

WAC 308-10-041 Processing of public records requests—General.

(1) The department will provide full access to public records in accordance with RCW 42.56.100, the public records officer or designee will process requests in an efficient order depending on the size and complexity of the request.

(2) Failure to respond. If the department does not respond in writing within five business days of receipt of the request for disclosure, the requestor can contact the public records officer or designee to determine the reason for the failure to respond.

(3) Third-party notification. If requested records contain information that may affect rights of others and may be exempt from disclosure, the public records officer may provide notice to persons named in the records, before providing the records to the requestor. Such notice should provide time for those other persons to contact the requestor and ask them to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request. Fulfillment of the request may be delayed while third parties consider or pursue their legal options.

(4) Inspection of physical records.

(a) The department will provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor must indicate which documents they want the agency to copy.

(b) The requestor must review assembled records or collect copied records within 30 days of the department's notification to them that the records are available. The department may notify the requestor in writing of this requirement and ask them to make arrangements to collect or review the records.

(c) The department may close the request and refile the assembled records if the requestor or their representative fails to claim or review the records or make other arrangements within 30 days of the department's notice.

(5) Providing copies of records. After inspection is complete, the public records officer or designee will make the requested copies or arrange for copying.

(6) Retrieving records. The public records officer or designee may provide access for inspection and copying in installments. The public records officer or designee may stop searching for the remaining records and close the request after 30 days if the requestor fails to inspect the entire set of records or one or more of the installments.

(7) Closing withdrawn or abandoned requests. The public records officer or designee will close the request and notify the requestor if the request is withdrawn, the records are not inspected, or the deposit is not paid.

[Statutory Authority: RCW 46.01.110 and chapter 42.56 RCW. WSR 23-09-006, § 308-10-041, filed 4/6/23, effective 5/7/23. Statutory Authority: RCW 42.56.040, [42.56.]070, and 46.01.110. WSR 10-10-040, § 308-10-041, filed 4/27/10, effective 5/28/10. Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. WSR 06-16-039, § 308-10-041, filed 7/26/06, effective 8/26/06.]