

# Office of the Child's Representative

## Policies and Procedures for Public Access to Administrative Records

The following policies and procedures govern all public requests for access to administrative records in the custody of the Office of the Child's Representative. These policies and procedures are adopted to provide general information regarding the process related to a request for information made pursuant to Judicial's Public Access to Information and Records Rules or PAIRR.

OCR complies with Rule 2 of PAIRR, Public Access to Administrative Records of the Judicial Branch. A copy of this rule can be found at <http://www.coloradochildrep.org/wp-content/uploads/2015/11/201508-clean.pdf>.

### a. Definitions

- i. Administrative record: record (including financial record, as defined below) maintained for the purpose of managing the business or performing the duties of the OCR that is not defined as a court record.
- ii. Custodian: the Chief Financial Officer (designee) of the Office of the Child's Representative (OCR).
- iii. Financial record: an administrative record, including any documentation maintained to show the receipt, management or disbursement of funds by OCR.

### b. Exceptions and limitations

- i. Certain requests may be limited or denied based on the specific information requested.
- ii. See Section III of Rule 2 of PAIRR for a complete description of records that are not accessible.

### c. Procedure to Access Records

#### i. Request for Inspection

1. All public requests for administrative records must be made via the electronic request form available on the OCR website at <http://www.coloradochildrep.org/about-ocr/administrative-records/>. OCR will not accept a records request in any other format.
2. All records requests must include the following in order for OCR to provide the requested information within the required timeframe:
  - a. Requestor's name.

- b. Requestor's address (in the event requested information must be mailed).
- c. Requestor's email address.
- d. Requestor's phone number.
- e. Requestor's preferred means of communication (email or phone).
- f. Requestor's organization.
- g. A statement that the requestor has reviewed Rule 2 of PAIRR.
- h. A statement that the requestor has reviewed these Policies and Procedures.
- i. Specific document(s) or information requested.

ii. Acknowledgement

1. When a records request is submitted on the OCR website, an email is automatically sent to the Requestor indicating that the request has been sent to OCR. This automatic email represents OCR's acknowledgement of receipt of the request.
2. When a records request is submitted on the OCR website, an email is automatically sent to OCR's Executive Director and OCR's CFO, notifying them of the request.

iii. Response

OCR will provide one of the following responses within three (3) calendar days of the acknowledgment:

1. The record is available
  - a. OCR will attempt to provide the document(s) via email in PDF format.
  - b. If it is not feasible to provide the document(s) in PDF format, OCR shall determine the format in which the document(s) will be provided.
2. The record is not available; OCR will indicate one of the following:
  - a. The record requested is not maintained by OCR.
  - b. The request is not sufficiently specific to identify the record sought.
  - c. The record is not available for inspection pursuant to Section III of Rule 2 of PAIRR.
3. OCR requires up to seven (7) additional calendar days to respond for reasons including, but not limited to:
  - a. A broadly stated request is made that encompasses all or substantially all of a large category of records and the request is without sufficient specificity to allow the custodian reasonably to prepare or gather the records within the three-day period; or
  - b. A broadly stated request is made that encompasses all or substantially all of a large category of records and the agency is unable to prepare or

gather the records within the three-day period because all or substantially all of the resources necessary to respond to the request are dedicated to meeting an impending deadline or to a period of peak demand that is either unique or not predicted to recur more frequently than once a month; or

- c. The request involves such a large volume of records that the custodian cannot reasonably prepare or gather the records within the three-day period without substantially interfering with the custodian's obligation to perform other responsibilities.

iv. Fees

- 1. OCR will not charge a fee for any documents as a result of a public records request, provided there are fewer than 50 pages (either in hard copy or electronic format) for the specific request, or cumulatively for the requestor over the preceding six (6) months.
- 2. For requests exceeding 50 pages cumulatively over a six-month period, the OCR may charge a fee of up to \$0.25 per page and up to \$25 per hour to recoup staff time costs for review, research, and retention in accordance with Chief Justice Directives 06-01. The OCR will notify the requestor that while the record is available it will only be produced once the OCR either receives payment or makes arrangements for receipt of payment.

- v. OCR will maintain all public records requests electronically and/or in hard copy for three (3) years.

- vi. OCR will maintain copies of all documents provided as a result of public records requests electronically and/or in hard copy for three (3) years.