

Bainbridge Island Municipal Court
Administrative Public Records Requests Pursuant to GR 31.1
Policy and Procedures

I. POLICY STATEMENT

The Bainbridge Island Municipal Court shall respond promptly to all administrative records requests related to court documents. This shall be done in accordance with both the letter and spirit of General Rule 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 the Bainbridge Island Municipal Court handles administrative records requests. Records requests information and forms are contained on the Bainbridge Island Municipal Court website at www.bainbridgewa.gov/court

B. Staffing of Administrative Records Requests

The court's Public Record Records Officer is Telma Hauth, Court Administrator for the Bainbridge Island Municipal Court. The Public Records Officer reports directly to the Presiding Judge, Sara McCulloch.

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 and email the text of the request, or a summary, to the appropriate staff, set a time for response, and 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 should provide them to the Public Records Officer, and, if documents are exempt (or may be exempt) from public disclosure, provide a summary of why the documents are or may be exempt. In the event it is difficult to produce copies of the responsive documents, 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 documents along with a statement of why any documents are exempt from disclosure; (2) providing a date by which responsive documents 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 documents.

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 identifiable documents to a specific employee, court, or judicial agency. In the event that an employee receives a public records request, the employee shall indicate to the requestor that they are not the designated person to receive public records requests. Employees should direct requestors to submit their request the designated Public Records Officer, provide the contact information to the requestor, and alert the Public Records Officer to expect a 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 appropriate Information Technology Department (IT) 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 the with necessary staff that have responsive documents to determine the appropriate means of response.

7. Tracking Public Records Requests

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