

# PUBLIC RECORDS POLICY OF SENECA COUNTY CLERK OF COURTS

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## INTRODUCTION

We are an open government in Seneca County and at the Seneca County Clerk of Courts Office. 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 requests at the Seneca County Clerk of Courts Office located on the 1<sup>st</sup> floor of the Annex Building at 117 E. Market Street, Suite 4101, Tiffin, Ohio 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 ten (10) cents per page. We may require you to pay the estimated copy costs 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. A fee of \$5.00 for records requested on BMV Form 1173.

## 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. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested. 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.** If the records cannot be provided while you wait, we will contact you when the records are available. Any denial of public records requested shall include an explanation.

## 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.

Reviewing our records retention schedule will familiarize you with the types of records available. Public records do not include records kept for our administrative convenience.

### **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
2. Social Security numbers
3. Financial account numbers
4. Minor's names and information
5. Records of ongoing investigations
6. Medical records
7. BMV title records and personal information
8. Records that a judge ordered to be sealed.
9. Peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, community-based correctional facility employee, youth services employee, firefighter, EMT, or investigator of the bureau of criminal identification and investigation residential and familial information (R.C. 149.43(A)(7))

### **LIMITATIONS**

We may limit to ten (10) 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).

This public records policy is effective the 26<sup>th</sup> day of March, 2015 and is subject to amendment at the discretion of the Seneca County Clerk of Courts.

**Jean A. Eckelberry**  
**Seneca County Clerk of Courts**