

# POLICY REGARDING OPEN RECORDS REQUESTS

Revised July 15, 2014



## **Public Records**

Adams County is committed to the principle of open and accessible government. As such, we commit to fulfill every request for public records as efficiently and expeditiously as possible and within the requirements established by the Colorado Open Records Act, C.R.S. §24-72-201 *et seq.* ("CORA").

The following procedures are intended to facilitate requests for public records responsibly and efficiently, to maintain the integrity of the County's records, and to ensure the effective functioning of County departments. This policy is subject to interpretation by the Adams County Attorney's Office. Requests for comment or for information not contained within existing County records should be directed to the Adams County Office of Public Information.

This policy does not apply to the following elected Adams County offices, unless specifically adopted by that office: Assessor, Clerk and Recorder, Coroner, District Attorney, Public Trustee, Sheriff, Surveyor, and Treasurer. Records requests for these offices must be sent directly to them. Contact information for these offices is available on the Adams County website.

## **Requests for Public Records**

Records requests must be directed to the designated custodian of records for the particular County department who holds the records. (A list of contact information for each department is located on the County's website). The County Attorney's Office may also accept open records requests, which will then be forwarded to the appropriate records custodian. General emails to the County or inquiries on the County's website or social media sites will not be treated as open records requests pursuant to CORA. When practicable, open records requests should be submitted in writing on the County's records request form, which is available on the County's website.

Prior to submitting a records request, please check the County's website to determine whether the records sought are already available online.

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## **Requests for Public Records (continued)**

All requests must contain the following information:

- The name and preferred contact information for the requesting party.
- A description of the records sought. (Please describe as specifically as possible, including applicable date ranges and source of information if known).
- Preferred method of delivery. (Email, regular mail, in-person inspection, etc.).

## **Responses to Requests**

The records custodian for each department is responsible for responding to the requesting party in a timely manner. The requesting party will be notified if the requested documents are not available or if the records are not covered by CORA.

If review of original documents is requested, the records custodian may impose certain procedures to protect the integrity of the public record, including supervision by a County employee within the area where the records are stored and/or maintained. The records custodian may also establish a designated area or schedule for a particular time of day so as to not unduly disrupt the day-to-day activities of that specific office or department.

Requests received after the close of business will be considered to be received on the next business day.

The County will comply with the reasonable response timelines set forth in CORA. Every attempt will be made to fulfill open records requests within three (3) working days. If the request cannot be filled within three working days, the requestor will receive notice from the records custodian that additional time, up to seven (7) working days, will be necessary.

## **Fees Charged**

Adams County seeks to meet public information requests in the most economical fashion possible. The fees charged by Adams County departments will be consistent with the provisions of CORA.

Standard fees for records requests include copy charges, research and retrieval time, and actual costs associated with fulfilling the request. Research and retrieval time may include, but is not limited to: actual costs involved in the gathering of documents, costs associated with specialized IT support, and staff time required to perform research, locate, retrieve, and review records, and create or run records in electronic or digital format. The nature of the request dictates the potential fees and costs incurred.

Pursuant to C.R.S. §24-72-205(6), effective July 1, 2014, there is no charge for the first hour of time for research and retrieval of records.

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## **Fees Charged (continued)**

### **Copies**

8.5" x 11"	25¢ per page
11" x 17"	25¢ per page
Greater than 11" x 17"	Actual cost of reproduction + Research and retrieval time

### **Electronic Copies on CD**

If the record exists in electronic format	\$2 per CD + Research and retrieval time
If the record has to be scanned	\$2 per CD + Research and retrieval time
If the record has to be printed and scanned	\$2 per CD + Research and retrieval time + paper copy fee
BOCC Study Sessions or other audio recordings	\$2 per CD + Research and retrieval time

### **PDF Records Sent Via Email**

If the record exists in electronic format	Research and retrieval time
If the record has to be scanned to PDF	Research and retrieval time
If the record has to be printed and scanned to PDF	Research and retrieval time + paper copy fee

### **Research and retrieval**

One hour or less	\$0
More than one hour	\$30 per hour

### **Mailing Expenses**

Mailing Expenses	Actual Cost
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## **Deposits**

If the fulfillment of a request is likely to incur fees in excess of \$30.00, the records custodian will attempt to provide the requesting party with an estimate of the likely fees to be generated in fulfilling the request. The County may require payment of the estimated fees prior to any staff time being expended on responding to the request. Requesting parties will be responsible for any actual costs incurred in excess of the deposit and will be reimbursed for any estimated costs that are not actually incurred.

Requests that require IT staff to search email or other electronic records will require a minimum deposit of \$100 when IT estimates that the search will take longer than five hours of staff time.