

A Short Retrospective

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New York was among the first states to enter the Union and one of the last to establish a state archives, in 1976. Before that, the State Library and other agencies had exercised many of the tasks now assigned to the New York State Archives, collecting historical records, including some sporadically and poorly documented transfers from local governments. The great Capitol Fire of 1911 destroyed unknown quantities of such records and gave rise to what I call the "Cask of Amontillado" school of state oversight for local government records, lots of patronizing advice about fire protection, indexing and filing and vaults.

By the 1980s, centuries' accumulation of statutes, regulations, customs, civil procedure and folklore had created an impenetrable morass of obsolete, obsolescent, weak, contradictory, vague, inconsistent and clumsy practices regarding local government records. No one knew what to do, least of all the State Archives. There was little help available anywhere.

There were no Regional Advisory Officers. There were few people in the State Archives who understood anything at all about local governments and their records. There were no grants beyond a piddling few dollars from the State Library's discretionary grants program and the NHPRC. Records Retention and Disposition Schedules were printed in miniscule type – the State Archives alone was responsible for the boom in bifocals during the 1980s – and were minutely detailed, hard to use and in fact were mainly not used. There was no training program. There were no advisory publications to speak of and those that existed were badly out of date. There was no Local Government Records Advisory Council to advise the Commissioner of Education.

There was blackness.

At the local level, the County Clerks Association was powerful and muscular and the Town Clerks Association was brand-new. There were no RMOs, and in only a small handful of local governments, a few cities, towns and counties, were there record managers and programs. There was no network for help except among those few individuals and the first time we sent out a call, via the Association of Counties, for people interested in forming a NYALGRO, we got less than a dozen responses, all from people we already knew.

In New York State, the development of a statewide local government records program has taken either 3 centuries or has been the product of the last twenty years. Because it deals with local government, a statewide program had, and has, intense political considerations; in no way is local government apolitical, whether in a partisan or a non-partisan sense. The identification of key local officials and the associations representing them and the development and nurturing of alliances with them is a significant part of maintaining a statewide program, since these partnerships remain crucial to the passage of virtually all records-related legislation and to the development of its products and services. I am not at all sure that the State Archives recalls this.

By the mid 1980s, mainly at the county and town levels, more local officials were taking an interest in records management. The more vocal of these officials were coalescing in an interest group, using the conferences of the County Clerks as a vehicle to meet and to articulate their issues and concerns. The most outspoken of them became the most visible spokespeople for these concerns and soon were routinely speaking at virtually every important conference of local officials in New York. In addition, they frequently published educational and motivational articles in the newsletters and magazines of all the major local government associations in New York. Among the local

governments, it's fair to say that activist local believers were largely responsible for creating the climate of need and raising local government expectations as anyone. They were the snake oil doctors of records management. Local officials in partnership with the State Archives increasingly began to advocate change, in statute and in state services, in local responsibilities and authority.

This new concern about records, supported by the County and Town Clerks, and with the powerful Supervisors and County Legislators' Association, the Association of Towns, the Conference of Mayors and the Association of Counties behind it, was expressed in pressure for new legislation. This alliance of State Archives and local government officials worked for a comprehensive state statute for the management of local government records, to replace the many related statutes on the books, an accretion of law which was inchoate, obsolescent and not particularly serviceable. The resulting bill became the Local Government Records Law, Chapter 737 of the Laws of 1987.

The Local Government Records Law does two especially important and straightforward things. It firmly establishes the responsibility for managing local government records with local governments and the responsibility for regulating and advising them with the Commissioner of Education, whose jurisdiction includes the New York State Archives and Records Administration.

Under this Law, the local governments of New York shall promote and support a program for the orderly and efficient management of records and for the identification and preservation of records with enduring value. Each local government must each appoint a Records Management Officer; specified in towns as the Town Clerk, in Villages as the Village Clerk, in Fire Districts as the Fire District Secretary; in all other cases the choice of who shall be RMO is a local option. And here you are.....

The Commissioner of Education must, under the Local Government Records Law, advise local governments on planning and administering programs for the creation, maintenance, preservation, reproduction, retention and disposition of their records, advise on the development of systems of information technology, and advise local governments on the preservation and use of vital records and records with enduring value.

The Law vitalized the State Archives' local government records program: a series of technical leaflets was create, a workshop program initiated, the Local Government Records Advisory Council [LGRAC] established.

LGRAC assessed the status of local government records in New York, resulting in the influential 1987 report, *The Quiet Revolution*. *The Quiet Revolution* reported that:

- advisory and consultative services on records management and archival administration should be provided to local officials via state specialists in regional offices
- Regional Advisory Committees should be established in each region
- regulations under the Local Government Records Law should cover the creation, preservation, management and protection of local government records
- records retention and disposition schedules should be current and comprehensive and reflect the administrative, legal and research values of the information in the records
- assess the use of information technology in local government
- encourage cooperative records programs among local governments
- develop public awareness of records and records management

Local governments should be required to:

- adopt these retention schedules
- designate their mandatory RMO's

- begin to develop records management policies
- create local government records advisory boards
- conduct a records survey needs analysis and self-study and should plan
- begin a program of records management, including an archival component, individually or in cooperation with other local governments

All of this amounted to a comprehensive and expensive agenda for change. Where would the money come from for EITHER local or state governments? Support began to coalesce around the idea of a dedicated fund to be used to help address these state and local mandates, an idea first discussed outside a hospital room at a rainy 3AM in 1988 by Rick Hogan, Andy Spano, Guy Paquin and Bob Arnold.

The outcome was the Local Government Records Management Improvement Fund Act, Chapter 78 of the Laws of 1989. The County Clerks Association, the Supervisors and Legislators Association and the newly-formed NYALGRO were especially effective in their advocacy. The Act established a Local Government Records Management Improvement Fund, with a sunset date. The Fund sustains a program of regional advisory services based on the State's judicial districts and including nine field offices, and a program of competitive grants; nearly 8200 grants totaling just shy of \$157 million had been awarded to local governments.

So, where are we, twenty years after the Local Government Records Law became a fact of life?

- We have a well-funded local government records program in New York State
- We have resources undreamed-of in, say, 1981.
- We have an increasing number of local government records management programs that now are a routine part of administration.
- We have a professional body for local government records officers of every stripe

- We see how our elected records officers often use their RMO resume as part of their campaign literature
- Our profession in government is becoming legitimate, widespread, increasingly a part of the local table of organization
- We're harnessing ever more information technology which in turn is changing the nature of work everywhere

I can take my leave of NYALGRO and of our profession knowing that both have changed enormously and for the better, that you have the resources, the know-how, the support and the drive to meet the future. What is important is not so much the past twenty years, but the next twenty. We have not even begun to see what that world will look like. I am positive of this: no matter what it will be, you and those who build on your accomplishments are going to be able to handle it.

Goodbye to you, so many longtime friends and allies, and good luck to you in that brave new world.