

**DESCHUTES COUNTY, OREGON**  
**TRIAL COURT ADMINISTRATOR WRITTEN PROCEDURE**  
**PUBLIC RECORDS REQUESTS**  
**TO THE DESCHUTES COUNTY CIRCUIT COURT**

**1. Application**

A person or organization may inspect or request copies of public records held by the Deschutes County Circuit Court.

The Deschutes County Circuit Court will make records, except those exempt from disclosure, available for inspection or copying at cost.

**The following policy applies to all requests to inspect or copy public records, except routine requests made in person:**

- to court filerom staff and
- to inspect current case records that are not confidential or otherwise exempt from disclosure or for uncertified copies of a few pages from those records.

**2. How to Request Public Records in Deschutes County**

All requests for public records must be in writing, signed by the person making the request, and mailed or presented in person to the Deschutes County Trial Court Administrator or his/her designee. We do not accept requests by fax, email or phone.

We are not the custodian of records held by federal, municipal, justice, or tribal courts.

**3. When We Receive Your Request**

When we receive your request, we must first determine whether the Deschutes County Circuit Court is the custodian of the requested record. We will notify you whether we have all, some, or none of the requested documents.

- State law requires us to make available for inspection or to copy only those records that exist at the time of the request. If you want to inspect or obtain copies of

records on a continuing basis, we may require you to make a new request for records created after the earlier request.

- State law does not require us to create new public records to respond to a request.
- State law does not require us to create new information using our computer programs or to create a new program to extract data in our computers in a manner you request.
- State law does not require us to develop or acquire new or additional software or programs to retrieve information you request.
- State law gives priority to our regular duties. It does not require us to provide records by a deadline you set. We process requests in the order we receive them. We try to respond promptly, but state law does not require us to interrupt our regular duties to respond to records requests. Staffing shortages and other circumstances or research requirements may delay a response. We will notify you that we have received your request and give you an estimated time if fulfilling your request will take longer than 20 business days.
- State and federal law requires or allows us to keep some information and records confidential.
- State law allows us to take reasonable measures to protect our records. It also restricts who may remove court files from the office of the court administrator. Therefore, we supervise inspection of our records for requestors who want to inspect records rather than have us copy them first. We charge for staff time to supervise inspection. For some types of records (e.g., digital recordings of court proceedings or documents with some information that is exempt from disclosure), we will make a copy available for inspection as needed to protect the original and to protect confidential information.

#### 4. **Fees**

We will give you an estimate of costs if they will likely be more than \$25.00. If requesting an audio copy of a hearing, court staff will always research to make sure the matter was recorded. Staff will then price quote the requestor, in writing. Staff will then process the request once payment is received by the court. Staff will not proceed further with the request until you confirm in writing that you want the court to proceed and until you send payment in advance and the payment clears. We will refund any excess payment over actual costs. If we underestimate our costs, we will inform you as soon as possible so you can determine whether you want us to continue working on your request.

State law allows us to charge fees to recover our actual costs for locating and providing public records. For photocopies that we make of letter-size or legal-size pages, including normal, reasonable staff time to locate, separate, photocopy, and return documents to files and to prepare copies for mailing, we charge

- \$0.25 per page (a double-sided copy is two pages)

Normal, reasonable staff time is 10 minutes or less per request.

We may charge additional amounts for staff time and other actual costs when responding to requests that require additional services or more than the normal and reasonable time for routine requests, including:

- time we spend to locate, compile, and sort requested records, even if we find no records that respond to your request or the records we do find are exempt from disclosure
- time we spend to review requested records and redact any exempt material
- time we spend to copy requested records
- time we spend returning documents to files
- time we spend to supervise inspection by the requestor
- necessary research time
- time we spend preparing correspondence related to your request
- special copy services and mailing services for documents that are not of standard size or for voluminous requests

State law permits us to charge for certifying that a copy of a document is a true copy. If you request a certified copy, we charge

- \$1 per document for appellate court records and for the State Court Administrator's administrative records (ORS 21.020)
- \$5 per document for trial court records, including Tax Court records (ORS 21.325(1)(h); Chief Justice Order 02-067; see ORS 305.493.)

## **5. Required Information**

To help us find records that respond to your request, your request must identify as specifically as possible, the following: (complete and submit attachment #1)

- type of record(s)
- subject matter
- approximate dates(s) we created or received the record
- names of people named in the record or who created or received the record
- the number of copies you request for each record requested
- which copies, if any, you want us to certify

Your request must also include the following:

- name and signature
- address
- telephone number where we can reach you during business hours  
email address, if applicable

- If requesting audio copies, the requestor must complete each of the required sections of the audio copy request form. The forms are located on the Deschutes County Circuit Court website. Submit the completed form(s) to the Audio Copy Coordinator for price quoting, payment and processing. (complete and submit attachment # 2 for the general public or complete and submit attachment # 3 for the prosecution and public defense requests)

If your request is not specific enough for us to easily identify and locate the records you request or is very broad (and therefore costly), we may call or write you for more information or clarification so that we can keep your cost and our cost reasonable.

