

Vermont Secretary of State
Vermont State Archives and
Records Administration

NINTH ANNUAL REPORT

on

ARCHIVAL AND RECORDS
MANAGEMENT

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Table of Contents

REPORT OF THE STATE ARCHIVIST.....	
PART I VSARA OVERVIEW.....	<u>page 1</u>
Mission	<u>page 1</u>
Vision Statement	<u>page 1</u>
Goals	<u>page 1</u>
Staff	<u>page 1</u>
PART II 2011 PERFORMANCE MEASURES & HIGHLIGHTS.....	<u>page 2</u>
Professionally Managed and Accessible Research Program	<u>page 2</u>
<i>Facility</i>	<u>page 2</u>
<i>Staff</i>	<u>page 2</u>
<i>Acquisitions</i>	<u>page 2</u>
<i>Research and Reference Services</i>	<u>page 3</u>
<i>Outreach</i>	<u>page 3</u>
Records and Information Management	<u>page 4</u>
<i>Records Analysis and Policy Development</i>	<u>page 5</u>
<i>Records Officer and Liaison Program</i>	<u>page 5</u>
<i>Record Appraisal and Scheduling</i>	<u>page 5</u>
<i>Targeted Assistance Program (TAP)</i>	<u>page 6</u>
<i>Information Strategies Taskforce (iSTART)</i>	<u>page 6</u>
State Records Center	<u>page 8</u>
<i>Records Storage</i>	<u>page 8</u>
<i>Records Retrieval</i>	<u>page 8</u>
Administrative Services	<u>page 9</u>
<i>Document Authentications</i>	<u>page 9</u>
<i>Vital Records Certifications</i>	<u>page 9</u>
<i>Statutory Filings</i>	<u>page 9</u>
Part III CHALLENGES AND OPPORTUNITIES IN 2012	<u>page 11</u>

Report of the State Archivist 2011

This report, required by 3 V.S.A. §117(3)(c), covers the activities of the Vermont State Archives and Records Administration (VSARA) during calendar year 2011. The report offers insights into the maturation and expansion of VSARA's services and partnerships.

During 2011 the state archives unit finally began to achieve the resources necessary to sustain improved services. This included adding a second professional archival position and receiving a two-year grant to begin processing a huge backlog of court records.

The record analyst unit continued working with agencies to better identify and management records and information. Their growing body of work is enhancing opportunities to manage records across bureaucratic boundaries and break-down information silos first identified, and bemoaned, back in 1959.

Having archival and records management combined under one authority improved the State's ability to manage records from creation to final disposition and to identify and preserve its archival records. Team work between the record analysts and archivists also bore fruit in the first significant transfer of digital records within gubernatorial records and in the transfer of court records to the archives' custody. The benefits of that integration can also be seen in outstanding record center services and with service delivery with the administrative services unit.

The past year brought reminders of where we need to improve. Irene underscored the need to better incorporate public records into disaster mitigation and response planning. Litigation over access to public records and inadequate responses to some of that litigation reminded us that much remains to be done in increasing awareness that good record management is essential to good government.

Still 2011 was a good year VSARA. The excitement that lead to VSARA's creation remains high, as does the appreciation for all those who worked to make VSARA possible. We look forward to meeting the challenges and opportunities of 2012.

Respectfully submitted,



D. Gregory Sanford
State Archivist

The Vermont State Archives and Records Administration (VSARA) is a division within the Office of the Secretary of State.

MISSION

It is the mission of VSARA to:

- Advise and guide public agencies in records and information management.
- Appraise and schedule public records so they are preserved only as long as they have a legal or administrative value.
- Preserve and enhance access to the State government's archival records.
- Operate a secure State Records Center for non-permanent and inactive agency records.

To achieve this mission VSARA will establish and maintain partnerships with other public agencies and organizations, including the Department of Information and Innovation and its different units in order to effectively manage digital records.

The statutory authorities for VSARA are primarily within 3 V.S.A. §117 and 3 V.S.A. §218. In addition VSARA fulfills other statutory responsibilities assigned the Secretary of State including supervising Vermont notaries; providing clerical oversight for the Administrative Procedures Act; and helping meet Legislative Clerk obligations.

VISION STATEMENT

The Vermont State Archives and Records Administration will be widely acknowledged for its professional archival and records management expertise and role in supporting the effective and efficient management of public records within the State of Vermont.

