

Information Requests

There are two types of judicial records available upon request: (1) Court (case) records and (2) Administrative records.

COURT RECORDS

Court Records are those records filed with the court as part of a civil or criminal judicial proceeding. Access to these records is governed by GR (General Rule) 31 and are usually maintained by the court clerk. 31 court rule. Use the CASE RECORDS REQUEST to obtain information about a specific defendant or case. Use the REQUEST FOR INFORMATION for all other types of information, particularly broader requests for filings for a period, counts for a period, and detailed reports.

ADMINISTRATIVE RECORDS

Administrative Records are records pertaining to the management, supervision or administration of the Court itself (judicial branch). Access to judicial administrative records is governed by GR 31.1. For more information about administrative records requests, select: ACCESS TO ADMINISTRATIVE RECORDS. Use the GR31.1 PUBLIC RECORDS REQUEST FORM for administrative records requests.

For both Court and Administrative record requests, print out the request, sign it, and mail, deliver or fax the request to:

Ferry County District Court
350 East Delaware #6
Republic, Washington 99166
Fax: 509-775-5221

You can also attach the request to an email to Deputy Clerk Holly Haddenham at hhaddenham@co.ferry.wa.us Make sure you include your contact information so the court clerk can contact you regarding your request.

FERRY COUNTY DISTRICT COURT
COPY RECORDS REQUEST

Your Name (please Print) _____

Agency or Company _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

Email address _____

INFORMATION REQUESTED

Defendant Name _____ Case# _____

Hearing Date(s) _____

_____ CD recording

_____ Copies of filed documents

I hereby request a copy of the above record. I understand payment for such records must be made at the time of request at the rate of \$20.00 per CD and \$.50 per page for photocopies. I understand that such records will be available within two weeks of my payment. I will be contacted at the above number/ address when the records are available.

Signature of Requesting Party _____ Date _____

Date Reviewed _____ Clerk _____

Date completed/ notified requestor _____ Clerk _____

Signature of requestor upon receiving copies as requested Date Received

FERRY COUNTY DISTRICT COURT
REQUEST FOR INFORMATION

The following information is necessary for us to process your request for information or records. Please complete this form and return to court clerk.

YOUR NAME (Please Print): _____

AGENCY OR COMPANY: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME PHONE: _____ CELL PHONE: _____

FAX: _____ EMAIL ADDRESS _____

INFORMATION REQUESTED: Provide as much detail as possible – if this information concerns a named individual, please give necessary identifying information i.e., date of birth, driver's license number, most current address, etc.

WHAT WILL THE INFORMATION BE USED FOR? _____

TO WHOM WILL THE DATA BE DISSEMINATED? _____

DATE INFORMATION NEEDED: _____

FEES

The following fees are applied to information requests that require generation of copies of court documents and/or tape recordings of court proceedings. You may set up an appointment to view court files at court counter to establish which documents you would like copies of.

Regular copy fee: \$0.50 per page. Certified copies: \$5.00 per document plus \$1.00 for each additional page. CD copy: \$20.00. Electronic Data Transfer: \$0.25 per page, amount due prior to transfer.

I, the undersigned:

■ Agree to use and distribute the information only as provided in the above referenced statement of intended use;

■ Agree not to use for fraudulent or commercial purposes (Data Dissemination Policy IIIA(5));

■ Agree to take responsible precautions to prevent disclosure of information beyond the above referenced statement of intended use;

■ Agree to pay, unless payment is waived, the cost of generation of requested information;

Certify, under penalty of law, that all the information supplied above is true and a complete description.

Signature of Requestor: _____ Date: _____

I, THE UNDERSIGNED REQUESTOR, RECEIVED REQUESTED

INFORMATION AND/OR MY REQUEST HAS BEEN SATISFIED.

