The Game Plan
Processing a Request from Start to Finish

WAPRO Spring Conference - May 10, 2018

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~Goals of Today's Presentation~

Provide Tips on How to Map out Your PRA Response Game Plan:

1. Read & Scope Complex Requests.
2. Communicate With Requesters.
3. Estimate & Allocate Time and Resources Efficiently & Fairly.
4. Prioritize the Workload to Figure Out What Goes out First.
5. Deal with the Stress.

You Have Received a Public Records Request. Here are the Steps in a Nut Shell….

- Request received.
- Request logged & assigned to PD staff.
- 5-day letter sent.
- Request routed to staff to gather records.
- Records gathered by staff.
- Records are reviewed & redacted.
- If applicable, 3rd Party Notification occurs.
- Records provided to requester.

The WAPRO Toolkit is Here to Help….

- The WAPRO Toolkit has been updated.
- The material in the WAPRO Toolkit is provided as reference material and as examples of standard practices at different agencies.
- Every PRA request can be unique so these examples should be adapted to fit your situation.

WAPRO TOOLKIT
TABLE OF CONTENTS

Three Sections:

WAPRO TOOLKIT
TABLE OF CONTENTS

Section 1:

LETTERS

WAPRO TOOLKIT TABLE OF CONTENTS Continued….

Section 2:

FORMS

WAPRO TOOLKIT TABLE OF CONTENTS Continued….

Section 3:

LOGS

- Exemption Letter, Log, & Key.
- Records Search Log.
- Records Tracking Log.

GOAL #1

Read & Scope Complex Requests

Don't agonize over interpreting a confusingly worded request or struggling with a broad request….

Read & Scope Complex Requests

- Read it for what it is. Don’t try and guess what you think they are looking for.
- For complex request, break it down so it is easier to read.
- Try and narrow the request, suggest time frames or search terms.
- Clarify the wording. Allowed now under the PRA. If entire request is unclear and they don’t clarify - can deny. If only part of it’s unclear – must respond to clear part only.

COMMUNICATE!!

Toolkit Example
Complex Request

INTERPRET REQUEST

Description:

This letter acknowledges receipt of the request, provides an interpretation of the request, and provides a time estimate for a response.

GOAL #2
Communicate with Requesters

- Communication is Key.
- Treat them how you would want to be treated.
- Listen to what they are saying.
- Be genuine.
- Follow up oral conversations with an email or letter.
- Remind yourself, it is not personal!

Toolkit Example
Communication

REQUEST CLARIFICATION

***Description*:**

This letter acknowledges receipt of the request and asks for clarification for portions of the request that are unclear. The letter indicates that, without clarification, the agency will only be able to respond to those portions of the request that are clear and provides a time estimate for responding to only those clear portions pursuant to RCW 42.56.520(3).

GOAL #3
Estimating & Allocating Time

- Put Records Online.
- Respond Quickly to Simple Request, Instead of Adding Them to The End of The Queue.
- Provide Records in Installments.
- Invest in a Public Records Request Portal.

What is a “Reasonable” Response Time Estimate?

Factors in Determining Time Frames:

- **Size of the Request.**
- **Location(s) of Records (1 location v. 15 locations, 2 staff v. 800 staff).**
- **Are the records Likely to Require Redaction or 3rd Party Notification?**
- **Number of Staff Handling Response to PRR’s.**
- **Number of Other Current Requests.**

Toolkit Example
Estimating & Allocating Time

PROVIDE TIME ESTIMATE

Description:

This letter acknowledges receipt of the request and provides a time estimate for a complete response, first installment, or further response based on additional time needed for identifying, gathering, and reviewing responsive records.

Toolkit Example
Estimating & Allocating Time

EXTENSION OF ORIGINAL TIME

***Description*:**

This letter extends the original time estimate provided and provides reasons why additional time is needed to respond.

Toolkit Example
Estimating & Allocating Time

THIRD PARTY NOTICE

- To Outside Third Party
- To Employee
- Notification to Requester

Toolkit Example
Estimating & Allocating Time

INSTALLMENTS

- **First Installment, Payment Required.**
- **No Payment Received, Request Abandoned.**
- **First Installment.**

GOAL #4

PRIORITIZE AND MANAGE WORKLOAD

Write things down. No matter how great your memory box is, it is still a better idea to write down everything you need to do so that nothing is forgotten.

Prioritize your tasks at hand. Place order in your list of work that needs to be done by ranking them according to what must be accomplished immediately, down to what can wait for awhile.

Be flexible with your priority list. There will be times when the order of your priorities may change. This is a normal situation and you must adjust accordingly.

Learn how to delegate. There is only so much you can do and overloading yourself with work will not help.

Toolkit Example

Prioritizing/Managing Workload

RECORDS REQUEST FORM WITH TRACKING

Description:

This template, in addition to providing a standard records request form, also collects all the information agencies are required to log under RCW 40.14.026(4). In addition, this template can also be used to record the agency’s search process, which the agency can rely on to show it conducted an adequate search.

Toolkit Example
Prioritizing/Managing Workload

RECORDS SEARCH LOG

Description:
This tracking form can be utilized by agency staff involved in the agency's search for records. It records the agency's search process, which the agency can rely on to show it conducted an adequate search.

GOAL #5

DEALING With STRESS

- **Things that keep PROs up at night:**
  - Did I overlook a record?
  - Did I use the right exemption?
  - Why is this requester so convinced something nefarious is going on?
- **Handling public records requests can be a stressful experience.**
  - Agencies can be penalized for violating the Act even when we have the best intentions.
  - Sharing your concerns with a sympathetic listener can help alleviate stress.

What things keep you up at night?

How do you handle the stresses of the job?

Tips on Handling *STRESS*

- **Remind yourself, it is not personal!**

- **Get an outside perspective.** Talk with other PROs for advice and commiseration.

- **Impeccable records keeping is essential.**

- **You cannot be over trained!** Training helps you handle unfamiliar situations.

- **Celebrate mini successes:** Closing out a request, meeting an installment, getting a 5 day out.

8 Take Away Tips

1. **Communicate With Requester.**
2. **Manage Request Fulfillment.**
3. **Proactively Disclose Information.**
4. **Develop a Strategy & Institutional Culture Around Records Management.**
5. **Organize Records for Easy Search & Retrieval.**
6. **Collect & Retain Only Necessary Information.**
7. **Adopt Strategies & Organization Policies to Accommodate the Complexity of the PRA.**
8. **Reduce the Potential for Litigation & Mitigate its Impact.**

Keep Up To Date:

- **Legislative Changes:**
  - http://app.leg.wa.gov/billinfo/

- **Case Law:**
  - http://www.courts.wa.gov/opinions/
  - MRSC PRA Case Law Webpage

- **Best Practices:**
  - AAG Model Rules
  - WSBA PRA Desk Book

- **Technical Solutions:**
  - Tracking Software
  - Records Capture (Email, Social Media, Texting)
  - Redaction

Questions???