



COUNTY REGISTER OF DEEDS

RECORDS RETENTION AND DESTRUCTION SCHEDULE

State of South Dakota

Bureau of Administration

Records Management Program

(605) 773-3589



DEPARTMENT OF
EXECUTIVE MANAGEMENT

BUREAU OF
ADMINISTRATION

PMB 01234

RECORDS MANAGEMENT PROGRAM
104 S Garfield Avenue
c/o 500 East Capitol Avenue
Pierre, SD 57501-5070
Phone: (605) 773-3589
Fax: (605) 773-5955

MEMORANDUM

TO: County Officials

FROM: Dana Hoffer
State Records Manager

SUBJECT: **Records Retention and Destruction Schedule Manual**

DATE: December 17, 2009

In 1967, the South Dakota Legislature established the Records Management Program and the Records Destruction Board. In the same act, the Legislature required every State agency to develop a records retention and destruction schedule and declared that “No record shall be destroyed or otherwise disposed of by any agency of the State unless it is determined by majority vote of such board (Records Destruction Board) that the record has no further administrative, legal, fiscal, research or historical value.”

According to Administrative Rule 24:52:11:04, **Destruction of local government records—Archivist must be notified.** Governing bodies or agencies of any county, city, town, township, district, authority, public corporation, or political subdivision planning to destroy local records, as defined in subdivision (1) of SDCL 1-27-9, shall notify the archivist 30 days before the date of the proposed destruction. Notification shall include the name or title of the records, inclusive dates, information content of the records, and quantity. If the archivist believes the records should be preserved, the archivist shall arrange for the transfer of the records to the archives or to a suitable public records storage facility. Transfer of the records may be made at the expense of the state archivist. This section applies only to the following types of records: records more than 50 years old; records required by the Records Destruction Board to be kept 50 years or longer; annual reports, maps, minutes, and photographs.

Finally, if you have any questions about implementing this manual or about your records in general, please contact Records Management at 773-3589. We will welcome an opportunity to discuss the proper implementation of sound records management practices.

PETITION FOR AUTHORITY TO DESTROY RECORDS


I, Dawn McLaughlin (name), acting in my position as President, South Dakota Association of County Officials (title), request that the South Dakota State Records Destruction Board consider the attached "Records Retention and Destruction Schedule" pursuant to SDCL 1-27-13, 1-27-14, 1-27-19 and ARSD 10:03:01-02.

The records petitioned to be destroyed are described in the "Record Retention and Destruction Schedule" Authorization of the County Register of Deeds (department) consists of 35 pages and contains record series number(s) ROD-1 (consecutively re-numbered) through ROD-60.

The authority requested is to destroy each record described in the attached Schedule at the expiration of the time provided for the retention of each record.

Authority is also requested to delete "Records Retention and Destruction Schedule" Authorization of the County Register of Deeds (department) record series numbers(s) N/A.

The undersigned certifies that the retention for each and every record petitioned to be destroyed does not violate any minimum retention time required by state statute; will allow for required state and federal audits to be performed or the time within which to make said audits to pass; and will allow for all applicable statutes of limitations to pass for all state contracts and Surety Bonds.



Dawn McLaughlin, President, SDACO

11/30/09

Date

The above and foregoing Petition is hereby recommended for approval by the State Records Destruction Board.



Dana Hoffer, State Records Manager

12-10-2009

Date

DESTRUCTION AUTHORITY

I hereby certify that the State Records Destruction Board met on the 17th day of December, 2009, and authorized the destruction of the records described in the foregoing Petition at the expiration time provided for their storage.



Signature, Chairman of the Board

12-17-2009

Date

Procedure to Dispose of County Records Using this Manual:

- The County Commission must adopt this manual as its Records Management Policy.
- Each County is required by law to retain a permanent list of all records destroyed pursuant to SDCL 1-27-19.
- You may proceed immediately to dispose of records pursuant to this manual with the following exception:

Administrative Rule 24:52:11:04. Destruction of local government records—Archivist must be notified. Governing bodies or agencies of any county, city, town, township, district, authority, public corporation, or political subdivision planning to destroy local records, as defined in subdivision (1) of SDCL 1-27-9, shall notify the archivist 30 days before the date of the proposed destruction. Notification shall include the name or title of the records, inclusive dates, information content of the records, and quantity. If the archivist believes the records should be preserved, the archivist shall arrange for the transfer of the records to the archives or to a suitable public records storage facility. Transfer of the records may be made at the expense of the state archivist. This section applies only to the following types of records: records more than 50 years old; records required by the Records Destruction Board to be kept 50 years or longer; annual reports, maps, minutes, and photographs.

