



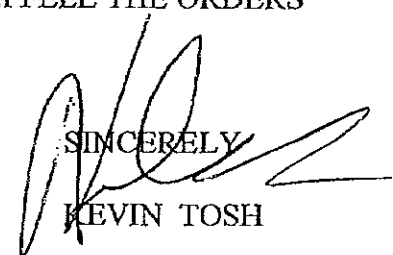
RECEIVED
MAY 14 2010
OFFICE OF OPEN RECORDS

5/14/10

TO: TERRY MUTCHLER
EXECUTIVE DIRECTOR
OFFICE OF OPEN RECORDS
400 NORTH STREET
HARRISBURG PA 17120

FROM: KEVIN TOSH
529 SECOND MTN RD
ORWIGSBURG PA 17961
PHONE 570-943-2266
CELL 504-250-6727

DEAR MR MUTCHLER,
I WOULD LIKE TO APPEAL THE FINAL DECISION FROM DOMESTIC
RELATIONS CONCERNING MY REQUEST FOR RECORDS. I FEEL THE ORDERS
THAT I AM REQUESTING ARE PUBLIC RECORDS .


SINCERELY
KEVIN TOSH

MAY14, 2010

KEVIN TOSH
COMPLAINANT

VS.

DOMESTIC RELATIONS
SCHUYLKILL COUNTY
RESPONDENT

INTRODUCTION

KEVIN TOSH FILED A RIGHT TO KNOW REQUEST WITH THE DOMESTIC RELATIONS OF SCHUYLKILL COUNTY DATED APRIL27, 2010.I WAS REQUESTING THE FOLLOWING DOCUMENTS.

1. PACSES FINANCIAL TRANSACTION LOG OF EVERY CLIENT THAT HAS ARREARS IN EXCESS OF \$500.00 FOR THE YEAR ENDING 2009
2. ON MAY 5,2010 DOMESTIC RELATIONS SOLICITOR DENIED MY REQUEST
3. ON MAY14,2010 KEVIN TOSH FILED A TIMELY APPEAL TO THE OFFICE OF OPEN RECORDS

FACTUAL BACKGROUND

ON APRIL 27 2010 KEVIN TOSH SUBMITTED RIGHT TO KNOW FORM TO DOMESTIC RELATIONS TO REVIEW RECORDS.

ON MAY 5, 2010 RECEIVED LETTER FROM DOMESTIC RELATIONS SOLICITOR THAT DENIED MY REQUEST .

(2)

DOMESTIC RELATIONS HAS DENIED MY REQUEST BECAUSE OF SECTION 708(B)(6)(i)(A) OF THE RIGHT TO KNOW ACT WHICH PROVIDES IN PART THAT A RECORD CONTAINING ALL OR PART OF A PERSON'S PERSONAL FINANCIAL INFORMATION IS EXEMPT FROM THE ACCESS BY THE REQUESTER.

IF A AGENCY DENIES A REQUEST FOR RECORD SECTION 903 OF THE RTKL PROVIDES IN RELEVANT PART (2) THE SPECIFIC REASON FOR THE DENIAL, INCLUDING A CITATION OF SUPPORTING LEGAL AUTHORITY

DOMESTIC RELATIONS HAS FAILED TO PROVIDE ANY SUPPORTING LEGAL AUTHORITY OR CITATIONS CONCERNING THIS ISSUE

UNDER SECTION 102 OF THE RTKL DEFINES THE TERM "RECORD" AS:

"INFORMATION, REGARDLESS OF PHYSICAL FORM OR CHARACTERISTICS THAT DOCUMENTS A TRANSACTION OR ACTIVITY OF AN AGENCY AND THAT IS CREATED, RECEIVED OR RETAINED PURSUANT TO LAW OR IN CONNECTION WITH A TRANSACTION, BUSINESS OR ACTIVITY OF THE AGENCY. THE TERM INCLUDES A DOCUMENT, PAPER, LETTER, MAP, BOOK, PHOTOGRAPH, FILM, OR SOUND RECORDING, INFORMATION STORED OR MAINTAINED ELECTRONICALLY AND DATA PROCESSED OR IMAGE-PROCESSED DOCUMENT.

