

PIERCE COUNTY SUPERIOR COURT

Policies and Procedures for Administrative Records Requests

I. Policy

The Court will respond promptly to all administrative records requests submitted in accordance with this policy. This will be done in accordance with the letter and spirit of General Rule 31.1. (GR 31.1 Access to Administrative Records) and case law related to the disclosure of judicial records. The Court may from time to time amend these local rules governing access to administrative records.

Case files may be obtained from the Clerk of the Court for Pierce County, Room 110 County City Building, 930 Tacoma Avenue South, Tacoma, WA 98402. Most juvenile case files are exempt from public disclosure. *Juvenile Court Services are located at 5501 6th Avenue, Tacoma, WA 98406.*

II. Procedures

A. Written Request Form: Requests for inspection or copies of Administrative Records must be submitted to the Public Records Officer on the provided form with all information completed. A copy of the form and related materials are available on the Pierce County Superior Court website. [link]

B. Submit to the applicable Public Records Officer by US Mail, delivery or facsimile to:

Public Records Officer
Pierce County Superior Court
930 Tacoma Avenue South, Suite 334
Tacoma, WA 98402
(253) 798-2991
FAX: 253-798-2361
Email: PCSup_PRO@co.pierce.wa.us

or
Public Records Officer
Pierce County Juvenile Court
5501 6th Avenue
Tacoma, WA 98406
(253) 798-7994
FAX: 253-798-7878
Email: PCJuv_PRO@co.pierce.wa.us

C. Response: The Public Records Officer will provide an initial response to a written request for access to an administrative records within five working days (days that the court is open) of receipt. The response will acknowledge receipt of the request and provide a good-faith estimate of the time needed to respond to the request, including time needed to notify affected persons. The estimate may be revised later, if the Public Records Officer deems it necessary.

D. Communication: The Public Records Officer will communicate with the requester as necessary to clarify the records being requested. The Public Records Officer may also communicate with the requester in an effort to determine if the requester's need would be better served with a response other than the one actually requested. The requester must engage in an interactive communication process with the Public Records Officer or the response may be delayed or denied.

- E. Substantive Response: The Public Records Officer will respond to the substance of the records request within the timeframe specified in the initial response or any extension, subject to exemptions. If the Public Records Officer is unable to fully comply in this timeframe, then the Public Records Officer will comply to the extent practicable and provide a new good faith estimate for responding to the remainder of the request. If the Public Records Officer does not fully satisfy the records request in the manner requested, a letter will be provided, justifying any deviation from the terms of the request.
- F. Limitations: If a particular request is of a magnitude that the Public Records Officer cannot fully comply within a reasonable time due to constraints on the court's time, resources, and personnel, the Public Records Officer will communicate this information to the requester. The Public Records Officer will attempt to reach agreement with the requester as to narrowing the request to a more manageable scope and as to a timeframe for the court's response, which may include a schedule of installment responses. If the Public Records Officer cannot reach agreement with the requester, s/he shall respond to the extent practicable and inform the requestor that the court has completed its response.
- G. Denials: The Public Records Officer may deny a request if s/he determines that the request was made to harass or intimidate the court or its employees; fulfilling the request would likely threaten the safety or security of the court; fulfilling the request would likely threaten the safety of security of judicial officers, staff, family members, or any other person; fulfilling the request may assist criminal activity; or the requester has failed to communicate with the Public Records Officer as needed, has not paid costs as required, or appears to have abandoned the request.

III. Review of Records Decision

A. Internal Review

1. Deadline: A record requester may petition for internal review of the Public Records Officer's decision by submitting a written request on the provided form within 90 calendar days of the Public Records Officer's decision.
2. Internal Review Form: Requester must complete and submit the provided form [link] by delivery or US Mail to "Public Records Appeal" at the address on the form.
3. Internal Review: Appeals of the Public Records Officer's decision will be reviewed by the Presiding Judge or designee. The Presiding Judge or designee will complete the internal review and provide a written response to the requestor within five business days of the date the request was received.

B. External Review – If the requester is not satisfied after the Internal Review, there are two alternatives available.

1. Civil Action in Court: After exhaustion of the Internal Review process, the requester may file a civil action in superior court to challenge the records decision. GR 31.1.d(4)(i) REVIEW VIA CIVIL ACTION IN COURT. [link]

2. Informal Review by Visiting Judge: Unless objected to pursuant to GR 31.1(f)(3), the requester may ask for an informal review by a visiting judge. The review proceeding shall be informal and summary and the visiting judge's decision is part of the judicial function. GR 31.1.d(4)(ii). [link]
3. Deadline: A request for external review must be submitted within 30 days of the issuance of the final decision following Internal Review.

C. Monetary Awards Not Allowed. Attorney fees, costs, civil penalties, or fines may not be awarded.

IV. Fees

A. A fee will not be charged to view administrative records, except the court charges for research to locate, obtain, or prepare the records at the rates provided in GR 31.1, which are currently the following:

Photocopying:	\$.15 per page
Scanning, <i>including for preparation</i> :	\$.15 per page
Staff time:	\$30.00 per hour after the first hour (which is free)
Materials: (DVDs, USB drives, etc.)	at cost
Mailing:	at cost
Fee for particular type of record:	per specific court rule or statute

- B. Deposits & Installments: If the Public Records Officer expects to incur costs in connection with responding to a records request, the requester will be notified. A deposit in an amount not to exceed the estimated cost of responding to the request will 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 an installment of records is not claimed or reviewed within 30 days, the Public Records Officer is not obligated to fulfill the balance of the request.
- C. Advance Payment: Payment by exact cash, cashier's check, or money order is required before a request or an installment of a request will be completed.

Adopted by Order of Superior Court January 4, 2016.