- This manual is also available on-line on Records Management's website. <http://www.state.sd.us/boa/records.htm>
- Records Management will review a County's list of records that it plans to destroy to ensure the appropriate retention periods have been met. The list should include the following: **Record series number and record title as listed in this manual and the inclusive dates of the records being destroyed.**
- For records not listed in this manual, you must petition the State Records Destruction Board, which meets annually, for authority to dispose of records. Contact Records Management for assistance with this process:

Contact Information:

Records Management
Dana Hoffer, Manager
104 S Garfield Ave.
Pierre, SD 57501
Phone: (605) 773-3589
Fax: (605) 773-5955

State Archives
Chelle Somsen, State Archivist
Cultural Heritage Center
900 Governors Drive
Pierre, SD 57501
Phone: (605) 773-3615
Fax: (605) 773-6041

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STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: State of South Dakota
DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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ROD-1. APPLICATION FOR BIRTH, DEATH, OR MARRIAGE RECORDS:

09-011

This series contains the application filled out by an individual in need of a certified copy of a vital record. Information may include: applicant's name, address, and telephone number; names of the parties on record; and other pertinent information depending on what type of vital record is being obtained. The information is entered and maintained permanently in the Department of Health's Electronic Vital Record and Screening System (EVRSS).

RETENTION: Retain 4 months in office, then destroy by shredding.

(Note: Previous record series number was ROD-1A.)

ROD-2. AUTHORIZATION FOR RELEASE OF CERTIFICATE OF MILITARY DISCHARGE:

09-011

This series contains the application to authorize the release of certificate of military discharge. Information may include: name of veteran; social security number or service number; date of birth; place of birth; dates of service; branch of service; the name, address, telephone number, and signature of the requester; and reason of eligibility. This record series is maintained pursuant to SDCL 33-17-14.

RETENTION: Retain 6 years, then destroy.

(Note: Subject to Archival screening prior to disposal.)

(Note: Previous record series number was ROD-1B.)

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OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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ROD-3. BANK STATEMENTS:

09-011

This series is arranged chronologically and contains records sent from individual banks to the Register of Deeds. Information may include: date, account name, account number, deposits, withdrawals, checks issued, service charge, bank balance, and canceled checks. The information is used for account reconciliation and audit purposes.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was ROD-1.)

ROD-4. BILLS OF SALES:

09-011

This series is arranged chronologically and documents the filing of bills of sales. Information includes: name of buyer, name of seller, description of property sold, and the terms and conditions of the sale. The information is maintained pursuant SDCL 7-9-1.

RETENTION: Retain 4 years in office, then destroy.

(Note: Previous record series number was ROD-2.)

**STATE OF SOUTH DAKOTA
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DEPARTMENT: State of South Dakota
DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

RECORD SERIES NO.	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	R.D.B. AUTHORITY NUMBER
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ROD-5. BIRTH CERTIFICATES:

09-011

This series may contain copies of birth certificates and corresponding index cards. The index is arranged alphabetically by name and the files are arranged chronologically. Information may include: county number, name, date of birth, sex, mother's maiden name, father's name, county of birth, doctor's name, age of father and mother, time of birth, mother and father's state of birth, age of parents at the time of birth, residence address of the parents, and the filer's endorsement as well as the parent's endorsement. These records are being kept for clarification purposes only in the administration of issuing birth certificates.

RETENTION: Retain permanently in office in a secure place as these records are not open to the public.

(Note: Birth Certificates no longer accumulate at the county level. The original Birth Certificates are maintained by the Department of Health, Vital Records Office.)

(Note: Previous record series number was ROD-3.)

STATE OF SOUTH DAKOTA
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(Std Form RM-1 Rev 1/03)

DEPARTMENT: State of South Dakota
DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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ROD-6. BOND AND OATH INDEX AND RECORDS:

09-011

This series contains an alphabetical index listing name, office, book and page where the oath is recorded. Information on the oath includes: name of person taking oath, office for which the oath is taken, oath, date, signature of sworn official, and notary seal and signature. The oath and bond is recorded with the Register of Deeds and, in turn, is filed with the County Auditor.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-4.)

ROD-7. BURIAL RECORDS:

09-011

This standard state form contains a comprehensive record of decedents' burial locations within the county and of county residents buried elsewhere. The index is arranged alphabetically by name and the files are arranged chronologically and include: permit number, deceased's name, date of death, age, sex, place of death, place of disposition, method of disposition, place of interment, funeral home director's name, funeral home address, funeral home SD license number, and sexton's endorsement. A copy is filed with the cemetery.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Pursuant to SDCL 34-25-33, The funeral director or person acting as such shall, within ten days after final disposition, file or transmit the original burial or removal permit to the local registrar of the district in which final disposition was made.)

