

REQUEST FOR PUBLIC RECORDS

The Cullman County Commission, Alabama Policy for Access to Public Records

For all fees related to record request, please review section 4.2, all fees will be applied before the record request is fulfilled.

The Code of Alabama 1975, Section 36-12-40, states that **"Every citizen has a right to inspect and take a copy of any public writing of this state, except as otherwise expressly provided by statute."** It is the policy of the Cullman County Commission to provide access to inspect and make copies available of open public records that are received or created in the normal course of the County's business operations. To facilitate this service, and minimize costs for all Cullman citizens, the County has adopted the following policy to ensure that the right of access is always protected, and records are readily available under reasonable conditions.

1. Members of the public will be provided access to the County's official records on regular business days, Monday through Friday, between 9:00 a.m. and 3:00 p.m. Copies of records may be obtained during the same hours.
2. To insure accuracy and timely records production, the records request initiator must complete the form entitled "[Request for Public Records Form.](#)" Please include as much information that you feel will be helpful for County staff to locate the required records.
3. In addition to in-person requests for copies, the County will provide copies by email when possible. A copy of the form entitled "[Request for Public Records Form](#)" must be received prior to the County's staff commencing work on a records request. Remit requests to the following mailing address or in person.

Cullman County Commission
Attn: County Clerk
500 2nd Ave SW, Room 105
Cullman, AL 35055

4. The designated County staff will provide the records you request as quickly as possible. Because of issues, such as limited staff, records stored off-site, large

volume of records requested, complexity of the request, and requirement of staff supervision during records inspection, you may be asked to return to inspect the records or to obtain copies.

4.1 Record requests that are more non-routine (**defined as complex or extensive**) in nature may require additional time to research and produce. As required, additional charges for production will be applied. If possible, prior to commencing work, **the requester will be informed as to the time required and all estimated costs associated with researching, copying, certification (if required), and staff time, including information technology resources.** (See item 4.3 for additional detail.)

4.2 Providing copies of records for routine, or simple requests will be **a minimum of five \$5.00 dollars per report.** For additional copies of a report there will be 25 cents for each page side duplicated for pages not exceeding 8 ½ by 14 inches . **For non-routine requests, a charge will be assessed based on the actual cost of production. Payment of check or cash must be received prior to production.**

When it is necessary to charge for the actual cost of records production, the total cost will be estimated by the County Clerk and the requester will be required to make a deposit of **50%** of the total estimated cost of completing the records request prior to work commencing on gathering the documents. The remainder of the cost will be due before records are released to the requester. The County reserves the right to limit or prohibit the photocopying of fragile records. Some departments may have separate records charge schedules which will prevail.

4.3 All subpoenas and other court orders that are issued by a court of competent jurisdiction which require records production will be completed within the time frame specified by the order. If additional time is required, the court will be notified, in writing, of the circumstances that require the delay. In the absence of a required time frame, the production response will be completed in the same manner as any other ordinary records request. All subpoenas will be forwarded to the Legal Department for action.

4.4 The County will not assemble reports or compile data that isn't already being assembled or compiled in the normal course of business. When appropriate, information resources will be provided to enable the requestor to assemble or compile their own reports or data. If providing this information requires excessive staff time and other resources, these costs will be borne by the requestor in the

same manner as prescribed in item 4.2 above and according to the Cullman County Commission Request for Public Records Form Fee Schedule.

5. County administrators will make every effort to prevent the release of statutorily specified confidential, proprietary, and personally identifiable information and will take reasonable measures to safeguard an individual's privacy as recorded in the content of all County records.

5.1 Records and document content that are not eligible for release may include: information received by a public officer or public official in confidence; information which contains sensitive personnel records; pending criminal investigations; information received in anticipation of litigation or likely litigation; and records which, if released, would be detrimental to the best interests of the public. These shall remain confidential and exempt from disclosure without a proper Court Order and an opportunity for the County to object, appeal and have all appeals concluded.

5.2 In accordance with state and federal laws, some County records may not be open for public inspection. Details about which County records or record parts are restricted may be obtained from the County's Records Manager. There is no charge to inspect records that are routine in nature and require nominal clerical time to locate or provide minimal supervised inspection. Extended supervision cost and time scheduling will be based on an individual basis.

TAKING PICTURES WILL NOT BE PERMITTED. Additionally, for a copy of a report therein will be a five \$5.00 dollar fee applied. For each additional copy of the report, there will be a 25-cent fee applied.

5.3 Some records that may be otherwise open for inspection may contain content which is confidential or closed to public access. As required, every reasonable effort will be made to redact such information through document pre-screening by a designated County employee who is qualified to assess the record's content to identify record elements that require redaction prior to inspection and/or production .

5.4 Charges for this pre-screening will be assessed as part of the production costs. When staff time and other resources impose an undue burden on the County's financial resources, and available staff time, additional charges will be assessed.

6. Use of food, drink or tobacco in any form is not permitted in the records storage or reference area.

7. Staff may ask to inspect items in a researcher's possession (tote bags, backpacks, briefcases, computer case, etc.) upon his/her entering or leaving the records area.

8. No records will be removed from the records storage, office, or reference area unless the recipient and/or transporter are approved by the Records Management Service and with subsequent approval from the Legal Department.

9. No original record, or master record, will be given or donated to any individual or organization unless authorized by statute and by election of the receiving responsible authority to accept responsibility for such records through a binding agreement.



REQUEST FOR PUBLIC RECORDS OF THE CULLMAN COUNTY COMMISSION

Citizens wishing to obtain copies of public records should complete this form and return it to the Cullman County Commission Office:

Name _____

Address _____

Phone Number _____

Email Address _____

Description of documents requested _____

Signature _____ Date _____

For Cullman County Commission Use Only:

Records Request Received _____ day of _____ 20 ____.

Records Inspected On _____

Access Officer Signature _____

of Copies Made _____ Charge for Copies \$ _____

Requestor Signature _____