GOALS

- The State of Vermont will use professional archival standards to manage and preserve its archival records and promote their use by public officials and the public.
- Public agencies will have the tools and resources necessary to manage their records and information in an effective and efficient manner.
- Constituents will receive professional and responsive administrative services.
- State agencies will have a low-cost, secure facility for storing records that must be maintained for a set period of time to meet audit, fiscal, legal, or administrative needs.

STAFF

VSARA currently has fourteen staff members: the state archivist, who directs VSARA; four members in the administrative services unit; three record center staff; four record analysts; and two archivists.

During 2011 VSARA continued to make significant strides toward creating the knowledge, partnerships and tools required for the effective management of State records and information. The following list of performance measures, while not inclusive, provides a sense of the progress made this year.

GOAL #1

- **The State of Vermont will use professional archival standards to manage and preserve its archival records and promote their use by public officials and the public (3 V.S.A. §117(g)(3); (6); and (7)).**

Facility

Archival records are public records that have a continuing legal, administrative or historical value to the State of Vermont. Archival records at VSARA are those whose legal and physical custody has been transferred to us by public agencies.

The commissioning of VSARA's Middlesex facility in June 2010 was a crucial first step toward achieving the goal of preserving and administering archival records. The facility can hold approximately 25,000 cubic feet of archival records in secure, environmentally-controlled space (the previous vault only accommodated 1,500 cubic feet of records). The new facility allows VSARA to accept and better manage archival records.

VSARA's work with the Judiciary illustrates one benefit of the new facility. Probate court consolidations in 2011 required moving records from facilities being closed or altered. The record analyst unit's ongoing collaboration with the Judiciary and the availability of the new archival space allowed the affected courts to transfer their archival records to VSARA. That could not have happened with the old archival facility.

Staff

Going into 2011 the state archives unit consisted of a single professional archivist with record analysis and administrative services staff helping provide reference services. During the year another professionally trained archivist was added. This freed staff from reference room coverage and expanded the time for making archival records more accessible.

Scott Reilly, the head of the state archives' unit, wrote a successful grant application to the National Historical Publications and Records Commission (NHPRC) to hire two additional archivists to preserve and make accessible court records from Caledonia, Lamoille, and Orleans counties. The two-year project will also allow developing practical models for making records broadly known and available as quickly as possible. The court record project archivists started in January 2012.

Acquisitions

The Vermont State Archives currently has 7,804 boxes and 10,399 microfilm reels of archival records. As noted, during 2011 VSARA improved its ability to help agencies identify, and where appropriate, transfer their archival records to our custody. This is a vast improvement over the old "system" where only a few records, such as gubernatorial

records, were transferred to state archives under statutory authority. Non-statutory acquisitions tended to be idiosyncratic and fragmentary. VSARA's goal of coordinating archival and records management will lead to a more comprehensive and useful archival record of state government.

2011 acquisitions include:

- Governor James H. Douglas records, 2003-2011
- Secretary of State Deborah Markowitz records, 1999-2011
- Legislative Committee Records, 2009-2010
- Original Acts and Resolutions, 2009-2010
- Windsor District Probate Court recording books and case records, 1787-1965
- Fair Haven District Probate Court recording books and case records, 1787-1993
- Marlboro District Probate Court recording books and case records, 1781-1997
- Westminster District Probate Court recording books and case records, 1781-1996
- Franklin District Probate Court recording books and case records, 1780-1956
- Bennington District Probate Court case records, 1780-1945
- Caledonia County Court Records, 1791-1946
- Orleans County Court Records, 1800-1974
- Campaign Finance Records, 2009-2010
- Lobbyist Records, 2009-2010
- Weeks School Records, 1911-1979
- Department of Corrections inmate registers, 1800-1984
- Vermont Film Commission Records, 1996-2007
- Vermont Military Department armory plans, 1922-2002
- Conveyances to the State of Vermont, deeds and leases, 2009-2011

As records are acquired they are added to an online database of archival record series at <http://vermont-archives.org/research/database/series.asp>.

Research and Reference Services

The archives unit, with support from other VSARA units, provides research and reference services. In 2011, VSARA registered 1,500 new researchers. Four hundred seventy-eight of the new researchers registered by visiting the reference room and an additional 1,072 researchers registered by mail. For those doing onsite research via the reference room, staff recorded a total of 2,306 records transactions. The archives unit also processed 133 requests for copies of records in the Vermont State Archives and answered 696 requests for information.

