

# Managing Your Records And The “Local Records Act”



**Presented By  
The Office Of  
The Secretary of State**

- **Department of Archives & Records**
- **Records Management Section**

# **Presenter**

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# **Each year we visit hundreds of agencies.**

- **Many of whom have very “creative” ideas on how they should store their records as seen in the following photos.**

- **Welcome to the world of Records Management!**



**What else do you do with the abandoned jail cells, but store records.**

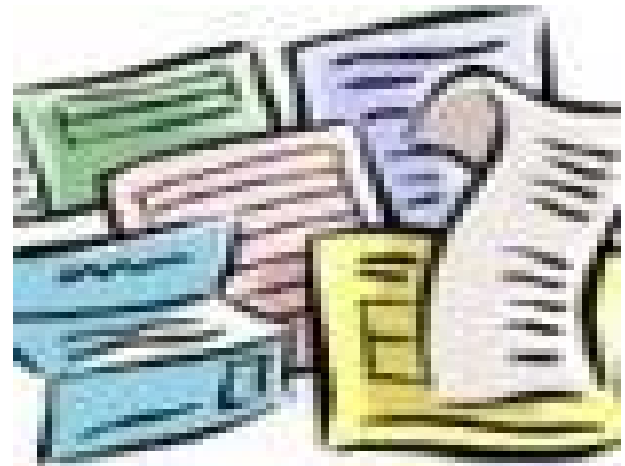


# Why Is the Local Records Unit Field Rep Climbing Over The Top Of The Wall?



# **Are You Running Out Of Room To Store Your Records?**

- **If so the Local Records Act provides a way for you to systematically and legally dispose of your records.**





# **The Local Records Act (50 ILCS 205)**

- **The Local Records Act was passed in 1961 to provide a method for local government agencies to legally dispose of their records and to see that local historical documents were preserved.**



# Local Records Act

- **The Local Records Act establishes that the Local Records Commission will determine how long records are to be retained and it is the Commission that approves the destruction of records. Agencies can not make up their own retention schedules. There are a few statutes that establish a minimum retention period, yet the statutes do not authorize the destruction of the records after that minimum retention period.**
- **That authority lies with the Local Records Commission.**

**Many people assume that the  
IL Local Records Act  
establishes how long records are to be retained.**

- The act does not contain any stipulations as to how long records are to be maintained.**
- As a matter of fact there are very few laws that establish a minimum retention period and even if there are laws establishing minimum retention periods agencies must receive permission from the Local Records Commission to dispose of records.**

# What Types Of Agencies Are Subject To The Local Records Act?

- **Municipalities**
- **Community Colleges**
- **School Districts**
- **County Agencies**
- **Townships**
- **MEG Units**
- **Special Districts Such As Mosquito Abatement Districts, Local Airport Authorities, Fire Protection Districts, Library Districts**



# **Local Records Commission Members**

- **A Chairman of a County Board, who shall serve as the Chairman of the Commission.**
- **A County Auditor**
- **A State's Attorney**
- **A Mayor or President of a City, Village, or Incorporated Town**
- **All of the aforementioned are appointed by the Governor**
- **The State Archivist, or his designee**
- **The State Historian, or his designee**

# **The Local Records Commission of Cook County**

- **Cook County is the only county in Illinois that has it's own commission.**
- **In the Local Records Act it provides that if a county's population is in excess of 3,000,000 then a separate commission will be established for that county.**
- **50 ILCS 205/6 (from Ch. 116, par. 43.106)**

# **Local Records Commission of Cook County Consists of:**

- **The President of the Cook County Board, the president or designee to serve as chairperson**
- **The Mayor of the City of Chicago**
- **The Cook County State's Attorney**
- **The Cook County Comptroller**
- **The State Archivist and**
- **The State Historian.**
- **A member of the Commission may designate a substitute.**

# **Local Records Commission Meetings**

- **Meetings of the Local Records Commission are held monthly in the Norton Building, located in the Capitol Complex in Springfield, Illinois.**
- **The Cook County Commission meets on the 2<sup>nd</sup> Tuesday of each month via Video Conference.**
- **The CMS Video Conference Centers are located in the James R. Thompson Center in Chicago and on W. Mason Street, in Springfield.**
- **Both meetings are open to the public.**



# Norton Building



**How Does The Office of the  
Secretary of State  
Become Involved In This Process?**

- **Under the authority of the Local Records Act, the Secretary of State serves as the State Archivist.**
- **One of the duties of the State Archivist is to provide the support staff to the Local Records Commissions and the State Records Commission.**

**The Local Records Unit staff members serve as liaisons between your agency and the Local Records Commissions and we are here to assist you with your Records Management issues.**

- Many people confuse our staff with auditors.
- We are not auditors and we do not audit your records.
- However, having a records retention schedule (aka Application for Authority to Dispose of Local Records) done and disposing of records using the schedule might be helpful when you are audited.

## Other Reasons To File An Application for Authority to Dispose of Local Records

- If you receive an FOI request or a subpoena for records after the records have legally been disposed of you have proof that those records were disposed of legally.
- Following the application frees up valuable storage space and saves the agency money.