

# **PUBLIC RECORDS POLICY OF DARKE COUNTY, OHIO**

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## **INTRODUCTION**

We are an open government. We welcome participation by our citizens. We believe openness leads to a better informed public, which leads to more transparent government and better public policy. Citizens are entitled to access government records and the Public Records Act should be interpreted liberally in favor of disclosure.

## **HOURS AND COSTS**

You may make public records request in the County Administration Building between the hours of 8:30 a.m. and 4:30 p.m. on weekdays, excluding government holidays.

For copies of public records on 8.5 x 11 inch one sided paper in black ink, the copy cost is \$0.50 cents per page. We may require you to pay the estimated copy cost before copies are made. All other copies (photos, disks, etc.) will be provided at actual cost. If records are mailed to you, we may charge you, in advance, postage and the cost of mailing materials.

## **HOW TO MAKE A PUBLIC RECORDS REQUEST**

We will provide prompt inspection of public records and copies of public records in a reasonable period of time. When you make a request, we will ask you to complete a "Public Records Request Form," which will help us locate the records and expedite your request. You are not legally required to fill out the form, identify yourself, or give the purpose of your request. We will contact you when the records are available.

## **DEFINITION OF PUBLIC RECORDS**

Under Ohio law, public records are those items that meet all of the following elements:

1. Any document, device, or item, regardless of physical form or characteristic, including an electronic record;
2. That is created or received by, or coming under the jurisdiction of a public office; and
3. That documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. This does not include records kept for our administrative convenience.

You may ask for a copy of our records retention schedule, which will familiarize you with the types of records available.

### **RECORDS THAT WILL NOT BE RELEASED**

Under Ohio law, some records that meet the above three elements will still be withheld from release because state or federal law makes the record confidential. Some commonly-requested records that are confidential include:

1. Attorney-client privileged information and trial preparation records
2. Social Security numbers
3. Records of ongoing investigations
4. Medical records
5. BMV records
6. Records that a judge ordered to be sealed per a statute
7. Peace Officer, firefighter, EMT, prosecutor, assistant prosecutor, children's services worker, or corrections officer, Residential and Familial Information (R.C. 149.43(A)(7));

### **LIMITATIONS**

We may limit to ten the number of public records mailed to you, unless you certify in writing that you do not intend to use the records for commercial purposes.

We will not provide copies of public records that we create or receive after your original request is completed.

### **QUESTIONS OR CONCERNS**

If you have questions or concerns about Ohio Public Records law, please contact your state legislator. You can find contact information at [www.Ohio.gov](http://www.Ohio.gov).

**DARKE COUNTY PUBLIC RECORDS REQUEST**

**\*\*Note to Requester: Retain a copy of this request for your files\*\***

Request Made To: Darke County Juvenile Court

Date Requested: \_\_\_\_\_ Case Number(s): \_\_\_\_\_

Request Submitted By: \_\_\_\_\_ E-Mail \_\_\_\_\_ U.S. Mail \_\_\_\_\_ Fax \_\_\_\_\_ In Person

Name of Requester: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

How are you a party to the case? \_\_\_\_\_

Do you want Paper Copies? \_\_\_\_\_ Yes or \_\_\_\_\_ No

Do you want Electronic file? \_\_\_\_\_ Yes or \_\_\_\_\_ No

Records Requested: *\*Provide as much specific detail as possible so the public body can identify the information that you are seeking. Including dates of filing and what you are requesting, such as Judgment Entry or Magistrate Order, Motions/Complaints, and names of parties in relation to the case. You may attach additional pages, if necessary.*

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