(Note: Previous record series number was ROD-5.)

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OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

ROD-8. BURIED TRANSMISSION FACILITY AGREEMENTS:

09-011

This card series prior to January 1, 1995 constituted the public record of underground facilities within the county. Information included: county, township, date submitted, name of facilities, controlled, description of underground facilities, and Register of Deeds' signature. In accordance of SDCL 49-7A-5 (Effective January 1, 1995) Notification of proposed excavation, no excavator may begin any excavation without first notifying the one-call notification center of the proposed excavation. The one-call notification center provides the service through which a person can notify the operators of underground facilities of plans to excavate and to request the marking of the facilities.

RETENTION: Immediate Disposal.

(NOTE: A one-time disposal authority is requested. Records will no longer accumulate.)

(Note: Previous record series number was ROD-6.)

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AUTHORIZATION FORM
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DEPARTMENT: State of South Dakota
DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

		R.D.B.
RECORD		AUTHORITY
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>NUMBER</u>

ROD-9. CONTRACTS:

09-011

This series is arranged chronologically, then alphabetically and contains both originals (copies of record) and reference copies of contracts. Information includes: terms and conditions of the contract, effective dates, costs, and funding sources. The contracts are maintained for audit and reference purposes.

RETENTION: FILED CONTRACTS: Destroy 7 years after full performance or breach.

RECORDED CONTRACTS: Retain permanently in office on Records Management approved document/data system.

(Note: Previous record series number was ROD-7.)

ROD-10. CORNER RECORDS:

09-011

This series contains the public record of when and where land corners were established within the county. Information may include legal description (county, township, range, section), notation of reference marker, and graph illustration location. The information is used as a point of reference for future development within the county.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-8.)

STATE OF SOUTH DAKOTA
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DIVISION: Political Subdivision
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PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

ROD-11. CORRESPONDENCE, GENERAL:

09-011

This series may contain both copies of letters and memorandums sent and the originals of letters and memorandums received. The information is used for occasional reference and documentation.

RETENTION: Retain 2 years in office, then destroy.

(Note: Previous record series number was ROD-9.)

ROD-12. DEATH CERTIFICATES:

09-011

This series is arranged chronologically and contains a copy of the standard Department of Health Certificate of Death form. The index is arranged alphabetically by descendant's name. Information may include; but is not limited to: decedents name, sex, date of death, social security number, age, date of birth, birthplace, place of death, decedent's marital status, decedent's occupation, decedent's address, decedent's race, parents name, informant name and address, method of disposition, place of disposition, funeral service licensee's signature, license number, name and address of facility, cause of death, certifier, signature and title of certifier, and registrar's signature. The original is filed in the Department of Health, Vital Statistics Office in Pierre.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-10.)

STATE OF SOUTH DAKOTA
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DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

ROD-13. DEED INDEXES, GRANTOR/GRANTEE (ALPHABETICAL):

09-011

This series is arranged alphabetically then chronologically by date received and contains the Grantor/Grantee index and the Grantee/Grantor index. Information includes: date and time of recording, document number, book number, and page number. The information is used for reference purposes.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-11.)

ROD-14. DEED INDEXES, NUMERICAL:

09-011

This series provides a numerical index to the deed record books. Information includes: section, township, range, lot, block, addition, book number, page number and document number. The information is used for reference purposes.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-12.)

STATE OF SOUTH DAKOTA
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OFFICE: County Offices
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RECORDS OFFICER: County Register of Deeds
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<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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ROD-15. DEED RECORD BOOKS:

09-011

This series contains the legal instruments to deeds issued and recorded in the county. The books are arranged chronologically by date received and include: grantor, grantee, county, address, notarize of grantor's signature, date recorded, date of the document, amount of consideration, legal description of property, amount of transfer fee or exemption number, prepared by legends (name, address and phone number of preparer), and Register of Deed's signature. The original legal instrument is returned to the person submitting the document.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-13.)

ROD-16. DEPOSIT SLIPS, BANK:

09-011

This series is arranged chronologically and contains deposit slips from banks documenting date, amount of deposit, and which account the deposit has been credited to. The information is used for reconciliation and audit purposes.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was ROD-14.)