THE RTKL PROVIDES FUTHER CLARITY IN DEFINING A "PUBLIC RECORD" AS: "A RECORD INCLUDING A FINANCIAL RECORD OF A COMMONWEALTH OR LOCAL AGENCY THAT: (1) IS NOT EXEMPT UNDER SECTION 708; (2) IS NOT EXEMPT FROM BEING DISCLOSED UNDER ANY OTHER FEDERAL OR STATE LAW OR REGULATION OR JUDICIAL ORDER OR DECREE; OR (3) IS NOT PROTECTED BY A PRIVILEGE.

THE SOLICITOR FOR DOMESTIC RELATIONS FAILS TO MENTION IN HIS DENY FOR THIS INFORMATION CONCERNING THE FOLLOWING.

1. DOMESTIC RELATIONS IN ALL COUNTY PUBLISH THE NAMES, AMOUNTS OF ARREARS IN THE NEWS PAPER AND ALSO ON THEIR WEB SITES OF THEIR CLIENTS THAT HAVE BENCH WARRENTS ISSUED BY DOMESTIC

(3)

RELATIONS CONCERNING CHILD SUPPORT AND THE AMOUNT OF MONEY THAT IS OWED BY THEIR CLIENT.

2. DOMESTIC RELATIONS IN PENNSYLVANIA ALSO POSTS WANTED POSTERS OF CLIENTS THAT HAVE SKIPPED TOWN OR ARE BEHIND IN THEIR SUPPORT ORDERS INCLUDING THEIR NAMES, OCCUPATION, AND THE AMOUNT OF MONEY THAT IS DUE IN ARREARS AND THE DATE.

4. WHEN DOMESTIC RELATIONS THRU THE COURT ISSUES A PETITION FOR CONTEMPT TO THEIR CLIENT, AND A ORDER OF THE COURT TO APPEAR THEY INCLUDE THE PACSES CASE NUMBER, THE MONTHLY SUPPORT AMOUNT AND THE ARREARAGES UNDER THE ORDER.

SECTION 708 OF THE RTKL CLEARLY STATES THAT THE BURDEN OF PROOF REST WITH THE PUBLIC BODY TO DEMONSTRATE THAT THE RECORD IS EXEMPT. IN PERTINENT PART SECTION 708 STATES:

(A) BURDEN OF PROOF-----

1. THE BURDEN OF PROVING THAT A RECORD OF A COMMONWEALTH

AGENCY OR LOCAL AGENCY IS EXEMPT FROM PUBLIC ACCESS SHALL BE ON THE COMMONWEALTH AGENCY OR LOCAL AGENCY RECEIVING A REQUEST BY A PREPONDERANCE OF THE EVIDENCE.

PREPONDERANCE OF THE EVIDENCE HAS BEEN DEFINED AS "EVIDENCE WHICH AS A WHOLE SHOWS THAT THE FACT SOUGHT TO BE PROVED IS MORE PROBABLE THAN NOT." BLACK'S LAW DICTIONARY 1064 (8TH ED. WEST 2004 SEE ALSO COMMONWEALTH VS. WILLIAMS, 615 A.2D 716 (PA.1992).

IN SUPPORT OF ITS DENIAL DOMESTIC RELATIONS SITE SECTION 708 (B) (6)(i),(10)(i) OF THE RIGHT TO KNOW ACT, WHICH PROVIDES IN PART THAT RECORD CONTAINING ALL OR PART OF A PERSON'S PERSONAL FINANCIAL INFORMATION IS EXEMPT FROM ACCESS BY THE REQUESTER.

AT BEST THIS ARGUMENT IS SPECULATIVE. FUTHER, THE SOLICITOR FOR DOMESTIC RELATIONS DID NOT PROVIDE ANY FACTUAL BASIS OR LEGAL ANALYSIS UNDER THE RTKL SUPPORTING HIS POSITION OR SUPPORTING THIS CLAIM. AS SUCH I BELIEVE DOMESTIC RELATIONS HAS FAILED TO MEET ITS BURDEN OF PROOF WITH RESPECT TO THIS CLAIM.

(4)

SECTION 708 (B) (6) STATES IN RELEVANT PART:

(A) A RECORD CONTAINING ALL OR PART OF A PERSON'S SOCIAL SECURITY NUMBER; LICENSE NUMBER; PERSONAL FINANCIAL INFORMATION; HOME, CELLULAR OR PERSONAL TELEPHONE NUMBER;

PERSONAL EMAIL ADDRESSES; EMPLOYEE NUMBER OR OTHER CONFIDENTIAL PERSONAL IDENTIFICATION NUMBER.

