



COUNTY OF LEAVENWORTH

300 Walnut, Suite 225
Leavenworth, Kansas 66048-2815
(913) 684-0417
bocc@leavenworthcounty.gov

Open Records Request

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone (Optional): _____ Email (Optional): _____

NOTICE

K.S.A. 45-230 prohibits using names and addresses derived from public records for commercial purposes. This includes using public records to sell property or services. Persons are also prohibited from obtaining public records with the intention of making the records available to a third party for such purposes. Violation of this law is a civil offense punishable by fine. Violations will be referred to the attorney general or district attorney for prosecution.

The undersigned hereby requests access to the records described below and certifies that the undersigned has a right of access to the records. The undersigned further certifies that the information obtained from the records will not be used for a prohibited purpose. Sign below to request a record under the Open Records Act, K.S.A. 45-215 *et seq.*, and to indicate your understanding of the conditions outlined above.

Signature: _____ Date: _____

Records Request: _____

(Please provide a specific description of the records you want to inspect or copy.)

Fees to Access Records

- The fees will be determined based on actual cost to produce the requested records.
- Prior to receiving the requested records you will be informed of the amount due.

POLICY AND PROCEDURE FOR OBTAINING COPIES OR ACCESS TO PUBLIC RECORDS PURSUANT TO THE KANSAS OPEN RECORDS ACT-KORA K.S.A 45-215

REGULAR BUSINESS HOURS: 8 A.M. TO 5 P.M., Monday through Friday, except for officially observed holidays. Requests received after 5:00 p.m. will not be logged in and processed until the following business day.

DESIGNATED CUSTODIAN: County Administrator and County Counselor. County Courthouse, 300 Walnut, Leavenworth, KS 66048; mbrown@leavenworthcounty.gov.

ACCESS TO COUNTY RECORDS

County records subject to disclosure under the KORA can be made available for inspection and copying during regular business hours of the county. Prior contact with the county is encouraged in order to facilitate this. A county employee must be present during the inspection and copying.

Requests for copies of records subject to disclosure under the KORA should be directed to the Designated Custodian for processing. Requests will be answered as quickly as possible and within the KORA. A copy of a Records Request form may be downloaded from the county website at www.leavenworthcounty.gov, Planning and Zoning, Forms. Use of the form is encouraged as it will reduce the chances of any misunderstanding of the nature and scope of the request and delay in responding to your request. This form is not required to be used, but the following is required in order to properly process a request

- The request must be in writing

- The name of the requesting party

- A mailing address for the requesting party

- A phone number or e-mail address where the requesting party can be contacted, and

Detailed information about the records being requested. This will help staff in determining if the requested records exist, are in the county's possession and are subject to disclosure under KORA. Requests for records not yet in existence or documents to be created prospectively cannot be honored.

REQUESTS FOR ELECTRONIC FORMAT RECORDS

The records custodian will be the sole judge of the ability of the agency to comply with any request for the records to be provided in electronic format or for records that must be produced in any special computer generated format.

FAX AND AIR EXPRESS DELIVERY

Generally, records may be faxed if the request is for fewer than 15 pages and fax time and facilities are readily available.

If air express delivery is requested, the requesting party must arrange for pick up and packaging of the records; all associated costs for such delivery must be paid by the requesting party.

The county records custodian has sole discretion as to whether to honor requests for faxing or express delivery.

RESPONSE TIME

The county will act upon requests as soon as possible, with some response being made to the requesting party no later than the third business day following the receipt of the request. If it appears that additional time will be needed, fees will be assessed., or some of the records may be closed by law, or otherwise not subject to disclosure under KORA, a written response will be provided as soon as the records have been located and reviewed.

FEES

The following fees shall be charged:

Copies: \$0.25 will be charged per page for paper copies, \$0.125 per page for electronic copies.

Mailing: A charge for first class postage will be made for the mailing of paper copies. Electronic copies may be mailed or transmitted electronically and the cost calculated on volume.

Faxes: A charge of \$0.65 per 10 page fax.

Staff time: Staff time will be charged at the rate of pay and benefits for each person(s) whose time is used in order to assist and/or respond to a specific request. This may include the time spent to access records maintained on computer facilities, review records to determine whether closure exceptions apply and/or to redact open from closed information. For most requests the time charged will be:

Clerical time: \$18 per hour;

Information Technology services: \$38 per hour;

Legal staff: \$44 per hour

Time for other classification: Charged based upon actual costs per hour.

Additional fees, including any costs incurred by the county in connection with complying with a record request may be assessed to the requesting party.

ADVANCED PAYMENT OF FEES REQUIRED

The county will provide the requesting party with an estimate of the fees before processing or providing access to records. This estimate fee must be paid before the county processes the request or provides access to records.

While the county will do its best to provide an accurate estimate of the fee, it is possible that the records can be produced for less than the estimated cost, in which a refund of any additional amounts will be refunded.

It is also possible that the estimated fee is low once the actual processing work is started. If the county discovers that the estimated fee is too low, the county will promptly advise the requesting party of the corrected estimated fee, and request advance payment of the additional costs before continuing work on the request.

Payment may be made by check or money order **payable to the Treasurer of Leavenworth County, Kansas**. Returned checks will incur an additional fee of \$30.00.