STATE OF SOUTH DAKOTA
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RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

ROD-17. DRY DRAW LOCATION NOTICE:

09-011

This series contains notices filed with the Register of Deeds Office for each dry draw (stock dam) located in the county. Information includes: owner name, address, dry draw number, legal description of dry draw, specification, date of application, owner signature, and Notary Public seal and signature. Information is maintained for reference purposes.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-15.)

STATE OF SOUTH DAKOTA
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RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

ROD-18. ELECTRONIC VITAL RECORD AND SCREENING SYSTEM
(EVRSS) DATABASE:

09-011

This is an electronic database of birth, death, marriage, divorce, fetal death records, affidavits, disinternment permits, and vital records customer correspondence and transactions performed through Vitalchek. Information may include: birth, death, marriage, divorce, and fetal death, affidavits, and disinternment information. Customer correspondence may be received via mail, over the internet, by fax, over the telephone, and in person; and may include: customer name, telephone number, identification presented, service requested, charges incurred, and payments remitted. This series is used for statistical reporting, research, making certified copies upon request, accounting and customer tracking.

RETENTION: DATABASE: Retained permanently by the Department of Health.

PAPER CORRESPONDENCE: Retain 3 months after entered into EVRSS, then destroy.

(Note: All correspondence information is entered into EVRSS.)

(Note: Previous record series number was ROD-15.1.)

STATE OF SOUTH DAKOTA
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RECORDS OFFICER: County Register of Deeds
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RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

ROD-19. FEE BOOKS:

09-011

This series is arranged chronologically by date of entry and includes: number of instrument, date received and filed, grantor or mortgagor, grantee or mortgagee, nature of instrument, received from, delivered to, date of delivery, amount, remarks, and transfer date. The books are used to document daily the monies received by the Register of Deeds' Office, as a tool for tracking documents, for audit purposes, and pursuant to SDCL 7-9-16.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was ROD-16.)

ROD-20. FEE WAIVER REQUEST:

09-011

This series documents fee waivers granted for free birth, death, marriage, or guardianship papers to a serviceman in or a veteran of any war or conflict; spouse or widowed spouse, child, or dependent of serviceman or veteran; representative of the American Red Cross; or nationally chartered veterans' organization. Information may include: type of record, name, date, place of occurrence, type of claim, signature, address, military rank, and serial number. Authority for this waiver is granted in SDCL 34-25-54.

RETENTION: Retain 4 months, then destroy.

(Note: This information is maintained permanently on the Electronic Vital Record and Screening System (EVRSS).)

(Note: Previous record series number was ROD-17.)

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
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DEPARTMENT: State of South Dakota
DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
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ROD-21. FEES COLLECTED, MONTHLY STATEMENTS:

09-011

This series contains a copy of the report prepared by the Register of Deeds and sent to the County Auditor's Office stating all fees collected for the month. Reports are arranged chronologically by month and include: date, county name, fees collected, fee book volume and pages, and signatures. The reports required by SDCL 7-9-17 summarize the fees collected for the month and are used to prepare the annual reports. The originals are maintained by the County Auditor.

RETENTION: Retain 1 year in office, then destroy provided the originals are filed with the County Auditor.

(Note: Previous record series number was ROD-18.)

ROD-22. FICTITIOUS OR ASSUMED NAME CERTIFICATE INDEXES:

09-011

This series constitutes an alphabetical index by business name to "Fictitious or Assumed Name Certificates". Information includes: name of business, town, names of persons constituting firm, place of residence, and remarks. The information is maintained for reference.

RETENTION: Retain 6 years in office, then destroy.

(Note: Previous record series number was ROD-19.)

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ROD-23. FICTITIOUS OR ASSUMED NAME CERTIFICATES:

09-011

This series is arranged chronologically and contains the original certificates documenting the use of a fictitious name for a business. The certificates must be filed by a proprietor when his surname is not used in the business name. Information includes: name of business, town, name of persons constituting firm, place of residence, remarks, and date of issuance. The certificate is valid for five years from the date of issuance.

RETENTION: Retain 6 years in office, then destroy.

(Note: Previous record series number was ROD-20.)

ROD-24. GRAVE REGISTRATIONS:

09-011

This series was compiled as a 1940 Works Progress Administration (WPA) project. Information may include: name of deceased, name of cemetery, city or town, location in graveyard, lot, section, block, grave, and indication if veteran. The information is maintained for research purposes.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-21.)

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ROD-25. INSTRUMENTS RECORDED, UNCLAIMED:

09-011

This series contains the original instruments, which have been recorded in the respective record book; but were never returned to or picked up by the owner. Once the instrument has been recorded, the respective record book becomes legal and binding. The original instruments serve no further value to the Register of Deeds.

