

OFFICE
OF
COUNTY COURT CLERK

Office I

THE COUNTY COURT CLERK performs the duties expressed in his title. In addition he is the State's recording agent in the county; issues and collects the State's fees for various licenses; performs various incidental tax assessments functions; acts as clerk of the Fiscal Court; and performs a variety of ministerial duties under the election and other laws. Compensation is by fees, (except in counties containing a city of the first class, where he receives a salary) paid in civil actions by the parties thereto and in other cases by the State or County. No provision is made for an accounting by the Clerk of fees earned in civil cases.

Specifically, the County Court Clerk is:

- (1) the general local recording agent,
- (2) secretary,
- (3) collector of revenues,
- (4) subordinate tax administrator
- (5) general ministerial officer.

These classifications, however, are not mutually exclusive.

(1) As a Recording Agent: This set of functions is characteristic of the office in practically all the states, though it is not uncommon for these duties to be shared with other officers, such as recorders or registers of deeds, etc. In Kentucky, this function would include not only documents of a private nature, (that is directly affecting private individuals) but also proceedings of the local governing bodies and the report of county officers.

(2) As a Secretary: Clerk of the Fiscal Court and required to keep a full and complete record of its meetings. For these services the statute authorizes a "reasonable" compensation, to be paid from county levy (St. 1835).

Clerk of the County Court; this duty being, in fact, indicated in his constitutional title.

Clerk of the Board of Supervisors. Compensation as in the capacity of the Clerk of the County Court (St. 4121).

(3) As a Collector of Revenues: Special revenues collected include: taxes on deeds, mortgages, marriage licenses, seals, suits, leases, and powers of attorney. Report on the first of each month to the Auditor of Public Accounts is mandatory, (Laws of 1914, Chap. 12, Sec. 3). In the same manner, collection is made of mortgage recording taxes of twenty cents on each \$100.00 on all mortgages, the term of which is greater than five years. (St. 4019a-9). (Note: This tax is distinct from and additional to the regular mortgage tax).

Under the game and fish law, the County Court Clerk issues hunting licenses and retains a fee for each license issued, the balance being paid into the State Treasury (St. 1954c-26, 27 and 30).

A state license is necessary to operate numerous forms of business, including: "intinerants", transient merchants, peddlers,