If you are requesting audio copies of hearings in a case, you are required to provide the exact dates of the hearings. Broad requests such as “all hearings in the case” will not be processed by the court without research fees being received in advance of the service. We may call or write you for more information or clarification so we can keep your cost and our cost reasonable, as stated above.

## **6. Fee Waiver Policy**

Oregon’s taxpayers bear the cost to provide records for free or reduced cost. We will consider waiving some or all of the cost to respond to a public records request only if you demonstrate that disclosure of the records is in the public’s interest because it affects the community or society as a whole and helps us meet our responsibilities to them. A concern or interest of a private individual or entity does not merit a fee waiver.

We generally do not waive fees for requests made by for-profit business entities except when necessary to enlist the public’s assistance in public safety or personal safety issues.

Requests for fee waivers must be in writing. Fees waiver forms are located on the Deschutes County Circuit Court Website.

**DESCHUTES COUNTY, OREGON**

**PUBLIC RECORDS REQUEST**

[please print or type, except for your signature]

**Date:** \_\_\_\_\_

**Requestor's Contact Information:**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

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

Weekday telephone number(s): \_\_\_\_\_

Email address: \_\_\_\_\_

I want to [check one]  inspect  get a copy of  get a certified copy of  inspect and get a copy of the following Judicial Department record(s) [this information helps us identify the specific records you want]:

Type of Record(s)

Subject Matter:

Approximate date(s) the Judicial Department created or received the record(s):

People named in the record(s) or who created or received the record(s):

Attachment # 1

Additional information to help identify the records I want:

Number of copies [if you want more copies of some records than others, list the number of copies you want for each record requested]:

Please certify copies of the following record(s):

# Audio Copy Request Information & Request Form

(For Public Use)

## INFORMATION AND INSTRUCTIONS

Audio copies of non-confidential recorded court proceedings can be obtained from the Deschutes County Circuit Court as outlined in the Trial Court Administrator's Written Procedures-Public Records Request to the Deschutes County Circuit Court. Court staff will provide copies on either compact disc, cassette tape or VHS tape. The type of media used for the copy is determined by the type of media for the original recording, digital or taped. The cost is:

- \$10 for each cassette tape, VHS tape or CD
- \$.25 per page for accompanying log sheets of the proceeding, if requested
- No cost for html log sheets saved to the compact disc
- postage costs, if a self addressed stamped envelope is not provided
- The court will only mail to parties outside of Deschutes County

Court staff prepare the audio copies on standard CD-R CD's. To listen to them you must have a personal computer (PC) with a sound card and speakers. The court uses FTR (For the Record) for our audio recordings. The court will supply a link on the CD to download the program for free. Follow the directions for downloading from the FTR website ([www.ftgold.com](http://www.ftgold.com)) The court cannot assist you if you encounter problems with downloading the FTR player. If you encounter any technical difficulties, you will need to contact technical support at FTR Gold.

To obtain a copy of a recorded proceeding fill out this form completely and submit it to: **Deschutes County Trial Courts, Attn: Audio Copy Coordinator, 1100 NW Bond Street Bend, OR 97701.** Once the court receives the original request form:

- Staff will determine if the proceeding was recorded
- determine how many CD's or tapes will be needed to fill the request
- if requested, determine how many log sheets there are to fill the request
- determine the postage costs, if a self addressed stamped envelope is not provided
- determine the total cost due

After we complete the research listed above, we will notify you of the amount due by mail or phone. Once the court receives payment, we will make the copies as soon as possible, but at times court staff are in court on lengthy trials and also have other job duties. As a result, you may typically expect a three-day turn around from the time you make your payment to the time the copies are ready for pick up or mailing. The copies will be available for you to pick-up at our information office on the first floor of the Justice Building, 1100 NW Bond Street Bend, Oregon 97701. If you live outside of Deschutes County and are unable to pick your copies up, we will mail them to you, at your cost, or mail them in a self addressed stamped envelope that you provide to the court.

Pursuant to statute, Juvenile, Mental Commitment and Adoption proceedings are confidential. To request a copy of one of these matters, you must submit an original letter with your signature to the Trial Court Administrator stating the following:

- your relationship to the case,
- case name and number, and
- the date and time of the hearing.