65 P.S. 67.708(B)(6)(i)

WHILE THE INFORMATION INCLUDED IN 708(B)(6) CLEARLY EXEMPTS CERTAIN RECORDS, THE RTKL ALSO ADDRESSES SITUATIONS WHERE RECORDS CONTAINED INFORMATION THAT IS BOTH PUBLIC AND NON-PUBLIC. SECTION 706 OF THE RTKL GOVERNS THESE REQUESTS FOR RECORDS:

IF AN AGENCY DETERMINES THAT A PUBLIC RECORD, LEGISLATIVE RECORD OR FINANCIAL RECORD CONTAINS INFORMATION WHICH IS SUBJECT TO ACCESS AS WELL AS INFORMATION WHICH IS NOT SUBJECT TO ACCESS, THE AGENCY RESPONES SHALL GRANT ACCESS TO THE INFORMATION WHICH IS SUBJECT TO ACCESS AND DENY ACCESS TO THE INFORMATION WHICH IS NOT SUBJECT TO ACCESS. IF THE INFORMATION WHICH IS NOT SUBJECT TO ACCESS IS AN INTEGRAL PART OF THE PUBLIC RECORD, LEGISLATIVE RECORD OR FINANCIAL RECORD AND CANNOT BE SEPERATED, THE AGENCY SHALL REDACT FROM THE RECORD THE INFORMATION WHICH IS NOT SUBJECT TO ACCESS AND THE RESPONSE SHALL GRANT ACCESS TO THE INFORMATION WHICH IS SUBJECT TO ACCESS.

THE AGENCY MAY NOT DENY ACCESS TO THE RECORD IF THE INFORMATION WHICH IS NOT SUBJECT TO ACCESS IS ABLE TO BE REDACTED.

INFORMATION WHICH AN AGENCY REDACTS IN ACCORDANCE WITH THIS SUBSECTION SHALL BE DEEMED A DENIAL UNDER CHAPTER 9

65 P.S. 67.706(EMPHASIS ADDED)

(5)

HERE DOMESTIC RELATIONS CLAIMS THAT BECAUSE A REQUESTED RECORD CONTAINS NONPUBLIC INFORMATION THE ENTIRE RECORD IS EXEMPT.

SINCE DOMESTIC RELATIONS HAS NOT PROVIDED ANY EVIDENCE, THIS IS AN OVERLY BROAD CLAIM AND CONTRARY TO THE RTKL. AN AGENCY MAY NOT DENY ACCESS TO A RECORD IF THE INFORMATION WHICH IS NOT SUBJECT TO ACCESS IS ABLE TO BE REDACTED

DOMESTIC RELATIONS IS NOT A SECRET ORGINAZATION THEY ARE BOUND BY FOLLOWING THE RULES OF CIVIL PROCEDURE FOR THE STATE OF PENNSYLVANIA. DOMESTIC RELATION HAS THE SAME CHECKS AND BALANCES AS ALL AGENCY IN THE STATE OF PENNSYLVANIA. IF THEY IGNORE DUE PROCESS AND EQUAL PROTECTION UNDER THE LAW, THEN THEY MUST BE ACCOUNTABLE FOR THEIR ACTIONS. WITHOUT THE RIGHT TO REVIEW THE DOCUMENTS WE HAVE A FALLEN JUSTICE SYSTEM.

SINCERELY

KEVIN TOSH

SCHEDULE "A"

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 4/27/10

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTOR: KEVIN TOSH

STREET ADDRESS: 529 Second Natl Rd

CITY/STATE/COUNTY (Required): Springsburg PA

TELEPHONE (Optional): 570-943-2266 / cell 504-250-6727

RECORDS REQUESTED:

*Provide as much specific detail as possible so the agency can identify the information.

SEE ATTACHMENT (C)

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

RIGHT TO KNOW OFFICER:

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5)-DAY RESPONSE DUE:

**Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)

ATTACHMENT (C)

PROVIDE ME WITH THE PACSES FINANCIAL TRANSACTION
LOG OF EVERY CLIENT THAT HAD ARREARS IN EXCESS OF
500.00 FOR THE YEAR ENDING 2009. SEE EXAMPLE OF LOG

PACSES - PRODUCTION - [TRNL]

File Field Options Help Navigation Menu PACSES Help

Func: TRNL Financial Transaction Log HMEYE 04/20/10 10:58

CASE ID: Dist Hold: N Dist Hold Reas Code:

Payor: 0748101226 TOSH, KEVIN J.

