

## **MAKE YOUR REQUEST AS SPECIFIC AS POSSIBLE TO EXPEDITE THE PROCESS...**

- You must provide proof of identity, if requested.
- Most records will be produced within three business days from the time the request is received.
- If your request is delayed or denied you will receive a written explanation for the delay or denial within those three days.
- Reasonable fees, not exceeding actual costs, may be charged for access to records, copies or records, and staff time for processing your request.

Additional information including the complete Kansas Open Records Act and a summary and explanation of the Act produced by the Kansas Attorney General may be found at:

<http://ag.ks.gov/legal-services/open-govt>

If you have questions about your request, you may contact Janet Paddock, Freedom of Information Officer at 785.229.3410.



### **Freedom of Information Officer**

Janet Paddock, County Clerk  
315 S. Main, Room 106  
Ottawa, Kansas 66067  
Phone: 785.229.3410  
Fax: 785.229.3419

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# **KANSAS OPEN RECORDS ACT**

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## **GUIDE TO: COUNTY PUBLIC RECORDS**



# **Franklin**

COUNTY KANSAS

— ] EST. 1855 [ —

FRANKLIN COUNTY COURTHOUSE  
315 S. MAIN, ROOM 106  
OTTAWA, KS 66067  
785.229.3410

# YOUR RIGHTS...

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- To inspect and obtain copies of public records which are not exempted from disclosure by a specific law.
- To obtain a copy of the County's policies and procedures for access to records, and to request assistance from the County's Freedom of Information Officer.
  - To Receive a written response to your request within three business days
  - The response may inform you that it will take additional time to produce the records. Reasons for the additional time may include voluminous records, complicated requests, unresolved legal issues or difficulty in accessing records in a dead storage.
- To bring a private law suit or to file a complaint with the Kansas Attorney General's Office if you feel you are wrongfully denied records.

## WHAT RECORDS ARE AVAILABLE...?

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Most records maintained by public entities are open for inspections and/or copying by individuals. Records commonly requested include, but are not limited to:

- Resolutions;
- Minutes from open meetings'
- Salaries of County Officials & employees;
- County Budgets; and
- Policies.

## EXCEPTIONS TO OPEN RECORDS ACT...

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The Kansas Open Records Act recognizes that some records contain private or privileged information. For this reason the Act lists a number of exceptions, up to and including:

- Personnel information of County employees;
- Medical treatment records;
- Records which are protected by the attorney-client privilege or the rules of evidence;
- Records containing personal information of which would invade personal privacy;
- Notes and preliminary drafts;
- Criminal investigation records; and
- Several other specific records outlined in Kansas Statute.

For a complete list of exemptions and exceptions, see K.S.A. 45-221. The County is only required to provide public records that already exist.

## WHY WOULD MY REQUEST BE DENIED...?

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Although every attempt will be made to provide the information requested, it is not always possible to fulfill the request. There are a number of reasons that a request may be denied, including:

- The specific record that was requested does not exist;
- The request was unclear and should be resubmitted with more detail;
- The record that was requested is closed to protect an important privacy interest.

## REQUESTING A RECORD...

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- You must request records – written, photographic or computerized.
- Request the appropriate records custodian to determine if the record you need exists or is available.
- Be ready to provide a specific description of the record you seek.
- You may be asked to submit your request for information in writing.



**REQUEST PURSUANT TO THE KANSAS OPEN RECORDS ACT**

(Read carefully before signing)

“No person shall knowingly sell, give or receive, for the purpose of selling or offering for sale any property or service to persons listed therein, any list of names and addresses contained in or derived from public records...” K.S.A. 45-230(a).

Violation of this law may subject the violator to a civil penalty of \$500 for each violation.

By signing below, I acknowledge that I am aware of and understand K.S.A. 45-230. Pursuant to Kansas Open Records Act, I request the following records – (please specify):

Requestors Name: \_\_\_\_\_

(Please Print)

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

Requestors Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**By signing this request form, the requestor makes the following certification pursuant to K.S.A. 45-220(c)(2): “The requestor does not intent to, and will not: (A) Use any list of names or addresses contained in or derived from the records or information for the purpose of selling or offering for sale any property or service to any person listed or to any person who resides at any address listed; or (B) sell, give or otherwise make available to any person any list of names or addresses contained in or derived from the records or information for the purpose of allowing that person to sell or offer for sale any property or service to any person listed or to any person who resides at any address listed.”**