RETENTION: Retain 6 months in office, then destroy.

(Note: Previous record series number was ROD-22.)

ROD-26. INVENTORIES, CAPITAL ASSETS:

09-011

This series may include: a copy of the annual inventory reports; file maintenance form, which reflect changes in the inventory; inventory procedures manual; and surplus property received and transferred forms. The information is maintained for property management and accountability purposes. The original is maintained in the County Auditor's Office.

RETENTION: Retain procedures manuals current in office. Destroy superseded or obsolete.

Retain all other information 1 year in office, then destroy provided the originals are maintained by the County Auditor's Office.

(Note: Previous record series number was ROD-23.)

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ROD-27. LIEN INDEXES:

09-011

This series is arranged alphabetically by debtor name, then chronologically and constitutes the listing of all liens. Lien Indexes may include; but are not limited to: Federal Taxes, State Taxes, General, Livestock, Mechanics, Medical Assistance Real Estate, Homestead Exemption, and Hospital Liens. Information may include: file number, name or person filed against, date filed, date of lien, amount, claimant, description, and satisfied date. The information is used for reference to the actual liens.

RETENTION: FEDERAL TAX LIENS: Retain 20 years in office after satisfaction has been received from the IRS Central Office or lapsed from lack of re-filing, then destroy.

STATE TAX LIENS: Retain 10 years in office after satisfaction, then destroy.

ALL OTHER LIENS: Retain 2 years in office after satisfaction, then destroy.

(Note: Previous record series number was ROD-24.)

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ROD-28. LIEN SLIPS, ORDER TO CANCEL:

09-011

This series documents proof of lien cancellation. Information includes: amount of lien, lien holder, date canceled, title number, vehicle owner's name, lien code, and lien holder signature. The information is used to cancel liens on motor vehicle titles.

RETENTION: Transfer to the County Treasurer's Office.

(Note: All Motor Vehicle duties were transferred to the Treasurer's Office on July 1, 2003.)

(Note: Previous record series number was ROD-25.)

ROD-29. LIEN SURRENDER NOTICE CERTIFICATES:

09-011

This series documents the request by the Register of Deeds to the holder of a motor vehicle title covering a lien to surrender said certificate of title for notation of a lien. Information on the form includes: title number, whom issued to, date, Register of Deed's signature, and county.

RETENTION: Transfer to the County Treasurer's Office.

(Note: All Motor Vehicle duties were transferred to the Treasurer's Office on July 1, 2003.)

(Note: Previous record series number was ROD-26.)

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ROD-30. LIENS:

09-011

This series contains liens and releases filed with the County Register of Deeds Office. Liens and Releases may include, but are not limited to: Federal Taxes, State Taxes, General, Livestock, Mechanics, Medical Assistance Real Estate, Homestead Exemption, and Hospital Liens. Information may include, but is not limited to: form number, district serial number, lien number, parties involved, residence, description of lien, place filed, amount filed for, where prepared, lien release date when applicable, signature, notary public seal and signature, and Register of Deeds' signature.

RETENTION: FEDERAL TAX LIENS: Retain 20 years in office after satisfaction has been received from the IRS Central Office or lapsed from lack of re-filing, then destroy.

STATE TAX LIENS: Retain 10 years in office after satisfaction, then destroy.

ALL OTHER LIENS: Retain 2 years in office after satisfaction, then destroy.

(Note: Previous record series number was ROD-27)

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ROD-31. LIENS, COUNTY POOR:

09-011

This series contains copies of liens issued against indigent county residents. Liens may include: mentally ill and retarded, social security, old age assistance, and county poor. The liens were issued in an attempt to recover county costs if the individual later demonstrates an ability to pay. Information includes: name, type of lien, date issued, reference, debits, credits, and balance. The county auditor's office maintains the original.

RETENTION: Retain 2 years in office after satisfaction, then destroy.

(Note: Pursuant to SDCL 28-14-20, the County Poor Liens prior to July 1, 1970, can be destroyed.)

(Note: Previous record series number was ROD-28.)

ROD-32. LIMITED PARTNERSHIP CERTIFICATES:

09-011

Immediate disposal. This record series is no longer maintained by the County Register of Deeds. Pursuant to SDCL 48-7-206, these records are filed with the Office of the Secretary of State.

(Note: Previous record series number was ROD-28.1.)