Outreach

During 2011 the state archives unit continued to expand its web offerings, beyond updating the record series database. Two new entries were made to the "continuing issues" section to help inform public dialogues on ongoing issues of governance. Continuing issues is at <http://vermont-archives.org/govhistory/governance/index.htm>. One is an overview of legislative reapportionment, including records from past reapportionment plans. The other provides a legislative history of Vermont's public

records law including links to original acts and committee testimony that show, among other things, the origins of the definitions and various exemptions found in 1 V.S.A. §317.

The “Spotlight on Records” section, which links individual archival records to current issues, was updated to include documents on the right of assembly; the food self-sufficiency movement inspired by OPEC oil embargo of the 1970s; and the original bottle bill (<http://vermont-archives.org/research/spotlight/records.htm>). A state highway map detailing major flood damage to Vermont’s roads in bridges in 1927 was also put online for comparison with flood damage caused by Irene. The state climatologist, working with VSARA, Vermont Emergency Management, and others subsequently submitted a grant proposal to the National Science Foundation with a goal of using historical data to identify persisting areas of serious flooding.

In response to the Civil War sesquicentennial the archives unit posted a Guide to the Civil War Records in the State Archives http://vermont-archives.org/research/civil_war/.

During 2011 previous publications of the State Archives were scanned and put online (<http://vermont-archives.org/research/database/index.htm>). The Records of the Council of Censors were also put online. The Council was the sole body that could propose amendments to the Vermont Constitution prior to 1870 and consequently is a valuable resource on our constitution’s first century of amendment and interpretation. Go to http://vermont-archives.org/publications/publicat/pdf/Council_of_Censors.pdf.

Throughout the year the archives staff, primarily Scott Reilly, gave presentations at the conferences of various stakeholder groups, including geographic information professionals, librarians, genealogists, and social studies educators. Gregory Sanford delivered the keynote speech at the annual Fall meeting of the New England Archivists.

2011 Highlight: State Archivist Receives Recognition

In February the Vermont Press Association honored Gregory Sanford for his lifetime commitment to the First Amendment and the right to know. His work also was recognized by the legislature in R-252. Those recognitions were, by extension, celebrations of the entire VSARA staff for their work on improving the management and accessibility of public records.

GOAL #2

[Table of Contents](#)

Public agencies will have the tools and resources necessary to manage their records and information in an effective and efficient manner.

- *Records Analysis and Policy Development*

The Records Analysis and Policy Development (RAPD) Unit within VSARA develops records retention schedules (required by law for the destruction of records or transfer of records into the State Archives) and records management guidelines and standards, including the Vermont Functional Classification System¹. The RAPD unit also coordinates the Records Officer and Records Liaison (RO/RL) Program, sets policies and requirements for using the State Records Center for inactive records storage, and collaborates with DII for managing records and information in enterprise systems. The unit is headed by Tanya Marshall.

- *Records Officer and Records Liaison Program (RO/RL)*

Pursuant to 3 V.S.A. § 218, each agency and department head must designate a records officer to carry out the agency's records management program in accordance with State law. Although this law was enacted in 1975, it was not until VSARA launched its Records Officer and Records Liaison Program in December, 2008 that there was a process for tracking records officer designations or providing records management training to designees. VSARA created the record liaison position to assist record officers who must fulfill their record management duties in addition to their regular work responsibilities. The program is open to constitutional officers, the judiciary, the legislature, and others not embraced under § 218.

There are sixty-seven record officers supported by 629 record liaisons across state government. VSARA records analysts provides them with informal training opportunities through its *Open Houses*, which are offered on the first Tuesday and last Thursday of every month. Seminars, such as "Got Records? Now What?" are offered on a periodic basis through the Summit and by agency request. During 2011 VSARA offered five of these seminars and provided support for similar training offered by the Governor's Office on the requirements of the public records act and by Secretary of State Jim Condos as part of his statewide "transparency tour." Finally the record analysts keep record officers informed through a quarterly newsletter that can be found at: <http://vermont-archives.org/publications/records/index.htm>.

- *Record Appraisal and Scheduling*

VSARA is mandated to establish record schedules for compliance with 1 V.S.A. § 317a, which states that: [a] custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3.

¹ VSARA applies professional archival, records, and information management principles and practices, such as Generally Accepted Recordkeeping Principles (GARIP[®]) and International and national records management standards.

