

King County District Court

Administrative Record Requests

Bulletin Number: **OPR 2015-08**
Issue Date: December 18, 2015

Purpose

Effective January 1, 2016, Washington State Courts adopted General Rule 31.1, (Access to Administrative Records) to facilitate access to judiciary administrative records. This policy implements the rule for responding to administrative records requests in accordance with both the letter and the spirit of GR 31.1 and case law related to the disclosure of administrative judicial records.

Guidance

Administrative Office of the Courts [General Rule 31.1](#)

Questions

All questions should be referred to the Public Records Officer.

1. Receiving and Processing Requests

- a. Requests for administrative records shall be in writing. A request form and procedures for requesting administrative records is available on the Court's [web page](#) and at the public counters at all courthouse locations.
- b. Log request into tracking system pursuant to Section 8.
- c. Initial response to the requestor will occur within five business days from receipt of request and shall include: an estimate of time needed to produce the records or the first installment; clarification communication if applicable; and an estimate of research and preparation costs for requests requiring over one hour of staff time to obtain, research and prepare records.
- d. Communicate with requestor as necessary to clarify the records being requested or to determine if the requestor's need would be better served with a response other than the ones actually requested.
- e. Identify and collect responsive records, and document steps taken.
- f. Identify exemptions, if any, and redact or withhold exempt documents. Consult with the Prosecuting Attorney's Office as needed. Prepare withholding index, if applicable, pursuant to Section 5.

2. Research and Duplication Fees

- a. There is no cost to view administrative records responsive to a request; viewing appointments can be arranged with the public records officer. There is no cost for email delivery of records that exist in electronic format.

- b. The charge for scanning hard copies to electronic format is 50 cents per page in accordance with our current published fees listed under [miscellaneous fees](#). If electronic records are too large to send by email, most records can be transmitted by a link to a cloud based storage site. Or the requestor can choose to purchase electronic records on a compact disc or on a USB drive, available at cost. Discs or drives can be picked up in person, or postage and mailing costs will be assessed for mail delivery.
- c. The charge for black and white photocopies is 50 cents per page in accordance with our current published fees listed under [miscellaneous fees](#). Copies can be picked up in person or postage and mailing costs will be assessed for paper copies delivered by mail.
- d. For records requests that require over one hour to process, the fee for research and preparation is \$30.00 per hour, billed in 1/10 of an hour (6 minute) increments. Assessed fees will not exceed the actual costs of processing. For all requests that have associated costs, payment is due prior to the release of the records. If payment is not received within 30 days from the notification by the public records officer, the request will be closed.
 - i. For requests that are estimated to require more than one hour of search and preparation work, an estimate with detailed billing information will be provided to requestor. The requestor will be required to agree to the estimated charges and a deposit equal to 25% of the estimated charge will be required before the processing of the request begins. If records are provided on installment basis, work on the next installment will not begin until payment has been received for the preceding installment.
 - ii. Payment can be made by cashier's check, money order, or most major credit cards at any courthouse location, and by mail for cashier's check or money order.

3. Exemptions: See GR 31.1 (j) and [GR 31.1 Exemptions](#)

Records with exemptions will include a description of the specific record and a brief explanation why each withheld record, or redacted portion of a record is exempt from disclosure.

4. Other Records

- a. Chamber records are created and maintained by Judges and judicial employees serving in their capacity as chamber staff and are not subject to disclosure under GR 31.1.
- b. Court case records are available under [GR 31 Court Records](#) by visiting [Request Court Records Online](#)

5. Denial Of Requests

Requests deemed to be of a magnitude that full compliance within a reasonable time is not feasible due to time and resource constraints, or requests that are deemed to be of a harassing or threatening nature, and in which attempts with requestor to limit or narrow the initial request have failed, will be denied and closed in accordance with GR 31.1 A response that denies a request in whole or in part will include: (a) a justification for the denial, and in the case where records are exempt, a description of withholdings, and (b) information on how to request a review of the public records officer's decision.

6. Requesting A Review Of Public Records Officer's Decisions

Requestors may request a review of the public records officer decision to deny a request or to challenge an assertion of an exemption by timely submitting a [request for review form](#). In accordance with GR 31.1(d):

- a. Requests for internal review shall be submitted in writing to the public records officer within 90 days of the public records officer's decision.
- b. If the requestor is unsatisfied with the result of the internal review, the requestor may then obtain further review by choosing one of the two alternatives below:
 - i. An informal review by a visiting judge, delegated by the Presiding Judge under GR 31.1(d)(4)(ii); or
 - ii. Review via civil action in Superior Court.
- c. Monetary awards, including attorney fees, costs, civil penalties or fines are not allowed under GR 31.1.

7. Third Party Notice.

Third party notification to person(s) who are named in a record or to whom a record specifically pertains is at the discretion of Presiding Judge. If such discretion is exercised, the named person(s) may: (a) present information opposing the disclosure to the public records officer, and (b) if access to a requested record is allowed, request review under Section 6 and GR 31.1(f). If either the records subject or records requestor objects to the internal review option, an external review process will be initiated.

8. Tracking Administrative Record Request.

All administrative record requests received will be listed on tracking document that is an administrative record and will include requestor's name, contact information, description of the request and actions taken.

9. Effective Date.

This policy is effective for all records created on or after January 1, 2016 per [General Rule 31.1 \(o\)\(1\)\(2\)](#)