SIGNATURE: _____ Date: _____

WITNESSING/RECEIVING CLERK: _____

FERRY COUNTY DISTRICT COURT

General Court Rule 31.1

for use by

Judicial Agencies of the State of Washington

Administrative Records Request Form

Requestor Information:

Printed Name:

Last First MI

Address: _____

Street City State Zip Code

Telephone: () _____ () _____ FAX: () _____

Email Address: _____

Signature: _____

Description of Requested Record (s). It is important to be as specific as possible as to name, location, date, and type of record requested. Please use additional sheets as necessary.

This is a request to inspect the records identified above.

This is a request for copies of the records identified above.

Other:

Explain please _____

Procedures:

(1) The Public Records Officer will respond within five (5) working days from receipt of this administrative records request, unless this request is to a court that meets irregularly. In such case, the response to the request will be provided within thirty (30) calendar days of the request.

(2) The procedures, the fee structure for providing records and the process for appealing the decisions of the Public Records Officer regarding exemptions, redaction and identification of the records can be found on the Washington Courts website: http://www.courts.wa.gov/court_rules/. Select Rules of General Application, then GR (General Rules) and, specifically, GR 31.1 If you would like a printed copy of the procedures, please contact the public records officer using the information noted below.

Public Records Officer:

Name: Holly Haddenham **Phone** (509) 775-5225 ext 2504

Fax: (509) 775-5225 ext 2504 **E-mail Address:** hhaddenham@co.ferry.wa.us

Request Received: _____ at _____ AM/PM

By: _____

Ferry County District Court:

GR31.1 ACCESS TO ADMINISTRATIVE RECORDS

Access to judicial records is governed by court rules and not the Public Records Act (PRA). There are two types of judicial records addressed by court rules: (1) Court (or case) records and (2) Administrative records.

Court Records are records that are filed with the court as part of a civil or criminal judicial proceeding. Access to these records is governed by GR (General Rule) 31 and are usually maintained by the court clerk.

Administrative Records are records pertaining to the management, supervision or administration of the Court itself (judicial branch). Access to judicial administrative records is governed by GR 31.1. The judicial branch is committed to openness, transparency, and the belief that the public should have access to most court records and administrative public records.

GR 31.1 ensures the public's right to access to judicial administrative records, clarifies the responsibilities of judicial agency officials with regard to providing access to these records, and assists in identifying exceptions to public access.

Judicial administrative records in Washington State are generally accessible to the public. These records may be written or recorded information related to the management of the court or judicial branch agency, its business with the public, or the carrying out of its administrative functions. These records include copies of records made by, used by, or received by a court or judicial branch agency in connection with its administrative functions.

State and federal law require judicial branch agencies and courts to keep some records confidential. Confidential records are not available to the public. Access to some records containing sensitive personal information is restricted by law to protect people's right to privacy and to protect them from possible harm or harassment. Records maintained or created by a judge or the judge's staff are called "chambers records" and are not subject to disclosure.

While most administrative records will be provided in their entirety, some records may contain sensitive or private information. This sensitive or private information may be removed or blocked out of a record. This is called "redaction." Examples of information that will be redacted include social security numbers, some financial information, home addresses, medical records and health care information. The requester will be notified when information has been redacted from a record along with the reason(s) for that redaction.

All requests to inspect or obtain administrative public records must be submitted in writing. Using the forms provided is not mandatory, but use of the form may make it easier to understand your request. Please send the completed form to the Public Records Officer (PRO) of the court or judicial branch agency that has the records you need. You

must provide your legal name, your physical address, and mailing address, contact phone number, and email when you submit the request.

If you need assistance to access administrative records because of a disability, please contact the PRO (public records officer) of the court or judicial branch agency where the administrative records are located. That contact information is: Holly Haddenham, 509-779-4225 ext 2504, or hhaddenham@co.ferry.wa.us

Within five days of receipt of your administrative records request, the PRO will confirm that your request was received and, when possible, will estimate the time it may take to locate and send the records to you. Although the judicial branch is not penalized if confirmation is not made within the five day period, every effort is made to ensure that receipt of your request is promptly confirmed.