General record schedules (GRS) provide consistency in recordkeeping by Vermont public agencies for common functions and activities in the areas of administration, operations, contracting, and licensing. Any Vermont public agency may adopt any or all of the requirements in a general record schedule approved by the Vermont State Archivist. Adopting an approved GRS means that the agency agrees to implement, at a minimum, the retention and disposition requirements outlined in the GRS (where applicable).

Four general record schedules were issued by VSARA in 2011 to support recordkeeping in the following functional areas: accounting; grants management; land use and related permits; and public utilities. Through VSARA's Targeted Assistance Program (TAP), the Department of Economic, Housing, and Community Development (DEHCD), the Department of Liquor Control, and the Corporations Division of the Office of the Secretary of State adopted new agency-specific record schedules for their records. The Vermont State Hospital also adopted a new record schedule for patient records.

Record schedules, whether general or agency-specific, give the record custodian a level of certainty that had not existed previously. Uncertain whether various records needed to be retained there was a tendency to hold onto everything beyond any possible legal, administrative or fiscal need. One public agency that adopted and then applied a schedule was able to dispose of all but eleven of 345 boxes it had been holding onto.

- *Targeted Assistance Program (TAP)*

The Targeted Assistance Program (TAP) is designed to assist State and local government agencies in resolving issues or problems with their current records management programs. It is also the program used by the Vermont State Archives and Records Administration to inventory, appraise, and schedule public records in accordance with [1 V.S.A. § 317a](#) and [3 V.S.A. § 117](#).

TAP embraces statewide strategies for managing records and offers a unique opportunity for agencies to partner with VSARA and, where possible, its collaborators, such as the EPMD. Since July 2008, more than thirty state agencies participated in TAP. Agencies must provide staff time and subject matter expertise and may request assistance in developing record schedules, customized records training, record taxonomies or file plans, and other records management related tools and resources.

The Natural Resources Board, the Department of Motor Vehicles, and the Agency of Transportation initiated TAP projects in 2011. VSARA records analysts continue to work with existing TAP partners, such as the Department of Environmental Conservation, Department of Forests, Parks, and Recreation, Department of Liquor Control, and Agency of Commerce and Community Development, to help modernize their records management programs.

- *Information Strategies Taskforce: Archives, Records, and Technology (iSTART)*

iSTART was formed as a collaborative group to identify and address common concerns and offer consistent advice on records and information management, including electronic records. Presently, iSTART consists of members of DII and VSARA with the Attorney General's Office providing legal advice as needed.

iSTART strives to define authorities, responsibilities, and accountabilities for information technology and records and information management (RIM). With support from the Secretary of Administration and Secretary of State, iSTART develops and distributes information management standards and guidelines that are well-received and widely used by all public agencies. These standards also are included in all IT Requests for Proposals (RFPs) and contracts.

One iSTART goal is to streamline the management and preservation of digital records and information by including applications and tools to support electronic records management in the State's Enterprise IT infrastructure. Through iSTART, VSARA and DII continue to collaborate on the Governance Plan for the Enterprise SharePoint Environment and have initiated similar information governance activities for other systems. iSTART also provided guidance and advice to the Secretary of Administration for his report on whether a single "electronic documents management system for the creation, management, archiving, redaction, and confidential designation of records produced or acquired by state agencies...should be implemented by state agencies" (Sec. 13 of Act 59 (2011)).

In 2011, iSTART also evaluated an electronic records preservation system as a state partner under the *Preserving Legislative Records in the Digital Age* project lead by the Minnesota Historical Society. The State of Vermont's evaluation, lead by iSTART, relied heavily on standard evaluation criteria for content management systems (CMS) but with an emphasis on functions that are consistent with archival principles and practices for accessioning, preservation, and access. The project was funded by the National Digital Information Infrastructure and Preservation Program (NDIIPP) as part of its *Preserving State Information* initiative.

2011 Highlight: Professional Recognition

Growing professional appreciation of VSARA's work was evidenced, in part, by requests for staff members to contribute to a variety of books on archival and records management and serve on professional committees. Gregory Sanford contributed chapters to Larry Hackman, editor, **Many Happy Returns: Advocacy and the Development of Archives** (Society of American Archivists, 2011) and Terry Cook, editor, **Controlling the Past: Documenting Society and Institutions** (Society of American Archivists, 2011). Tanya Marshall was asked to submit a pmodel, based on the Vermont Functional Classification System (VCLAS), for Pat Frank's upcoming book on records and information management. Tanya also serves on the **Master's in Archives Records Administration (MARA) Program Advisory Committee** at San José University and on the **Finance Committee** of Council of State Archivists (CoSA).