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ROD-33. LIS PENDENS:

09-011

This series documents notices filed by court action indicating litigation pending against real property in the county. Information includes: parties involved (plaintiff and defendant), legal description, attorney's signatures, date of documents. The notices are either filed or recorded (depending upon the county's interpretation of the law). If the documents are recorded, the release and the document are returned to sender. If the documents are filed, then the documents are maintained within the Register of Deed's Office.

RETENTION: FILED DOCUMENTS: Retain until release is received, then destroy.

RECORDED DOCUMENTS: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-29.)

ROD-34. LIS PENDENS INDEXES:

09-011

This series consists of an alphabetical and numerical index to documents filed by court action indicating litigation pending against real property in the county. Information is arranged alphabetically by defendant and numerically by legal description with reference to the location in the "Lis Pendens" files.

RETENTION: FILED DOCUMENTS: Retain 1 year in office after all entries have been litigated, then destroy.

RECORDED DOCUMENTS: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-30.)

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ROD-35. LOCATION CERTIFICATE RECORDS:

09-011

This series is arranged chronologically by date of recording and contains the legal instruments of claims recorded in the county. Information includes: locator, name of lode, description of claim, name of claim, date of instrument, date of filing, book number, page number and/or document number. The information is maintained for reference to the claims.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-31.)

ROD-36. MARRIAGE CERTIFICATES:

09-011

This series is arranged numerically by license number and contains a copy of marriage licenses issued in the county. Information may include; but is not limited to: county name, license number, groom's name, bride's name, residence, county, city or location, date of birth, state of birth, age at last birthday, bride's and groom's signatures, parental consent (where applicable), race, number of times previously married, and last marital status. The information is used to provide certified copies upon request. The original is filed in the Department of Health, Vital Statistics Office in Pierre.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-32.)

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ROD-37. MARRIAGE LICENSE APPLICATION:

09-011

This series contains the application that is printed off of the Electronic Vital Record and Screening System (EVRSS) once the information is entered from the Bride and Groom's Marriage License Application Worksheet. The printed application is the document the bride and groom execute on paper; however, the signature is captured digitally. Information may include: bride and groom's names, resident address, date of birth, age at last birthday, birth State/Country, and statistical information, which includes: race, number of previous marriages, marital status, social security number, and place of solemnization.

RETENTION: At the discretion of the Register of Deeds, destroy by shredding.

(Note: If the signature on the application is not captured electronically, send the paper application to the Department of Health, Vital Records Office.)

(Note: Previous record series number was ROD-32.1.)

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ROD-38. MARRIAGE LICENSE APPLICATION WORKSHEET:

09-011

This series contains a worksheet the bride and groom fill out so that the Register of Deeds Office can utilize the information for the Marriage License Application. Information may include: bride and groom's names, resident address, date of birth, age at last birthday, birth State/Country, and statistical information, which includes: race, number of previous marriages, marital status, social security number, and place of solemnization. The information is entered into the Department of Health's Electronic Vital Record and Screening System (EVRSS).

RETENTION: At the discretion of the Register of Deeds, destroy by shredding.

(Note: Previous record series number was ROD-32.2.)

ROD-39. MISCELLANEOUS RECORD BOOK INDEXES:

09-011

This series contains both an alphabetical and numerical index to "Miscellaneous Record Books." Information in the indexes includes: instrument number, grantor, grantee, date of recording, date of instrument, character of instrument, book number, page number, document number, legal description, section, township, range, and remarks.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-33.)

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ROD-40. MISCELLANEOUS RECORD BOOKS:

09-011

This series constitutes miscellaneous legal instruments recorded for safekeeping by citizens with the Register of Deeds. Information may include; but is not limited to: final decrees, affidavits of possession, easements, assignments of oil and gas leases, contracts for deeds, railroad agreements, miscellaneous contracts or agreements, termination of joint tenancy, affidavits of identity, powers of attorney. The information is recorded for public information and safekeeping.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-34.)

ROD-41. MORTGAGE INDEXES, ALPHABETICAL:

09-011

This series contains an alphabetical listing by mortgagor name to "Mortgage Record Books". Information includes: instrument number, mortgagor, mortgagee, date of recording instrument, character of instrument, legal description of land, page number, book number, and/or document number.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-35.)

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ROD-42. MORTGAGE INDEXES, NUMERICAL:

09-011

This series contains a numerical index by legal description to the "Mortgage Record Books." Information includes: addition, block, lot, graph, government survey, book number, page number, and/or document number.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-36.)

