

Kitsap County District Court
Policies and Procedures for Requesting
Access to District Court Administrative Records
(Adopted: October 9, 2018)

Policy Statement:

The Kitsap County District Court shall respond promptly to all administrative records requests made under General Rule 31.1 (GR 31.1 - Access to Administrative Records) and case law related to the disclosure of administrative judicial records.

This policy sets forth the procedures through which members of the public may request access to Kitsap County District Court administrative records under GR 31.1.

Designated Public Records Officer(s):

The Kitsap County District Court judges have designated the District Court Administrator to serve in the capacity of public records officer(s) for the Kitsap County District Court.

Kitsap County District Court Administrator
614 Division St., MS-25
Port Orchard WA 98366
Phone: 360-337-7109
Fax: 360-337-4865
Email: districtcourt@kitsap.gov

Requesting Court Administrative Records:

To request District Court administrative records under Washington State General Rule 31.1, you must complete the *Kitsap County District Court Request for inspection/copies of Administrative Records* form. All requests for access to court administrative records must be in writing and submitted to the designated records officer set forth above. The *Kitsap County District Court Request for inspection/copies of Administrative Records* form may be obtained in person at the District Court, Room 106 or available online at the following link:

www.kitsapgov.com/dc

Within five working days (excluding weekends and holidays) of receipt of the request, the designated public records officer shall respond to the requestor 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 may also communicate with the requestor to determine if the requester's need would be better served with a response other than the one actually requested.

For requested copies of court administrative records, the court will charge a fee of \$0.15 per copy plus the cost of mailing. Additionally, for requests that require internal research in excess of one hour, the Court will charge \$30.00 per hour for the second and each subsequent hour in which research is necessary. A deposit in an amount not to exceed the estimated cost may be required before any copying or mailing is started.

Pursuant to General Rule 31.1, court case file records and/or judges' chambers records are not subject to public request under this Rule.

Access to court case file records is defined under Washington State General Rule 31. Most of these records are open to the public and easily accessible through the District Court's website. For further information, please contact the Kitsap County District Court at 360-337-7109 or on the court web site at www.kitsapgov.com/dc. Reasonable charges may apply.

Per GR 31.1(m), chambers records are not administrative records and are not subject to disclosure.

Requesting Review of Denied Access to Court Administrative Records:

A record requestor may seek an internal review of the decision(s) of the District Court public records officer to deny access or withhold court administrative records made under GR 31.1. Any request for internal review must be made in writing and directed to the District Court Presiding Judge or his/her designee, in care of the District Court public records officer. Final decision-making authority over disclosure of court administrative records of the Kitsap County District shall be vested in the Presiding Judge or his/her designee.

A record requestor's petition seeking internal review of a public records officer's decision must be submitted within 90 calendar days of the public records officer's decision. A written petition for informal review may be presented in any format, and should include, at a minimum, a restatement of the public records originally requested of the designated public records officer, a summary of what was received, and a detailed description of the reasons in which you believe the records officer erred in his/her decision(s).

The informal review process is informal and summary in nature. The review proceeding shall be held within five working days (excluding weekends and holidays) of the date on which the petition is received. If completion of the review proceeding is not reasonably possible within five working days, then the review shall be scheduled for the earliest practicable date thereafter, and the records requestor will be promptly notified within this initial, five-day period.

At the conclusion of an internal review, a records requestor may wish to consult GR 31.1 regarding external review alternatives if s/he disagrees with the outcome of an internal review.

Opposition to Disclosure of Court Administrative Records by Named Party:

Unless otherwise required or prohibited by law, the District Court public records officer will notify any person, other than a State or County government employee, who is specifically named in a records request or to whom a record specifically pertains. The person named in the record(s) will be notified, in writing, within five working days (excluding weekends and holidays) of receipt of the request.

A person, other than a State or County employee, who is specifically named in a records request, or to whom a record specifically pertains, may present information opposing the disclosure to the District Court public records officer. The named person shall notify the applicable public records officer in writing of his or her objections within ten working days of the date of the notification. All objections must be submitted in writing. Failure to present written objections within ten days of the date of the public records officer's notification effectively waives this right.

Upon receipt, the applicable public records officer will have five working days from the date the objections are filed in which to notify the requester and the person named in the records regarding his decision to disclose the specified records.

If the applicable public records officer decides to allow access to requested records despite a named party's opposition, the person who is named in the record has a right to initiate the informal review process set-forth above. If either the subject of the record or the record requestor objects to informal review, then this process is unavailable as a remedy. The deadlines that apply to a requester apply as well to a person who is the subject of a record request.