

Whatcom County District Court

Effective Date: January 1, 2016

Pages: 3

POLICY

Approved by:

Judge Matt Elich  
Judge David Grant

ACCESS TO ADMINISTRATIVE COURT RECORDS  
POLICY #01-2015-001

This policy addresses access to administrative court records as defined in General Rule (GR) 31.1 Access to Administrative Records [Insert link to GR 31.1 here for the website]:

*“Administrative record” means a public record created by or maintained by a court or judicial branch agency and related 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. Requests for administrative records shall be made in writing to the court’s Public Records Officer.
  - a. A person or entity seeking administrative records must identify or describe the documents with sufficient clarity to allow the court to locate them.
2. The Whatcom County District Court Public Records Officer is:

Bruce Van Glubt, District Court and Probation Administrator  
311 Grand Avenue, Suite 401  
Bellingham, WA 98225

Office Number: 360-676-6770  
Fax Number: 360-676-7685  
Email Address: [bvanclub@co.whatcom.wa.us](mailto:bvanclub@co.whatcom.wa.us)

3. This policy and the records request form shall be posted on the District Court webpage of the Whatcom County website. [Insert link to the records request form here for the website.]
4. Responses to a request for records will made:
  - a. An initial response will be within five working days in the manner indicated by the record requester on the court’s Request for Records form.

- i. The response shall acknowledge receipt of the request and a good-faith estimate of the time needed to respond to the request.
    - b. A substantive response will be within the timeframe specified in the court's initial response.
  5. Records requests that involve harassment, intimidation, threats to security, or criminal activity.
    - a. Whatcom County District Court may deny a records request if it is determined that: the request was made to harass or intimidate an employee of District Court or District Court Probation; 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. Persons who are subjects of records.
    - a. Unless otherwise required or prohibited by law, District Court may notify the person 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.
    - e. Assessment and collection of fees will be governed by GR 31.1(h).
  8. Review of the Public Records Officer's response to an administrative records request.
    - a. A record requester may seek an internal Judicial Officer review within 90 days of the decision by submitting a written request to the Presiding Judge.
      - i. The review will be held within five working days by a District Court Judge. If a review cannot be completed within five days a review will take place as soon as reasonably possible.
    - b. Upon the exhaustion of remedies in section 8.a., a record requester aggrieved by the decision may obtain further review by choosing between two alternatives noted below:
      - i. Review via civil action in court. The requesting person may use a judicial writ of mandamus, prohibition, or certiorari to file a civil action in superior court challenging the records decision.
      - ii. The requesting person may seek an informal review by a visiting Judge or a judge *pro tempore* selected by the court for that purpose. A request form for this purpose will be posted on the Whatcom County District Court webpage.
        1. The review proceeding shall be informal and summary.
        2. The decision resulting from the informal review proceeding may be further reviewed in Superior Court pursuant of a writ of mandamus, prohibition, or certiorari.

- c. The deadline for seeking an external review of the internal Judicial Officer's decision is 30 days after the issuance that decision.

APPROVED

M. Elich      12/29/15  
Matt Elich      Date

D. Grant      12/29/15  
Dave Grant      Date

WHATCOM COUNTY DISTRICT COURT  
Request for Records

Date: \_\_\_\_\_

- Please provide all available identifying information to assure that the court can provide you with the documents you have requested.
- Pre-payment of applicable fees may be required (cash or money order only).
  - Civil case documents:
    - The copy fee is 15 cents per page, per Whatcom County Unified Fee Schedule (7131).
    - The document certification fee is \$5.00, per RCW 3.62.060(1)(f).
  - Criminal Case documents: There are no copy or certification costs.
  - All audio/video recording costs are \$10.00 per CD, per RCW 3.62.060(1)(j)

I am requesting records for a:  Criminal Case  Civil Case  Administrative\*: \_\_\_\_\_

I am requesting court records for the following individual:

Last Name	First Name	Middle Name or Initial	Date of Birth
Address			
City	State	ZIP Code	Driver's License or ID #

Please list the case number(s), if known, for each case you are requesting documents for:

Additional cases:			

Please be as specific as you can regarding the types of documents you are looking for:

Records requested by:

Name	Telephone #:	
Address		
City	State	ZIP Code

I would like the Clerk to:

<input type="radio"/> Call me when the records are ready for pick up:	<input type="radio"/> Fax records to this number:
<input type="radio"/> Mail records to this address:	

I understand that the court will make every effort to assure that the records provided are the ones that have been requested based on the identifying information provided above.

\_\_\_\_\_  
Signature of Requestor

\*Per General Rule 31.1 – Access to Administrative Records, requests for administrative records must be in writing.