GOAL #3

[Table of Contents](#)

State agencies will have a low-cost, secure facility for storing records that must be maintained for a set period of time to meet audit, fiscal, legal, or administrative needs.

The State Records Center, supervised by Chris Flora, consistently provides low-cost storage for records that must be maintained for audit, fiscal, legal, or administrative needs, but are no longer used enough to justify expensive, onsite storage. Records Center services are available to all state agencies including box pick-up, storage, retrieval, and destruction. Practices and procedures are constantly being evaluated and improved.

- *Records Storage*

The State Records Center currently has 98,674 boxes of records and security film. More than 58,000 reels of microfilm are stored on behalf of state agencies and 9,700 reels on the behalf of municipalities. In FY2011, VSARA accepted 11,487 boxes of records from state agencies for storage at the State Records Center. In addition to boxes, 10,739 individual files were processed and re- or inter-filed in their respective boxes. Retention requirements for 6,058 boxes of records were also met this year and VSARA destroyed the records on behalf of the agencies.

- *Record Retrievals*

Agencies retain legal control and control of access over their records the Records Center, until the records are either transferred to the State Archives or destroyed. Unless there is a formal agreement between the agency and the Vermont State Archives and Records Administration (VSARA), the State Records Center does not have the authority to release records to the public. If a citizen or another agency contacts the Records Center to access records, they are referred to the appropriate agency's Records Officer.

In 2011, Records Center staff fulfilled 9,013 requests from agency Records Officers and Liaisons to retrieve records from storage and return them to their creating agency. This number includes requests for records that have been converted to microfilm. VSARA tries to maintain a 24-hour turn around for this service.

2011 Highlight: New Procedure for Re-Filing and Interfiling Records

Working with the Records Analysis and Policy Development Unit, the State Records Center introduced a new procedure for re-filing and interfiling records into existing boxes in the State Records Center. One goal is to educate records officers and liaisons on how to monitor files when they are requested and returned to the agency. Another goal is reduce the number of records submitted for re-filing or interfiling that had already met their record retention requirements. The procedure also emphasized the use of an interfile cover sheet to facilitate filing. Since implementing the new procedure in March 2011, the process of re-filing and interfiling records has become more efficient.

GOAL #4

[Table of Contents](#)

Constituents will receive professional and responsive administrative services.

VSARA carries out the following administrative services: document authentication on behalf of the Vermont Secretary of State; vital record certification on the behalf of the Department of Health; and statutory filings for administrative rules, legislative acts and resolves, and State deeds and leases. The lobby and offices at Middlesex are designed so these administrative services are performed outside the Archives reference room providing privacy for those seeking such services while limiting distractions to those using archival records. Nancie Austin-Bradley supervises the administrative services unit.

- *Document Authentication*

Pursuant to the *Convention of 5 Octobre 1961 Abolishing the Requirements of Legalisation for Foreign Documents* (Hague Conference on Private International Law), the Vermont Secretary of State is a designated competent authority to “certify the authenticity of the signature, the capacity in which the person signing the document has acted and, where appropriate, the identity of the seal or stamp which it bears” on documents originating from Vermont public agencies or notarized by Vermont Notaries Public. In 2011 VSARA issued 2,446 authentications, including Apostilles.

In anticipation of the renewal of 20,000 plus notaries public starting in February 2011 the administrative services staff acquired a new database. All notary applications were scanned, making it possible for staff to verify signatures without having to retrieve paper records. This saved customer and staff time.

The Notary handbook was updated to reflect changes.

- *Vital Records Certification*

VSARA shares the responsibility of certifying Vermont vital events such as birth, death, marriage, and divorce with the Vermont Department of Health (VDH). For events older than 5 years, this function is performed exclusively by VSARA. In 2011, VSARA issued 4,689 certificates to individuals seeking certified copies of vital records. On behalf of the Department of Children and Families (DCF), which is required under Federal law to verify birth certificates for individuals seeking State services, VSARA also confirmed 8,473 birth records for individuals born prior to 1980.

