

# Lancaster County Court of Common Pleas

## RIGHT TO KNOW LAW

### ACT 3 OF 2008

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### PA RULE OF JUDICIAL ADMINISTRATION NO. 509

#### Policy and Procedure

##### A. General

Pennsylvania's Right To Know Law, Act 3 of 2008, effective January 1, 2009, establishes certain requirements and prohibitions governing information that Commonwealth agencies shall provide to the public upon request. Chapter 3, Section 304 (a), of Act 3 requires that "a judicial agency **shall provide financial records** in accordance with this act".

Pursuant to its authority under Article V, Section 10 of the Pennsylvania Constitution and the provisions set forth in Section 304 of Act 3 of 2008, the Pennsylvania Supreme Court issued Pa. Rule of Judicial Administration No. 509 on June 23, 2008 requiring that any requests for records from judicial agencies must be in accordance with Pa.R.J.A. No. 509. Judicial Agencies, which include the Court of Common Pleas, court-appointed departments and court-appointed personnel, are required to provide financial records information to the public only under Pa.R.J.A. No. 509.

##### B. Policy

This policy establishes the policies and procedures for the Lancaster County Court of Common Pleas (Court) and all of its court-appointed departments and personnel under the Supreme Court of Pennsylvania's Rule of Judicial Administration No. 509 (Pa.R.J.A. No. 509). This policy applies to all requests from the public relating to the "courts", court-appointed departments, and court-appointed personnel. This policy establishes the framework which the Court will utilize in its' administrative discretion under Pa.R.J.A. No. 509.

The Court recognizes the importance of complying with Pa.R.J.A. No. 509 and acknowledges that local policy and procedure may change based on new legislation and or Pennsylvania Supreme Court rulings.

### C. Open Records Officer

Pa.R.J.A. No. 509, Section (c), establishes that “a request to inspect or obtain copies of records accessible pursuant to this rule and in possession or control of a court of a judicial district shall be made in writing to the records manager, as designated by the president judge”.

The President Judge has directed that all requests from the public relating to the “courts”, court-appointed departments, and court-appointed personnel shall be directed to the Court Rule 509 Open Records Officer at the following address:

Court Rule 509 Open Records Officer  
Office of Court Administration  
P.O. Box 83480  
50 North Duke Street  
Lancaster, Pa. 17608-3480

Email – [lancastercourtrule509@co.lancaster.pa.us](mailto:lancastercourtrule509@co.lancaster.pa.us)

All requests from the public not relating to the Court shall be directed to the County Open Records Officer at the following address:

Open Records Officer  
150 North Queen Street, Suite 715  
Lancaster, PA 17603

Email – [openrecords@co.lancaster.pa.us](mailto:openrecords@co.lancaster.pa.us)

From time to time as necessary, the Court will work in cooperation with the County’s Open Records Officer in requests for public records.

### D. Requests for Public Records

Requests for information relating to a judicial agency must be received by the Court Rule 509 Open Records Officer. Per Pa.R.J.A. No. 509 Section (c), “a written request may be submitted in person, by mail, by e-mail, by facsimile, or, to the extent provided, any other electronic means...” The Court has provided the attached form.

Upon receipt of the written request, the Court Rule 509 Open Records Officer will process the request and respond within 10 business days (Pa.R.J.A. No. 509, Section (c)(4)). As permitted by Pa.R.J.A. No. 509(c)(4)(iv), due to the extent and nature of a request, the Court may invoke up to a 30 business day delay in providing the information or a response to the information.

The Court shall not be required to create financial records which do not currently exist or to compile, maintain, format or organize such records in a manner in which the records are not currently compiled, maintained, formatted or organized (Pa.R.J.A. No. 509, Section (c)(3)).

Information on contracts where the Court of Common Pleas is the signatory and is valued at \$5,000.00 or more (Pa.R.J.A. No. 509, Section (c)(3)) is made available to the public on the Unified Judicial System's website ([www.courts.state.pa.us](http://www.courts.state.pa.us)). However, in Lancaster all contracts are signed by the Board of Commissioners and therefore, this part of the rule does not apply. Requests involving any other financial records of this Court shall be made in writing on the attached form.

E. Fees

See County Right to Know Policy.

F. Appeal of a Denial of a Request for Information of a Judicial Agency

Per Pa.R.J.A. No. 509, if the Court Rule 509 Open Records Officer of the denies a written request for information, the denial may be appealed in writing within 15 business days of the mailing date of the written response by the Open Records Officer to the President Judge or his/her designee. Within 20 business days of the receipt of the appeal, the President Judge or his/her designee shall make a determination and forward it in writing to the requester and to the Open Records Officer. Appeals shall be sent in writing to: Office of Court Administration, P.O. Box 83480, 50 North Duke Street, Lancaster, Pa. 17608-3480.

Any further appeal from President Judge or his/her designee, shall be subject to Chapter 15, Judicial Review of Governmental Determinations, of the Pennsylvania Rules of Appellate Procedure.