Payee: 3899100206 DONNELLY, LINDA K.

Total Debt Balance: 3065.75 Payor has future collections on hold: N

DATE	Transaction Description	Reference ID	Trans Amt	Debt Bal
04/01/10	DISBURSEMENT	5438991002061	25.00	3065.75
04/01/10	NORMAL DISTRIBUTION	5420100401CA00100900	25.00	3065.75
04/01/10	ACCRUAL TRANS		587.44	3090.75
03/31/10	DISBURSEMENT	5438991002061	40.00	2503.31
03/31/10	NORMAL DISTRIBUTION	5420100331CA00100400	40.00	2503.31
03/26/10	DISBURSEMENT	0160001000030	25.00	2543.31
03/26/10	DISBURSEMENT	5438991002061	303.00	2543.31
03/26/10	OFF SET RECOVERY		-25.00	2543.31
03/26/10	OFFSET ESTABLISHED		25.00	2543.31
03/26/10	ASSESS AFU FEE		25.00	2543.31
03/26/10	NORMAL DISTRIBUTION	5420100326CA00100100	328.00	2543.31
03/01/10	ACCRUAL TRANS		587.44	2871.31

12-#0016-START OF INQUIRY 12-#0015-START OF DATA FOR CURRENT HDR

BACK FRC PRINT ADD CHANGE ARCHIVE

LAW OFFICES

LIPKIN, MARSHALL, BOHORAD & THORNBURG

A PROFESSIONAL CORPORATION

ONE NORWEGIAN PLAZA

SUITE 200

P.O. BOX 1280

POTTSVILLE, PENNSYLVANIA 17901-7280

TELEPHONE: (570) 622-1811

TOLL FREE: (877) 669-1811

FAX: (570) 622-4850

E-Mail: attys@lmbtlaw.com

ALL REPLIES TO ABOVE

1485 ARCH STREET
ASHLAND, PA 17921
(570) 875-21219 E. CENTRE STREET
MAHANOCY CITY, PA 17948ALVIN B. MARSHALL
ROBERT N. BOHORAD
RICHARD THORNBURG *
S. JOHN PRICE, JR.
DIRK BERGER
JAMES C. BOHORAD
THOMAS J. CAMPION, JR.
ALEXANDER E. LIPKIN
(1914-2001)
*ALSO MEMBER NJ BARWriter's E-Mail:
jcb@lmbtlaw.com

May 5, 2010

VIA FAX AND U.S. MAILMr. Kevin Tosh
529 Second Mountain Road
Orwigsburg, PA 17961

Dear Mr. Tosh:

As Solicitor for the Office of Domestic Relations for Schuylkill County ("DRO"), I have reviewed and researched your Right to Know request dated April 27, 2010, and I am writing to formally respond to your request on its behalf. Your request was received by the County of Schuylkill on April 27, 2010, and it was immediately forwarded to the Office of Domestic Relations. Your request was then forwarded to me by the Office of Domestic Relations shortly before the close of business on April 27, 2010.

In your request, you requested the following information:

1. Your complete file from Domestic Relations concerning all support issues;
2. A list of any documents that have been removed from your file, including the type of document, and the reason the document has been removed;
3. Whether your file is intact with all documents;
4. Federal and State guidelines concerning garnishment and levy of federal tax refunds;
5. Your standardized withholding order that was filed with the IRS;
6. All documents concerning the required disbursement of funds from Tax Intercept from the IRS, including all state guidelines;
7. PACSES Financial Transaction Log of every client that had arrears in excess of \$500.00 for the year ending 2009; and

Mr. Kevin Tosh

Page 2

May 5, 2010

8. Standardized withholding order for tax refunds for all clients of domestic relations that had their tax refund levied upon for back child support for the year 2009.

It is my understanding from your request that you do not want copies of these documents sent to you, but you only want the information copied and made available for your review at the Office of Domestic Relations. If I am interpreting your request incorrectly, please let me know. In addition, you requested that your Domestic Relations file be made available on or before May 10, 2010.

Over the past several days, I have researched the issues pertaining to your request, and I will respond to each of them separately.

