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OPINION COMMITTEE

OFFICE OF COURT ADMINISTRATION

CARL REYNOLDS
Administrative Director

August 22, 2005

FILE # ML-44345-05

By Certified Mail, Return Receipt Requested

I.D. # 44345

The Honorable Greg Abbott
Attorney General of Texas
P.O. Box 12548
Austin, TX 78711-2548

RQ-0384-GA

Re: Request for Opinion Concerning County Clerk's Certificates

Dear Attorney General Abbott:

We seek your opinion regarding county clerk certificates. Sections 118.014 and 118.060 of the Texas Local Government Code require county clerks to place "the county clerk's certificate . . . on each page or part of a page" of certified papers. We have found no statute defining the term "county clerk's certificate," and county clerks disagree as to the requirements.

Some clerks contend that that the county clerk's certificate can only be placed on a page of a document by impressing a raised seal upon the page and by including the clerk's signature along with the raised seal. They sometimes will refuse to accept certified copies from other county clerks who do not use a raised seal on each page of the document. Other county clerks do not believe that a raised seal must be impressed upon each page along with the clerk's signature. For example, one clerk uses paper containing a visible watermark on each page of a certified document that states "OFFICE OF COUNTY CLERK CERTIFIED COPY" and contains a visual image of the county seal. *See Exhibit 1.* This clerk impresses a raised seal only on the document's last page, which also contains information identifying the type of record, the number of pages, and the clerk's stamped signature.

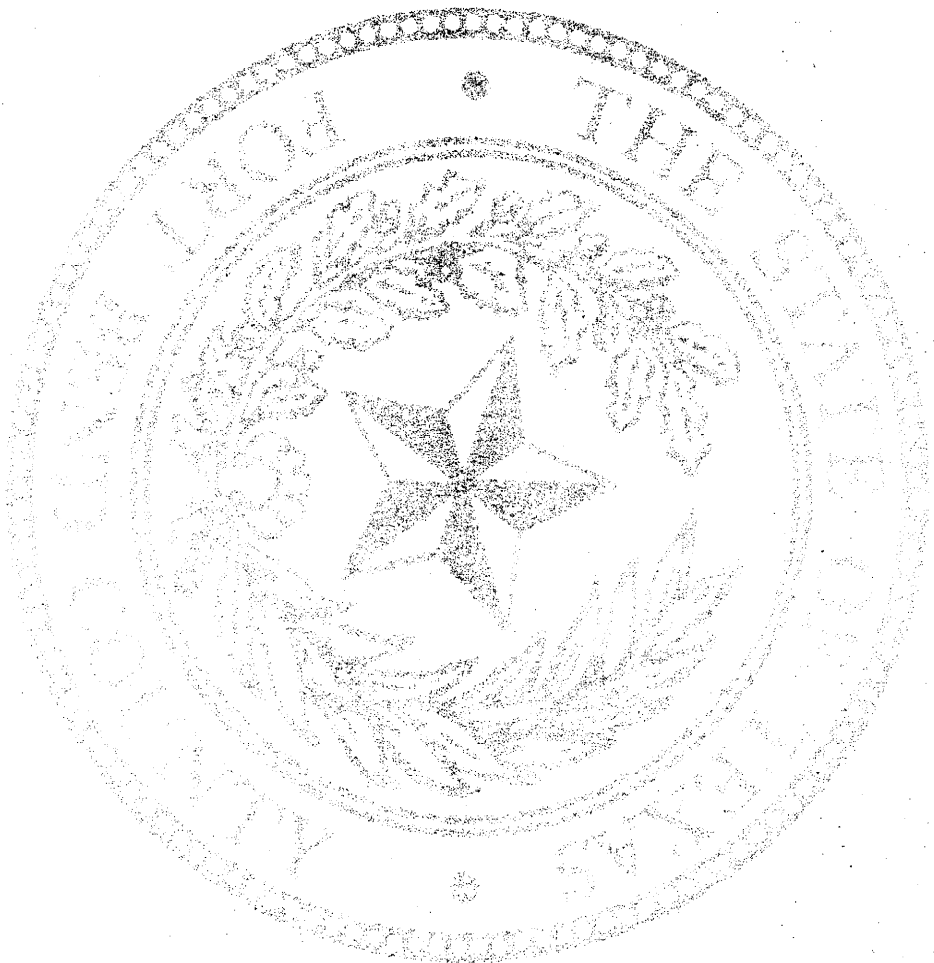
I respectfully request your opinion as to whether a county clerk may properly place a county clerk's certificate on each page of a document by means other than impressing a raised seal on each page of the document along with the clerk's signature.

Thank you for your assistance.

Sincerely,

Carl Reynolds
Administrative Director

OFFICE OF COMMERCE



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