

**STANDARDIZED RESPONSE PROCEDURE
TO PUBLIC RECORDS REQUEST**

I. UPON RECEIPT OF PUBLIC RECORDS REQUEST

A. Immediately upon receipt:

- i. Verify request received by hand, by mail or email in writing.
- ii. Review request to see if records “reasonably described”; RAO can request clarification from requestor.
- iii. Determine response date or production date (10 business days) and diary date for response or production.

B. Within 10 Business days but Prior to 10th Business day:

- i. Determine if records exist in possession, custody or control.
- ii. Ensure request is provided to correct department RAO and transmit to correct.
- iii. Send request to officials, Employees, Board members who may have custody of records
- iv. If records exist, determine how long to search, compile and reproduce. Town RAOs have an additional 15 days to produce.
- v. If size, complexity or multiple requests or requests are unduly burdensome, evaluate request and determine fee and provide fee to be assessed to requestor in writing.
- vi. If records are available as electronic records, records should be provided in electronic format that is requested or in standard searchable format unless requestor is unable to receive electronically.
- vii. Draft and send response letter if will take more than 10 days to produce records, records will be withheld or redacted.

II. PRODUCTION OF RECORDS

- A. If no additional time needed, no withholding or redacting, produce records. If records available electronically, provide access information.
- B. Collect fee prior to providing records
- C. Make records available for inspection, pickup or delivery in the format requested by requestor.
- D. Document date requested information provided, number of hours to comply, and fees if any charged.

III. OPTIONS FOR ADDITIONAL TIME

- A. When additional time needed:
 - i. Send letter to requestor within 10 business days:
 - a. confirming receipt;
 - b. identify any records not in possession, custody or control;
 - c. identify any other agency in possession of records, if known;
 - d. identify records intended to be withheld and reasons and specified exemptions for non-disclosure.
 - e. identify what is produced and basis for request for additional time (size, complexity, undue burdensome)
 - f. identify a reasonable time to produce (not longer than 25 days or agreed later date if agreed with requestor)
 - g. suggest a modification of request
 - h. provide a good faith estimate of fees
 - i. include a statement of requestors' rights to appeal to Supervisor or Superior Court

NB: Letter to be reviewed by counsel.

IV. APPEAL BY RAO TO SUPERVISOR FOR MORE TIME

- A. if more than 25 days needed to respond, RAO must determine within 20 days.
- B. RAO drafts and submits Petition to Supervisor of Records not later than 20 days after date of receipt of PRR (with counsel)
- C. RAO provides Petition to requestor
- D. Supervisor determines within 5 days
- E. Records to be produced in accordance with decision.

V. FEES

- A. Permissible Fees:
 - i. Cost of Storage Device
 - ii. \$.05 per page (B&W materials)
 - iii. Hourly rate of lowest paid employee with skills to compile, segregate, redact and reproduce not to exceed \$25/hr without Supervisor permission.
 - iv. Employee time may include vendor time.
- B. Costs that May Not be Included:
 - i. If population is >20,000 the first 2 hours are free of charge for hourly time
 - ii. Staff time for segregation and redaction unless approved by Supervisor of Records
- C. Petitions to Supervisor of Records for Fee Adjustments
 - i. Hourly rates in excess of \$25.00/hr
 - ii. Time spent for segregation and redaction when not required by law