ROD-43. MORTGAGE RECORDS:

09-011

This series constitutes the legal instrument of mortgages against any real property in the county. The mortgages are arranged chronologically by receipt date, and include: date, due date, mortgagee legal description, amount, terms of mortgage, signature of mortgagor, mortgagor's address, notary seal and signature, Register of Deeds' signature and seal, satisfaction of mortgage (where applicable), where recorded, court instrument applications (where applicable), and assignment of instruments (where applicable).

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-37.)

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ROD-44. MOTOR VEHICLE INVOICES:

09-011

Transfer to the County Treasurer's Office. This record series is no longer maintained by the County Register of Deeds.

(Note: Previous record series number was ROD-38.)

ROD-45. MOTOR VEHICLE TITLES:

09-011

Immediate disposal. This record series is no longer maintained by the County Register of Deeds. Counties can access Motor Vehicle Titles through the Division of Motor Vehicles' on-line computer system.

(Note: Previous record series number was ROD-39.)

ROD-46. PARENTAL CONSENT FORMS:

09-011

This series contains the parental consent forms if either of the applicants for a marriage license is between the age of sixteen and eighteen. Information may include: name of broom and bride, name of parent/legal guardian, relation, date, signature of parent/guardian, and signature of Notary. This record series is maintained pursuant to SDCL 25-1-9.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-39.1.)

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ROD-47. PASSPORT APPLICATION TRANSMITTAL FORMS:

09-011

This series contains copies of passport application transmittal forms used to transfer applications to the U.S. Department of State. Information may include: applicant's name, date of birth of applicant, telephone number, and an itemization of the fees to be transported to the U.S. Department of State along with any remarks and transmittal tracking or delivery confirmation duly executed by the ROD or their deputy.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

ROD-48. NOTICE OF INTENTION TO EXPLORE:

09-011

This series document the filings of notice of intention to explore for minerals as provided in SDCL 45-6D-11. Information includes: name of person declaring intent to conduct exploration, township and range of exploration, date activity will commence, address, and names of persons to contact with inquiries. The information must be available for public inspection for 75 days after filing.

RETENTION: Retain in office 75 days after filing, then return to applicant or destroy.

(Note: Previous record series number was ROD-40.)

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ROD-49. PLAT BOOKS:

09-011

This series is used by the public to determine lot series and survey statistics in legal property searches. Landowners submit the plats when an addition is being developed and/or subdivided. Information in the books may include: legal description of land, addition or subdivision, signature of surveyors, landowner name, Register of Deeds' signature and seal, notary's signature and seal, highway department's signature, surveyor signature, planning commission signature, and Governing Body signatures.

RETENTION: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-41.)

ROD-50. REAL ESTATE SALES OR TRANSFER SHEETS:

09-011

This series is arranged chronologically and contains the real estate sales and transfer sheets. Information includes: grantor, grantee, legal instrument, address, legal description, date of filing, deed type, and transfer fee. The information is used by the Register of Deeds to inform both the Department of Revenues and the County Director of Equalization when real estate is either transferred or sold in the county; used for research; and is maintained pursuant to SDCL 7-9-10; 10-11-54 through 10-11-60.

RETENTION: Retain 5 years in office, then destroy.

(Note: Previous record series number was ROD-42.)

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ROD-51. RECEIPTS:

09-011

This series contains copies of receipts documenting cash received by the Register of Deeds for serviced provided. Information includes: payer, amount, date, purpose, and signature of issuer. The information is maintained for accountability for cash payments deposited with the County Treasurer and for audit purposes.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was ROD-43.)

ROD-52. RECEIPTS, CANCELLATION/NOTATION OF LIEN:

09-011

Transfer to the County Treasurer's Office. This record series is no longer maintained by the County Register of Deeds.

(Note: Previous record series number was ROD-44.)

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ROD-53. SOLDIERS' DISCHARGE RECORDS:

09-011

This series contains discharge records filed with the Register of Deeds for safe keeping. Information may include but is not limited to: induction date, discharge date, where served, county, address, date of birth, name, branch of service, social security number, rankings, medals, decorations, badges, citation, military education, remarks, type of separation, separation authority, reason for separation, separation code, and reentry code. The information is filed with the Register of Deeds for safekeeping.

RETENTION: FILED DOCUMENTS: Retain 90 years in office after file date, then destroy.

(Note: Subject to archival screening prior to disposal.)

RECORDED DOCUMENTS: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-45.)

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ROD-54. SOLDIERS' DISCHARGE REFERENCED INDEXES:

09-011

This series contains an index by veteran name to "Soldiers Discharge Records" recorded or filed with the County Register of Deeds office. Information includes: name, date, file date, book number, page number, and document number.

RETENTION: FILED DOCUMENTS: Retain 90 years in office after file date, then destroy.

