

**GREENE COUNTY CLERK OF COURTS (AUTO TITLE DIVISION) PUBLIC
RECORDS POLICY EFFECTIVE SEPTEMBER 29, 2007**

Introduction:

It is the policy of the Greene County Clerk of Courts office that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Greene County Clerk of Courts office to strictly adhere to the state's Public Records Act, as well as, all applicable Federal Laws, such as the Driver's Privacy Protection Act (DPPA) effective June 1, 2000. Pursuant to the Driver's Privacy Protection Act, certain personal information contained within motor vehicle and/or watercraft record is fully protected, therefore, such information is exempt from disclosure under ORC 149.43 (Ohio Public Records). All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request will be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code and/or Federal Law (such as DPPA). If the request is in writing, said explanation must also be in writing.

Section 1. Public records

The Greene County Clerk of Courts office, in accordance with the Federal Law and the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

Section 1.1

It is the policy of the Greene County Clerk of Courts office that, as required by Federal and Ohio law, auto records will be organized and maintained so that they are readily available for inspection and copying by those **authorized by law** to view/inspect said records. Record retention schedules are to be updated regularly, as needed.

Section 2. Record requests

Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1

The Driver's Privacy Protection Act requires all requesters (except law enforcement and the Courts) to make their request in writing by completing OBMV form 1173 (Record Request Form). The completed form will then be reviewed for compliance and a determination as to the level of access (if any) to a motor vehicle and/or watercraft record that will be granted. The requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian will contact the requester for clarification.

Section 2.2

The requester must put a records request in writing using OBMV form 1173 and must provide his or her identity and provide the intended use of the requested public record.

Section 2.3

Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within 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.

Section 2.4

Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, motor vehicle and/or watercraft records, budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.

All requests for public records must either be satisfied (see Section 2.4) or be acknowledged in writing by the Greene County Clerk of Courts office within three business days following the office's receipt of the request. If a request is deemed

significantly beyond “routine,” such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

Section 2.4a – An estimated number of business days it will take to satisfy the request.

Section 2.4b – An estimated cost if copies are requested.

Section 2.4c – Any items within the request that may be exempt from disclosure.

Section 2.5

Any denial of public records requested must include an explanation, including legal authority.

Section 3. Costs for Public Records

Costs as follows:

Section 3.1 The charge for paper photo copies is 5 cents per page; \$2.00 per page for certified copies (pursuant to ORC 4505.14Fees).

Requesters may ask that documents be mailed to them when the requester provides a self-addressed stamped envelope with sufficient postage applied.

Section 4. E-mail

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. The Greene County Clerk of Courts office follows the “Guidelines for the Management and Retention of Electronic Mail” as established by the Greene County Records and Information Department (as adopted by the Board of Commissioners Resolution 01-12-20-11

Section 5. Failure to respond to a public records request

The Greene County Clerk of Courts office recognizes the legal and non-legal consequences of failure to properly respond to a public records request. Therefore, the office will do all that is can to comply with public records request in a timely and efficient manner.
