

**SKAMANIA COUNTY SUPERIOR COURT POLICIES AND PROCEDURES
ACCESS TO ADMINISTRATIVE RECORDS UNDER GR 31.1**

The below policy is hereby adopted on May 24, 2021.

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Randall C. Kroq
Skamania Superior Court Judge

POLICY

Administrative Records Request

APPLICABILITY

Skamania County Superior Court shall respond promptly to all administrative records requests. This shall be done in accordance with both the letter and the spirit of General Rule 31.1 (GR 31.1 Access to Administrative Records) and case law related to the disclosure of administrative judicial records.

DEFINITIONS

Administrative Record-a public record created by or maintained by a court or judicial agency that is related to the management, supervision, or administration of the court or judicial agency.

Chambers Record – any writing that is created by or maintained by any judicial officer or chambers staff, and is maintained under chambers control, whether directly related to an official judicial proceeding, the management of the court, or other chambers activities.

Chambers Staff-a judicial officer's administrative staff and any other staff when providing support directly to the judicial officer at chambers.

DEPARTMENT DIRECTIVES

A. Overview

This policy sets forth the process by which the judicial branch handles administrative records requests. Information for members of the public interested in filing a request for administrative records is contained in GR 31.1 and the public policy contained at www.courts.wa.gov.

All staff shall make a diligent search for responsive records in a timely manner, ensure that requested records are not destroyed pending any request for them, and timely provide responses to the Public Records Officer.

B. Staffing of Administrative Records Requests

The Superior Court Administrator is designated as the public records officer for Administrative records.

Employees shall direct any requestor to submit their request to the designated Public Records Officer, provide the contact information for the Public Records Officer to the requester, and alert the Public Records Officer to expect a records request.

C. Review of Records Decision

Appeals of decisions made by the Public Records Officer will be reviewed by the Presiding Judge or designee. Request for review must be in writing and must be received no more than 90

calendar days after the date of the decision. Presiding Judge or designee will complete the review and provide a response within five business days of the date the request for review was received.

If the requestor is not satisfied after completion of the internal review, there are two alternatives available:

- a) The requestor may file a civil action in Superior Court to challenge the records decision per GR31.1(d)(4)(i) REVIEW VIA CIVIL ACTION IN COURT.
- b) The requestor may ask for an informal review by a visiting judge per GR31.1(d)(4)(ii) ADMINISTRATIVE REVIEW BY VISITING JUDGE OR OTHER OUTSIDE DECISION MAKER.

D. Fees

A fee not to exceed the amount authorized in the Public Records Act, chapter 42.56 RCW, will be charged for the photocopying or scanning of administrative records and for materials such as USB drives, CDs or other media.

A fee of \$30 per hour will be charged for research and preparation services required to fulfill a request taking longer than one hour. Fees will be charged for Public Records Officer and any other Superior Court staff involved in the research and preparation of request.

A deposit in an amount not to exceed the estimated cost of providing copies may be required. If the request will be responded to on a partial or installment basis, the Public Records Officer will charge for each part of the request as it is provided. If installment of records is not claimed or reviewed in 30 days, the Public Records Officer is not obligated to fulfill the balance of the request.

Payment by exact cash, cashier's check, or money order is required before a request or an installment of a request will be completed.

Procedure: Processing of Records Requests

The Public Records Officer will work with the requestor to determine the appropriate format for providing responsive records. If records are requested with metadata intact, the Public Records Officer will work with the appropriate Information Technology Department (IT) to provide records in native format to the extent possible.

FEES:

If records are available and are expected to incur costs, requestor will be notified in advance (payment may be required before records will be completed):

1. Notify the requestor via email, the estimated fees and costs associated with the request. And how to make payment: in person or mail a check/money order via US Mail.

Fees will be charged as follows per GR 31.1 and RCW 42.56:

Staff Preparation and research time	\$30 per hour after first hour
Copies on 11 x 17 paper	\$0.15 per page or smaller
Copies larger than 11 x 17	actual cost
Scanning	\$0.10 per page
CD, DR-R, CS-RW, DVD	actual cost
Postage	actual cost