(Note: Subject to archival screening prior to disposal.)

RECORDED DOCUMENTS: Retain permanently in office in accordance with the laws of the State of South Dakota.

(Note: Previous record series number was ROD-46.)

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: State of South Dakota
DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

<u>RECORD</u> <u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>R.D.B.</u> <u>AUTHORITY</u> <u>NUMBER</u>
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ROD-55. STUB BOOKS:

09-011

This series is arranged chronologically and contains separate stub books for Birth Certificates and Death Certificates. Information includes: person requesting the certificate, address, date, receipt number, name on record, date issued, fee amount, and free copy request (where applicable). The information is used for issuing certified copies to the public; and for tracking purposes for fraudulent inquiries from the FBI, DCI and Border Control.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: In 1992 the Department of Health, Division of Vital Statistics no longer required the Register of Deeds to utilize the stub books. The above retention is required for the counties who still utilize the stub books.)

(Note: Previous record series number was ROD-47.)

ROD-56. U.C.C. FINANCING STATEMENTS INDEX:

09-011

This series serves as a reference to U.C.C. statements filed with the Register of Deeds. Information includes: number, buyer, seller, date filed, description of goods, and date canceled. Information is maintained for reference purposes.

RETENTION: Retain 1 year in office after all entries have been terminated, then destroy.

(Note: Previous record series number was ROD-48.)

**STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)**

DEPARTMENT: State of South Dakota
DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

RECORD SERIES NO.	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	R.D.B. AUTHORITY NUMBER
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ROD-57. U.C.C. EFFECTIVE FINANCING STATEMENTS:

09-011

This series contains documentation on the filing and termination of liens filed against individuals and businesses. Forms and Statements filed with the Register of Deed's Office may include; but are not limited to: UCC/EFS-1 statements and attachments, and UCC/EFS-3 statements and attachments which may amend, continue, assign, partially release or terminated a lien. Information includes: file date, name(s) and address(es) of debtor(s), debtor social security number fore each individual listed and internal revenue service (IRS) number for each business, name(s) and address(es) of the secured party(ies), collateral, description of the property concerned, name(s) and address(es) of the assignee(s) of the secured party, signature of debtor(s), and indication of whether the form is used as an assignment, continuation, release, or amendment. The informant is public information maintained to insure that secured commodities are not sold until liens against them have been satisfied and terminated. The Secretary of State's Office in Pierre maintains the UCC EFS statements and attachments on microfilm.

RETENTION: RECORDS FILED AFTER JULY 1, 1997:

Retain 6 years after filing date or continuation date, then destroy.

RECORDS FILED PRIOR TO JULY 1, 1997: Retain 6 years and 60 days after filing date or continuation date, then destroy.

(Note: Previous record series number was ROD-49.)

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
DESTRUCTION SCHEDULE
AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: State of South Dakota
DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

ROD-58. U.C.C. 2, REQUEST FOR INFORMATION OR COPIES:

09-011

This series initiates a request for information or copies and includes: name(s) and address(es) of the debtor(s), name(s) and address(es) of the party(ies) requesting the information or copies, date and time the information or copies were requested, type of request, signature(s) of the requesting party(ies), and date request was made.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was ROD-50.)

ROD-59. VITALCHEK REPORTS:

09-011

This series contains the daily type table totals report and the Vitalchek network daily reports for all orders. The report is generated once the check is printed. Information may include: the number of copies of certified birth, death, or marriage records; agency request fee; other agency fees; Vitalchek fee; total fees; and holder's name.

RETENTION: Retain 1 year in office, then transfer to storage for 3 years. Destroy after 4 years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

(Note: Previous record series number was ROD-50.1.)

STATE OF SOUTH DAKOTA
RECORDS RETENTION &
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AUTHORIZATION FORM
(Std Form RM-1 Rev 1/03)

DEPARTMENT: State of South Dakota
DIVISION: Political Subdivision
OFFICE: County Offices
PROGRAM: Register of Deeds
RECORDS OFFICER: County Register of Deeds
RM CUSTOMER #: _____

RECORD		R.D.B.
<u>SERIES NO.</u>	<u>TITLE---DESCRIPTION---RETENTION AND DESTRUCTION SCHEDULE</u>	<u>AUTHORITY</u>
		<u>NUMBER</u>

ROD-60. VITAL STATISTICS REPORTS:

09-011

Immediate disposal. This record series is no longer maintained by the County Register of Deeds. These reports are available on the Electronic Vital Record and Screening System (EVRSS).

(Note: Previous record series number was ROD-51.)