

# **SNOHOMISH COUNTY DISTRICT COURT ADMINISTRATIVE RECORDS REQUESTS - PROCEDURES**

## **I. POLICY STATEMENT:**

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

### **A. Overview**

This policy sets forth the process by which Snohomish County District Court 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](http://www.courts.wa.gov).

### **B. Staffing of Administrative Records Requests**

Snohomish County District Court shall have a designated Public Records Officer and, if possible, one backup that is responsible for processing all administrative record requests for the court. The court's Public Records Officer shall report to the Presiding Judge or the Presiding Judge's designee and to the court's Director or the Director's designee.

### **C. Processing of Records Requests**

#### **1. Distribution of Requests and Preservation of Records**

The Public Records Officer will determine which employees may have records responsive to the request. The Public Records Officer shall email the text of the request, or a summary, to the appropriate staff, setting a time for response. Staff shall ensure that any records potentially responsive to the request will not be destroyed pending the processing of the request.

#### **2. Searching for Responsive Documents**

Each employee contacted shall either (1) indicate that he or she has no responsive documents; (2) indicate that he or she has responsive documents and provide them; (3) specify a reasonable time within which he or she can search for the records and provide a more thorough response; or (4) describe how the request should be clarified. If the employee has responsive documents, he or she shall provide them to the Public Records Officer. In the event it is difficult to produce copies of the responsive documents, either because of their size or format or because they are numerous, the employee should contact the Public Records Officer to determine whether there are options to producing copies. The Public Records Officer shall ensure that records of former staff members also are searched for requested information.

#### **3. Providing Response to the Requestor**

The Public Records Officer shall respond to the requestor within five business days after receiving the request by: (1) providing responsive records along with a statement of why records or portions thereof are

exempt from disclosure. If documents are exempt (or may be exempt) from disclosure under GR 31.1, the Public Records Officer shall provide a summary of why the documents are or may be exempt, with specific reference to the provision of GR 31.1, state or federal law that is the basis for the exemption; (2) providing a date by which responsive records will be provided; or (3) requesting clarification of the request. The Public Records Officer will make every effort to work with the requestor to clarify the request and to provide responsive records. Upon request, the Public Records Officer will provide a copy of any public records responses to the organizational unit that participated in providing records, noting if a protective order precludes disclosure of any of the records.

#### **4. Protective Orders**

If any employee becomes aware of a court order that limits the disclosure of any administrative records, he or she should communicate the substance of such order, and provide a copy of the order to the Public Records Officer. Likewise, if the Public Records Officer is aware of any court order requiring the disclosure, nondisclosure, or preservation of any administrative records the Public Records Officer will notify the staff in possession of the requested information.

#### **5. Requests Received by Division Employees**

On occasion a requestor may direct a request for administrative records to a specific employee. In the event that an employee receives an administrative records request, the employee shall indicate to the requestor that they are not the designated person to receive such requests. The employee shall direct requestors 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 an administrative records request.

#### **6. Electronic Records**

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 County's Department of Information Services to provide records in native format, to the extent possible. If the request is for records that can best be provided through customized access to electronic records, the Public Records Officer shall work with the necessary staff that has responsive records to determine the appropriate means of response.

#### **7. Tracking Administrative Records Requests**

The Public Records Officer shall track administrative records requests and their related communications with requestors by logging all requests, responses, exemptions, and other communication regarding the requests.

## **II. RESPONSIBILITIES:**

- A. All District Court staff** must make every effort to comply with the letter and spirit of GR 31.1 and respond by the due date as provided by the Public Records Officer.
- B. The Public Records Officer** shall coordinate the overall administrative records process, work with requestors to clarify requests, forward requests to judicial officers, judicial staff, or judicial agency employees, provide timely responses to requestors, and track all requests, exemptions, and responses.
- C. District Court staff** shall promptly forward administrative records requests received from the Public Records Officer to appropriate staff members, ensure that those staff members conduct 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 division responses to the Public Records Officer.