If the request is not specific enough to understand, or if the request is very broad and costly, we may call, email or write you for clarification so that we can avoid unnecessary expenses to you and to the court or judicial branch agency.

If you are notified that the record you requested cannot be disclosed or that the record you received has been redacted and you disagree with the decision, you may seek review of the decision.

To view original or stored paper copies of administrative public records belonging to Ferry County District Court, you will need to complete a Records Request form and submit it to the PRO indicating you wish to view the records in-person. You will then need to make an appointment with the PRO to view the records in-person. While there are no charges or fees associated with viewing administrative records, there may be costs associated with the research necessary to find these records.

If you prefer paper copies, you will need to complete the Records Request form, and note paper copies requested. There are fees for copying the records and/or completing research related to your request. You will be told in advance the total that will be due.

GR 31.1(h)(2) allows the court or judicial branch agency to recoup its cost for copying or scanning records. It states, "A fee may be charged for the photocopying or scanning of administrative records. If another court rule or statute specifies the amount of the fee for a particular type of record, that rule or statute shall control. Otherwise, the amount of the fee may not exceed the amount that is authorized in the Public Records Act, Chapter 42.56 RCW."

Also, if extensive research is required to respond to your request, you may be informed that there will be charges for the time involved and that taxes will apply to these research charges.

Costs for activities such as research, photocopying, scanning, and for materials such as CDs and USB drives are determined by the agency or court where the records are stored. Sales tax will be added to the total you owe, as well as the cost for mailing materials to you.

Depending on the size and complexity of the request, you may need to pay the research and/or copying costs before the records are given to you. Other times you will be invoiced after delivery of the requested records. If you do not pay the amount due for records you have received, you will not be able to obtain additional records until that debt is paid.

Fee schedule:

Search Fee \$30 an hour

Copies \$.50 a page

CD \$20.00

Certified copies \$5.00 for the first page, \$1.00 for each additional page

Postage Actual Cost

Misc. Fees Actual Cost

*Fees are subject to change. **Fee shall be assessed from the second hour of research onward. See GR 31.1(h)(4)

The court or judicial branch agency cannot control the use of information it provides to the public, so the court or judicial branch agency cannot be responsible for problems that result. However, the court or judicial branch agency will not provide any administrative record if it determines that: the request was made to harass or intimidate the court or judicial agency or its employees; fulfilling the request would likely threaten the security of the court or judicial agency; fulfilling the request would likely threaten the safety or security of judicial officers, staff, family members of judicial officers or staff, or any other person; or fulfilling the request may assist criminal activity. GR 31.1(c)(7)

Public record definition:

“Public record” includes any writing, except chambers records and court records, containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any court or judicial agency regardless of physical form or characteristics. “Public record” also includes metadata for electronic administrative records. GR 31.1 (i)

“Administrative record” means a public record created by or maintained by a court or judicial branch agency and related to the management, supervision, or administration of the court or judicial branch agency. GR 31.1 (i)

Exemptions:

The public has a presumptive right of access to court and judicial agency administrative records unless access is exempted or prohibited under this rule, other court rules, federal statutes, state statutes, court orders, or case law.

The Public Records Act, chapter 42.56 RCW, is deemed to provide guidance as to whether a specific record is subject to disclosure in the event a request is ambiguous or may be prohibited. Because of similarities, interpretations of the federal Freedom of Information Act (FOIA, 5 U.S.C. § 552) are also helpful in construing the language GR 31.1 and the PRA.

Some of the specific exemptions outlined in the rule include:

- Minutes of meetings held by judges within a court and staff products prepared for judicial discussion or decision-making during the meeting;
- Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, unless if publicly cited by a court in connection with court business;
- Evaluations and recommendations concerning candidates seeking appointment or employment within a court or judicial agency
- Personal identifying information, including individuals' home contact information, SSN, Driver's License numbers and identification/security photographs;
- Documents related to requests for expert, investigator or other services, including any report or findings by same, and invoicing/payment of the expert, investigator, or service provider.