1. You requested your complete file from Domestic Relations concerning all support issues. The Office of Domestic Relations will photocopy those documents within your file that are public records, as defined by the Right to Know Act, and will make them available to you at the Office of Domestic Relations on May 10, 2010. You may go to the Office any time between the hours of 8:30 a.m. and 4:30 p.m., beginning May 10, to review these records. The DRO must deny your request in part, as it will not make your "complete" file available, because certain records in your file are not public records.

Specifically, certain records in your file include personal identification information that is exempt as a public record in accordance with Section 708(b)(6)(i) of the Right to Know Act. This Section provides, in part, that a record containing all or part of a person's Social Security Number, personal financial information, home, cellular or personal telephone numbers, personal e-mail addresses, or other confidential personal identification numbers is exempt. In addition, a spouse's name, marital status or beneficiary or dependent information is also exempt.

In addition, Section 708(b)(10)(i) provides, in part, that a record that reflects the internal, pre-decisional deliberations of an agency, its employees or officials, is exempt from being a public record. Any documents that fit within these exceptions are not public records and cannot be made available for your review.

2. You requested a complete list of any documents that have been removed from your file, including the type of document, and the reason the document has been removed. The only documents that will not be available for your review on May 10, 2010, are documents that fall into one of the exceptions identified under Section 1 above.

3. You asked whether your file is intact with all documents. Your file is intact, however, the documents that will be available for your review are copies from your file of all public records within the file under the Right to Know Act.

Mr. Kevin Tosh

Page 3

May 5, 2010

4. You requested federal and state guidelines concerning garnishment and levy of federal tax refunds. The following information that discusses the garnishment and levy of federal tax refunds will be available for you beginning May 10, 2010, at the Domestic Relations Office: Brochure entitled Tax Refund Offset Program prepared by the Office of Domestic Relations; Pennsylvania Child Support Handbook, prepared by the Pennsylvania Department of Public Welfare; and an Order of Court for your case, dated January 26, 2010, that states, in part, that "State lottery winnings and IRS refunds are subject to intercept for child support arrearages."

5. You requested a copy of your standardized withholding order that was filed with the IRS. No such order exists, nor has such an order ever existed, so no information can be provided to you under this request.

6. You requested copies of all documents concerning the required disbursement of funds from Tax Intercept from the IRS, including all state guidelines. All relevant public records that satisfy this request will already be provided to you under Paragraph 4 above.

7. You requested the PACSES Financial Transaction Log of every client that had arrears in excess of \$500.00 for the year ending 2009. This request is being denied in full as a result of Section 708(b)(6)(i)(A) of the Right to Know Act, which provides, in part, that a record containing all or part of a person's personal financial information is exempt from access by a requester. Clearly, the release of the names of these individuals would reveal personal financial information about them. Therefore, your request must be considered exempt from access under the Right to Know Act, as the Office of Domestic Relations has a duty to protect the confidentiality of its clients and any personal financial information regarding its clients in its case files.

8. You requested standardized withholding orders for tax refunds for all clients of domestic relations that had their tax refund levied upon for back child support for the year 2009. No such standardized withholding orders exist, nor have they ever existed, so no information can be provided to you under this request.

Please note that before any information may be made available to you, all photocopy charges must be paid by you to the Office of Domestic Relations. The charge for copies is \$.25 per copy. I would suggest that you call the DRO on Friday, May 7, 2010, and ask for the amount that you will need to bring with you for payment. Payment must be by cash, certified check or money order.

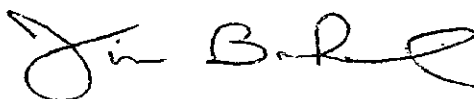
You have the right to appeal those portions of your request that have been denied. Your appeal must be in writing to Mr. Terry Mutchler, Executive Director, Office of Open Records, 400 North Street, Harrisburg, PA 17120. If you choose to file an appeal, you must do so within fifteen (15) days of the date of the mailing of this letter. Your appeal must state the grounds upon which you

Mr. Kevin Tosh
Page 4
May 5, 2010

assert that the records you have requested are public records, and you must address the reasons given by me in this letter for denying your requests.

If you have any questions in the meantime, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jim Bohorad". The signature is fluid and cursive, with the first name "Jim" and last name "Bohorad" clearly distinguishable.

James C. Bohorad, Esquire
For Lipkin, Marshall, Bohorad & Thornburg, P.C.

