

Lynden Municipal Court

Effective Date: January 1, 2016

POLICY
Access to Administrative
Court Records

http://www.courts.wa.gov/newsinfo/publication/?fa=newsinfo_publication.gr31

This policy addresses access to administrative court records as defined in General Rule (GR) 31.1 Access to Administrative Records.

Administrative records are public records created by or maintained by a court or judicial branch agency that relate to the management, supervision, or administration of the court or judicial branch agency.

Access to administrative records, however, is not absolute and shall be consistent with exemptions for personal privacy, restrictions in statutes, restrictions in court rules, and as required for the integrity of judicial decision making. Access shall not unduly burden the business of the judiciary.

1. Lynden Municipal Court Public Records Officers:

Tammy Graham and Tammy DeZeeuw
Lynden Municipal Court
300 4th Street
Lynden, WA 98264

Office Telephone Number: 360-354-4270
Office Fax Number: 360-318-0301
Email Addresses: Lyndencourt@lyndenwa.org

2. Requests for administrative records shall be made in writing to either of the Public Records Officers.

- a. *Note:* A person or entity seeking administrative records must identify or describe the documents with sufficient clarity to allow the court to locate them.

3. This policy and the records request form shall be posted on the Lynden Municipal Court website lyndenwa.org

4. Responses to a request for records will be made as follows:

- a. An initial response will be made within thirty (30) days.
- b. The response shall acknowledge receipt of the request and a good-faith estimate of the time needed to respond to the request.
- c. A substantive response will be made within the time frame specified in the court's initial response.

5. Records requests that involve harassment, intimidation, threats to security, or criminal activity.

- a. Lynden Municipal Court may deny a records request if it is determined that:
- b. The request was made to harass or intimidate an employee of Lynden Municipal Court; fulfilling the request would likely threaten the security of the court; 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.

6. Notification to affected persons/agencies.

- a. Unless otherwise required or prohibited by law, Lynden Municipal Court may notify the person or agency named in a record or to whom a record specifically pertains, that access to the record has been requested.

7. Fees

- a. A fee will not be charged to view administrative records.
- b. A fee will be charged for the photocopying or scanning of administrative records.
- c. The court may require a deposit in an amount not to exceed the estimated cost of providing copies for a request.
- d. A fee not to exceed \$30.00 per hour may be charged for research and preparation services required to fulfill a request taking longer than one hour. The fee shall be assessed from the second hour onward.

8. Review of the Public Records Officer's response to an administrative records request.

- a. A records requester may seek an internal court review, within 90 days of the decision, by submitting a written request to the Lynden Municipal Court Judge.

9. The review will be held within ten (10) working days by the Lynden Municipal Court Judge. If a review cannot be completed within ten (10) working days, a review will take place as soon as reasonably practicable.

- a. Upon the exhaustion of remedies in Section 8.a., a records requester aggrieved by the decision may obtain further review by choosing between two alternatives noted below:

10. Review via civil action in court. The records requester may use a judicial writ of mandamus, prohibition, or certiorari to file a civil action in Whatcom County Superior Court challenging the records decision.

- a. The records requester may seek an informal review by a Judge pro-tern.
- b. The review proceeding shall be informal and summary.
- c. The decision resulting from the informal review proceeding may be further reviewed in Whatcom County Superior Court pursuant of a writ of mandamus, prohibition, or certiorari.
- d. The deadline for seeking an external review is 30 days after the issuance of the court's final decision.

APPROVED:



Terrance G. Lewis
Lynden Municipal Court Judge

Feb. 3, 2016

Date