



Superior Court
Of Snohomish County

ADMINISTRATIVE ORDER 02-19

Public Disclosure Requests

Adopted: December 13, 2006
Updated: April 15, 2019

The Snohomish County Superior Court shall respond promptly to all administrative records requests. This shall be done in accordance with General Rule 31.1 (GR 31.3 Access to Administrative Records), case law related to the disclosure of administrative judicial records and pursuant to the holdings of *Nast v. Michels*, 107 Wn.2d 300, 730 P.2d 54 (1986) and *City of Federal Way v. Koenig*, 167 Wn 2d 341, 217 P. 2d 1172 (2009), the Court is not an agency for purposes of the Public Records Act (PRA), Chapter 42.56 RCW, and thus is not subject to its requirements.

- (1) The Superior Court will review all requests for disclosure of records involving the Court.
- (2) Contact information for the Snohomish County Superior Court Public Records Specialist:

Public Records Specialist
Snohomish County Superior Court
3000 Rockefeller Avenue, MS 502
Everett, WA 98201
Phone: 425-388-3369
FAX: 425-388-3498
PublicDisclosure.SupCourt@snoco.org

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- (3) All requests for public disclosure of administrative records shall be submitted, by mail, email or fax directed to the attention of the Public Records Specialist. All requests must include the following information:
- a. Name and contact information of the person making a request;
 - b. Reasonable notice that the request is for the disclosure of records pursuant to GR 31.1;
 - c. Identification of the requested records by reference to names, title, subject matter, and time frames, or other means adequate for the Public Records Specialist or designee to locate and make available the requested records; and
 - d. Whether or not such request is for a list of individuals. If a request is for a list of individuals, the requestor must provide a Declaration to Release form available on the court's website.
- (4) The Public Records Specialist or designee shall respond to a request for public records within five business days (excluding weekends and holidays) by:
- a. Making the requested records available;
 - b. Acknowledging the receipt of the request and providing a reasonable estimate of time to respond to the request;
 - c. Seeking clarification regarding what records are requested; or
 - d. Denying the request.
- (5) Review of Denials of Court Records Requests:
- a. Within ninety (90) days of receiving a complete or partial denial of a request for disclosure of records, the person who submitted the request for disclosure may petition for internal review of the denial to the Superior Court Assistant Administrator.
 - b. Review of decisions denying disclosure of records shall be completed by the Superior Court Assistant Administrator no later than five (5) working days (excluding weekends and holidays) after submittal of the petition for internal review. The review proceeding is informal and summary. The requestor will be notified of the court's decision in writing.
 - c. Upon proper written request after an internal review by the Assistant Administrator, an additional internal informal and summary review shall be conducted by the Presiding Judge or designee. The requestor will be notified of the court's final decision in writing.
 - d. Upon denial, a review of the court's final decision may be requested in accordance -with GR 31.1(d)(4).

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(6) Public Disclosure Fees:

- a. 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.
- b. A fee will not be charged to view administrative records, except that research and preparation fees may still be charged. A requestor will not be allowed to copy, scan, or otherwise reproduce any portion of any administrative records without the assistance of the Public Records Specialist or other court staff.
- c. A Reduced Fee Program will be provided to eligible persons based on the requestor's ability to pay. Ability to pay is determined by the household size and monthly income relative to a discount schedule based on the most recently available federal poverty income guidelines. Application for the reduced fee program must be completed and submitted to the Public Records Specialist within 5 days of the initial request and before records are provided. If the completed application is not provided within this time, the application for reduced fees will not be considered, and the requestor will be responsible for full payment of fees.

Dated this 15^h day of April 2019

Bruce I. Weiss

Bruce I. Weiss, Presiding Judge