

YAKIMA COUNTY DISTRICT COURT
POLICY ON REVIEW OF RECORDS DECISION BY
THE ADMINISTRATIVE RECORDS OFFICER

I. POLICY STATEMENT:

Yakima County District Court shall respond to all requests for review of Administrative Records Officer's decisions. This shall be done in accordance with GR 31.1.

1. Overview

This policy sets forth the process by which Yakima County District Court responds to requests for review of Administrative Records Officer's decision to redact and/or withhold administrative records when fulfilling a request.

2. Notice of Review Procedures

A written summary of the procedure under which the requesting party may seek further review shall be provided by the Administrative Records Officer when responding to a public records request. Procedures will also be published on the Courts website.

3. Deadline for Seeking Review

A petition for internal review must be submitted in writing to the Administrative Records Officer using the forms provided within 90 days of issuance of the Administrative Records Officer's decision. Petition for external review must be submitted in writing to the Administrative Records Officer using the forms provided within 30 days of issuance of the Courts internal review decision. Internal review must be sought, and decision issued, before external review may be sought.

4. Processing of Request Review

a. Internal Review

Within five working days after receipt of written request, the Presiding Judge of District Court, or his or her designee, shall conduct a review of the Administrative Records Officer's decision. If it is not reasonably possible to conduct review within five working days, review shall be scheduled for the earliest practical date. The requestor seeking review shall be notified of the Court's decision in writing.

b. External Review

A requestor, after exercising the internal review process, may request an external review by choosing between two alternatives. A request for external review must be submitted within 30 days to the Administrative Record's Officer.

- i. Review via Civil Action in Court: The requestor may use a judicial writ of mandamus, prohibition, or certiorari to file a civil action in superior court challenging the Administrative Records Officer's decision.
- ii. Informal Review by Visiting Judge or Other Outside Decision Maker: The requestor may seek informal review of the decision by a person outside the court or judicial agency. A visiting judge will review decisions made by a court or judicial agency that reports directly to the court. For judicial agencies that do not report directly to the court, review shall be done by a person agreed upon by the requestor and the judicial agency. If the parties cannot agree on a person to conduct the review, then the Presiding Judge of the Superior Court in the county where the judicial agency is located shall conduct the review or appoint a person to conduct the review.

II. **MONETARY AWARDS NOT ALLOWED.** Attorney fees, costs, civil penalties, or fines may not be awarded.

III. **EFFECTIVE DATE:** This policy is effective August 3, 2020.



District Court, Presiding Judge



Date