerks:

- Certified Municipal Clerk (CMC).
- Master Municipal Clerk (MMC).

Clerks must earn experiential and educational credits to obtain designation as a certified municipal clerk; and, to maintain it, continuing education and professional development are necessary. To achieve the designation of master municipal clerk, substantial additional documented personal and professional development is required.

Finally, to become certified, municipal clerks are required to sign an oath that commits to the highest degree of ethics both professionally and personally, to be impartial, neutral, and to uphold the laws of the land.

For more information about educational opportunities and certification, please visit:

www.azclerks.org

www.iimc.com

www.azleague.org

Prepared by:

