Recommended Local Policy & Procedures

The Judicial Information System Committee Data Dissemination Policy (Policy) specifically covers records contained in the Judicial Information System (JIS). Local courts are encouraged to develop and formally adopt a written policy that guides data dissemination from local court record systems as well.

Examples of local court records systems that may be subject to local policy are:

- File folder check-out systems
- record access logs
- data dissemination logs
- local document imaging systems
- custom indexes of documents and/or case events
- special management databases or reports
- personnel systems

~~A recommended approach is to extend the Policy to cover non- JIS records in each court's jurisdiction. Advantages include simplicity and consistency of court data dissemination practice throughout the state.~~ Suggestions for developing a local data dissemination policy include:

- Start by reviewing the Policy and procedures.

- ~~Be sure to include language indicating that your court adopts the Policy for all other non-JIS records of your court.~~

- ~~Add to your policy that "borrowing from" PDA means that file access logs and the data dissemination logs are not public information.~~

- Specify how much time your court can spend on data dissemination without "unduly disrupting the ongoing business of the court," and document the amount of time spent. This is your protection for denying requests because of limited resources.

- Designate a Data Dissemination Administrator, and take it seriously. Consistency is very important.

- Include a description of how your Data Dissemination Administrator will define "management report for administrative purposes" from a single judge request and what the approval cycle is for management report requests.

Local Procedures

The following procedures will be followed for the release of public information by local courts clerks or the ~~OAC~~ AOC to any person who requests information, hereinafter referred to as Data Dissemination.

1. **Request**
   The request shall be made using the Request for Information form. The form must be completed, signed, and dated. Persons must attest to the accuracy of the information provided by them on the request form.

2. **Log of Requests**
   All requests and responses will be logged. Such administrative logs ~~shall not be disclosed as public information~~are disclosable under court rule GR 31.1. ~~Copies of actual reports shall not be retained. (See the Data Dissemination Request and Response Log in the Mandatory Forms section.)~~

3. **Evaluation of Request**
   The person designated as the court's Data Dissemination Administrator will evaluate the request using criteria based on JISCR 15(f) and the Policy to determine whether the request is to be accepted or denied.

4. **Sizing and Fee Estimation**
   The local Data Dissemination Administrator will translate the request into terms usable by a programmer to produce the desired information.

   All reports will be roughly "sized" by the Data Dissemination Administrator or a programmer before being run to advise the requestor of approximate fees. Fees estimated for each request are based on the JIS Data Dissemination Fee Schedule. Questions or problems will be discussed with the Data Dissemination Administrator.

5. **Fee Waiver**
   Fees may be waived for requests that are for court-related business or if the data is needed to satisfy a legislative mandate.
   ~~Fees for the request may be waived in writing at the discretion of the Data Dissemination Administrator based on good cause. Examples of good cause include, but are not limited to:~~

   - ~~Requestor's inability to pay interferes with the public right to know;~~
   - ~~Request will promote delivery of justice to Washington State citizens;~~
   - ~~Request will also be useful to the court system; or~~
   - ~~Requestor's inability to pay will result in an injustice.~~

~~5.~~6. **Denial of Request**
   If the request is denied, the Data Dissemination Administrator will send the

requestor written notification of this decision~~ within 30 days of receipt of the request~~. The notification will include the reason(s) for the denial and a summary of the appeal process. (See the Model Responses section.)

~~6.~~7. Approval of Request

If the request is approved, the Data Dissemination Administrator will ~~send~~ notify the requestor~~ a letter of approval within 30 days of receipt of the request~~. If requested, the notification should include the ~~The letter specifies the~~ estimated cost of the request and the time frame for completing the request. ~~The letter also specifies the liabilities and responsibilities for use of the requested information as well as a statement concerning the limitations of information. (See the Model Responses & Disclaimers section.)~~

If the request is by a bona fide research organization, a research agreement will be executed pursuant to the Policy. ~~the requestor will be sent a Research Agreement within 30 days of receipt of the request.~~ The Research Agreement specifies the estimated cost of the request and the time frame for completing the request after receipt of the signed Research Agreement from the requestor. This Agreement will also specify liabilities and responsibilities for use of the requested information as well as a statement concerning the limitations of information. (See the Research Agreement in the Mandatory Forms section.)

Commented [HS1]: Mandatory Forms section still needed?

If the requestor is seeking information compiled about themselves, then the requestor will be sent, within 30 days of receipt of the request, a Waiver for Release of Person- Specific JIS Information authorizing the release of information by the requestor.

~~7.~~8. Execution of Request

Upon approval of the request (and requestor's agreement to estimated costs, if any), the Data Dissemination Administrator will assign the execution of the request to a person within their office. That person will record the time spent to develop the request and the mainframe resources used by the request. The Data Dissemination Administrator will then use all fee-related information to determine the actual cost for the request.

~~**8. Verification of Information**~~

~~9. The program logic and results for all requests must be reviewed by a person other than the programmer to assure the program and results reasonably fulfill the request.~~

~~10.~~9. Response to Requestor

The requested information and an invoice of the fees for the request will be sent to the requestor. The invoice will specify that payment is due within ~~15~~ 30days of the invoice date.

~~11.~~10. Liability Statement

A ~~liability~~ disclaimer statement that was approved by the JISC Data Dissemination Committee shall be included with each report. ~~(See response #1 in the Model Responses & Disclaimers section.)~~

~~12.~~11. Processing of Payment

The court shall process payments. Evaluation and research components of the fees will be retained locally. ~~The JIS Mainframe Resource component shall be forwarded to the JIS revolving fund (BARS Account).~~

~~13.~~12. Appeals

Appeals of the court's/clerk's decision shall be made to:

Chair, ~~Judicial Information System Committee~~ JISC Data Dissemination Committee
c/o ~~Director, Information Systems Division~~ AOC Data Dissemination Administrator
Office of the Administrator for the Courts
P.O. Box 41170
Olympia, Washington 98504-1170
(See the Appeals section).

~~**Judicial Information System Committee, c/o Director**,~~
~~Information Systems Division,~~
~~Office of the Administrator for the Courts,~~
~~P.O. Box 41170,~~
~~Olympia, Washington 98504-1170~~
~~(see the Appeals section).~~