- *Statutory Filings*

Administrative Rules: The Vermont Secretary of State, Interagency Committee on Administrative Rules (ICAR) and Legislative Committee on Administrative Rules (LCAR) share the responsibility for carrying out administrative services pursuant to the Administrative Procedures Act (APA). The Secretary of State is required to accept proposed and final rules for filing; publish notices of proposed rules; and to keep open for public inspection a permanent register of rules. In 2011, VSARA accepted, filed, published, and preserved 149 administrative rule filings.

Acts and Resolves: At the commencement of each legislative session the Secretary of State must appoint a legislative clerk. The duties of the Legislative Clerk are currently split between VSARA and the Division of Elections and Campaign Finance. In 2011, VSARA processed 111 acts and 232 resolutions, which includes indexing, certifying, and, where applicable, distributing certified copies as directed by the General Assembly

2011 Highlight: Reference Research Database

A new database was developed by merging our existing obsolete SQL database with our existing Access database. This created clear reporting methods for deposit reconciliation and data tracking. This replaced the older system which required data to be entered into two separate databases.

When VSARA was created in July 2008 the challenges were great. The records management program had atrophied and morale was low. The archival management program had been trapped in an inadequate building for decades and lacked authority to work with agencies in identifying and preserving archival public records. Even as public agencies invested millions in new information technologies they continued to think in terms of managing paper-based records, if they thought of record management at all.

Daunting challenges also provided opportunities. A review of our annual reports reveal opportunities realized, challenges that persisted, and evolving opportunities and challenges (see: <http://vermont-archives.org/publications/annual/index.htm>). The first annual report was mandated in 2003 prior to the creation of VSARA. In that and subsequent annual reports certain challenges persisted:

- the need for a new archives facility;
- the need to coordinate archival and records management;
- the need to create better tools and resources for agencies to manage their records; and
- the need to address electronic records.

From the vantage point of 2011 we have

- a new archives and records facility;
- we not only coordinated but combined archives and records management;
- we created a record analyst unit that helps agencies manage their records and has developed a wide range of online tools at <http://vermont-archives.org/records/>;
- we sustained and were immeasurably aided by a partnership with the Department of Information and Innovation and its Enterprise Project Management Office; and
- we established a presence with many of the groups working on enterprise solutions, web portals, and other digital initiatives.

While we can take satisfaction in our successes, challenges and opportunities persist and evolve. In 2012 familiar challenges continue: demonstrating the values of good record and information management; translating that awareness into sustained support; and positioning record officers so they have the necessary skills and authority to perform their duties.

Some new opportunities are already discernible. Will support for records management grow in light of repeated law suits over, and accompanying bad publicity about, access to public records? Will the impact of Irene encourage better integration of records and information management into disaster mitigation and response planning? Other issues remain cloudy; if the vital records bill (H. 454) passes, for example, what impact will it have on our vital record services and traditional genealogical users?

For 2012 there are opportunities to test and implement RIM within the more controlled arena of the secretary of state's office. Similarly the court records project will allow the testing of archival processing and outreach models. A second grant will allow us to plan with other Vermont record custodians to provide statewide services, perhaps including disaster planning. Secretary of State Jim Condos' interest in reviewing all the statutory filings mandated for his office will be an opportunity to re-think administrative services.

The Secretary's interest in improving the office's IT support could produce many benefits for all of VSARA. The opportunities we will pursue most vigorously include:

- Secretary Condos, in fulfillment of his transparency interests, is promoting consistent and comprehensive RIM plans for the Office. This will allow VSARA to further build and refine RIM models by testing them within the Secretary's Office and with his championship.
- Secretary Condos' desire to improve IT support and enhance web-based delivery of services will allow VSARA to better fulfill its government-wide mandates and explore ways to better interact with current and potential users.
- A recently awarded grant will allow VSARA to work with the Vermont Historical Records Advisory Board to create a strategic plan for assisting municipal clerks, local historical societies and other record curators in the management of their records.
- The court records project will not only allow us to test making the greatest number of records accessible as quickly as possible but will also unlock previously inaccessible court records to allow better insights into Vermont's economic, political and social evolution.

None of this means VSARA will turn inward to the exclusion of existing partnerships; those will continue. It does mean that we can develop and test tools for that larger mission "closer to home."

We continue to be excited by the opportunities the creation of VSARA opened up and remain humbled by the hard work of all those who saw, and continue to support, the benefits of good information management.