JCB/cc

cc: Ms. Lynn Bucklar

LAW OFFICES

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9 E. CENTRE STREET
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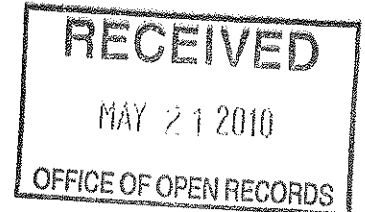
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ALEXANDER E. LIPKIN
(1914-2001)

*ALSO MEMBER NJ BAR

Writer's E-Mail:

jcb@lmbtlaw.com

May 20, 2010



Ms. Terry Mutchler
Executive Director
Commonwealth of Pennsylvania
Office of Open Records
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

**RE: Kevin Tosh Right to Know Request to
Office of Domestic Relations for Schuylkill County
No. AP 2010-0396**

Dear Ms. Mutchler:

As you know, I serve as Solicitor for the Office of Domestic Relations for Schuylkill County.

On May 6, 2010, Lucinda Glinn, Appeals Officer, dismissed with prejudice Kevin Tosh's appeal of the above captioned Right to Know request because she concluded that the court orders that Mr. Tosh requested are court records of the Court of Common Pleas of Schuylkill County. She further concluded that the Court of Common Pleas of Schuylkill County is a judicial agency, and the Office of Open Records has no jurisdiction over judicial agencies.

On May 13, 2010, Mr. Tosh wrote to your office in response to Ms. Glinn's Decision. Mr. Tosh stated in his letter that the Office of Domestic Relations for Schuylkill County is a local agency, and not a judicial agency, and he requested that your office reconsider his appeal.

The Office of Domestic Relations is in fact a judicial agency, and is administered under the jurisdiction of the Court of Common Pleas of Schuylkill County. The Executive Director of the Office of Domestic Relations reports directly to the President Judge and Court Administrator.

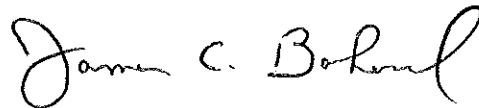
As a result, I am requesting that your office not reconsider the dismissal of the above appeal,

Ms. Terry Mutchler
Page 2
May 20, 2010

because the Court of Common Pleas of Schuylkill County and the Office of Domestic Relations are judicial agencies, with the Office of Domestic Relations being under the jurisdiction of the Court of Common Pleas, and therefore, the Office of Open Records may not exercise jurisdiction over judicial agencies.

Thank you for consideration of this request.

Very truly yours,

A handwritten signature in black ink that reads "James C. Bohorad". The signature is written in a cursive style with a large, looped initial "J".

James C. Bohorad, Esquire
For Lipkin, Marshall, Bohorad & Thornburg, P.C.

JCB/cc

cc: Ms. Lynn Bucklar
Mr. Kevin Tosh



pennsylvania
OFFICE OF OPEN RECORDS

May 21, 2010

Kevin Tosh
529 Second Mountain Road
Orwigsburg, PA 17961

James C. Bohorad, Esq.
Lipkin, Marshall, Bohorad & Thornburg
One Norwegian Plaza, Suite 200
P.O. Box 1280
Pottsville, PA 17901-7280

Re: Appeals AP# 2010-0396 and AP# 2010-0426

Dear Mr. Tosh and Mr. Bohorad,

I am writing in regarding to the request for reconsideration of a dismissal of an appeal docketed as AP#2010-0396 filed by Kevin Tosh.

The Office of Open Records has no authority over a judicial agency. The Office of Domestic Relations is a judicial agency. Therefore, the Office of Open Records had no jurisdiction over this appeal and properly dismissed the application to our Office. Consequently, the Office does not have jurisdiction to consider a petition for reconsideration of a matter involving the judiciary.

In addition, Mr. Tosh submitted a subsequent appeal docketed as AP#2010-0426 against Schuylkill County Domestic Relations that is **dismissed** as well. This letter serves to dismiss that appeal and close the Office of Open Records' file in that matter.

In an effort, however, to provide some further clarification related to the new law, the Office of Open Records offers the following information as a guide to both parties.

Every judicial agency is required by law to have an assigned appeals officer and to post that contact information in accordance with the law, section 504(b)(2). Secondly, Mr. Tosh asked a general question related to copy fees. Please be advised that the law permits a requestor to inspect or copy records. The law provides that a requestor can view an original. The obvious exception to that would be if an original contains non-public information, the agency is permitted to copy the original, redact the non-public information and charge the requestor the cost of that copy.

Respectfully,

Terry Mutchler
Executive Director