The Trial Court Administrator will determine if the requested copy is subject to disclosure. Send letters regarding requests for audio on confidential matters to: **Deschutes County Trial Courts, Attn: Trial Court Administrator: 1100 NW Bond Street Bend, Oregon 97701**

**THIS SECTION TO BE COMPLETED BY THE PERSON MAKING THE REQUEST**

TODAY'S DATE: \_\_\_\_\_

PERSON MAKING REQUEST: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

CASE NAME: \_\_\_\_\_

CASE NUMBER(s): \_\_\_\_\_

DATE(s) COURT PROCEEDING WAS HELD (the court will not process the request without specific court dates listed): \_\_\_\_\_

DO YOU WANT COPIES OF THE LOG SHEETS (at .25 cents per page)?  yes  no

DO YOU WANT HTML LOG SHEETS SAVED TO THE COMPACT DISC?

(this option is only available on audio that is being saved to a compact disc)  yes  no

COPIES TO BE:  Picked up at Court Information

Picked up from Courthouse Mailbox (for attorney's that have one)

Mailed (only for people that do not live in Deschutes County) to:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**THIS SECTION TO BE COMPLETED BY THE PERSON THAT WILL PROCESS THE REQUEST**

Fill out this section <i>prior</i> to making copies.						
# of CD's or Tapes to be copied	Cost of CD's or Tapes (\$10 each)	Cost for copies of log (.25 per page)	Cost of Postage if applicable	Total Cost Due	Date Notified of Amount Due	Initials

Fill out this section after payment is received.		Fill out this section after copies are made.		
Date Paid	Amount Paid	Date copies made	Date Copies Routed as Requested Above	Initials

## Audio Copy Request Information & Request Form

(for Indigent Defense Providers & District Attorney's Office)

Audio copies of non-confidential recorded court proceedings can be obtained from the Deschutes County Circuit Court as outlined in the Trial Court Administrators Written Procedures-Public Records Request to the Deschutes County Circuit Court. We make copies on either compact disc, cassette tape or VHS tape. The type of media used for the copy is determined by the type of original recording, digital or taped.

If you are an indigent defense provider or a government agency (i.e., District Attorney, County Counsel, etc.) you may submit blank media to the court and we will copy the audio onto it. If you want copies of the accompanying log sheet(s), the cost is .25 per page or in the alternative if the audio is saved to a compact disc, the FTR log sheets can be saved to the compact disc as an html file for your review and printing at no additional cost.

To obtain copies of recorded proceedings, fill out this form completely and submit it to: **Deschutes County Trial Court, Attn: Audio Copy Coordinator, 1100 NW Bond Street Bend, Oregon 97701.** Along with the form, submit a blank CD-R 650 mb compact disk, cassette tape, or VHS tape (as stated previously depending on the type of original recording).

We will attempt to make the copies as soon as possible, but at times court staff are in court on lengthy trials and have other job duties. As a result, you may typically expect a three-day turnaround from the time the original request and media for the copy is received by the court .

Pursuant to statute, Juvenile, Mental Commitment and Adoption proceedings are confidential. To request a copy of one of these matters, you must submit an original letter with your signature to the Trial Court Administrator stating the following:

- your relationship to the case,
- case name and number, and
- the date and time of the hearing.

The Trial Court Administrator will determine if the requested copy is subject to disclosure. Send letters regarding requests for audio on confidential matters to: **Deschutes County Trial Courts, Attn: Trial Court Administrator: 1100 NW Bond Street Bend, Oregon 97701.**

### **THIS SECTION TO BE COMPLETED BY THE PERSON MAKING THE REQUEST**

**TODAY'S DATE:** \_\_\_\_\_

**PERSON MAKING REQUEST:** \_\_\_\_\_

**PHONE NUMBER:** \_\_\_\_\_

**CASE NAME:** \_\_\_\_\_

**CASE NUMBER(s):** \_\_\_\_\_

**DATE(s) COURT PROCEEDING WAS HELD** \_\_\_\_\_  
**( the court will not process the request without specific court dates listed):**

**DO YOU WANT COPIES OF THE PRINTED LOG SHEETS (at .25 cents per page)?**    *yes*    *no*

**DO YOU WANT HTML LOG SHEETS SAVED TO THE COMPACT DISC?**  
(this option is only available on audio that is being saved to a compact disc)    *yes*    *no*

**COPIES TO BE:**    Picked up at Will Call in Court Information

Picked up from your Courthouse Mailbox

**THIS SECTION TO BE COMPLETED BY THE PERSON THAT WILL PROCESS THIS REQUEST**

<b>CD/Tape/VHS Exchange</b>	<b>Date copies made/routed</b>	<b>Routed to Will Call</b>	<b>Routed to Courthouse Mailbox</b>	<b>Initials</b>