

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON

In Re)
) Ordinance CE No. 18-01-28
Ordinance Adopting New Chapter to)
DCC Title 3 Re: Clerk Access Fees)
)

WHEREAS, the Douglas County Clerk is the custodian of the records of the Superior Court;

WHEREAS, the Clerk has used Liberty and OnBase technology solutions to digitize, store, retrieve and archive Superior Court records and has provided subscription serve for on-line access to electronic Superior Court records;

WHEREAS, the Administrative Office of the Courts has implemented the Odyssey Portal to manage Superior Court records on a state-wide basis;

WHEREAS, RCW 36.18.016 provides for the Clerk assessing fees for non-statutory services provided by the Clerk; and

WHEREAS, the Board of County Commissioners finds that the costs incurred by Douglas County for digitizing, storing, retrieving and archiving Superior Court records, and for operating, maintaining and enhancing on-line access through its technology infrastructure should be, to the greatest extent possible, be recouped through on-line access fees.

NOW, THEREFORE, be it hereby resolved and ordained by the Board of County Commissioners that new chapter DCC 3.XX is adopted, effective immediately:

3.XX.010 Assessment of access fee authorized.

The Douglas County Clerk is hereby authorized to assess fees for on-line access to electronic Douglas County Superior Court records; provided, that the Clerk may not assess access fees on courts of limited or general jurisdiction and on local government agencies and departments performing official duties.

3.XX.020 Establishment of access fee.

The Douglas County Clerk shall establish access fees based upon a financial analysis of the costs of providing on-line access to electronic Superior Court records and operating, maintaining and enhancing on-line access. The Clerk may adjust access fees annually to reflect changes in

costs. At least 21 days prior to implementing or modifying access fees, the Clerk shall give public notice of the intended action by posting notice at the Clerk's information counter, posting notice on the Clerk's web page, providing notice to the president of the Chelan-Douglas Bar Association, and providing notice to each current subscriber. Notice shall include:

1. The proposed action regarding access fees;
2. A copy of the Clerk's policy, with proposed changes;
3. Reference to the authority under which fees are proposed; and
4. How to submit written comments to the Clerk.

3.XX.030 Contracting authority.

The Douglas County Clerk is hereby granted contracting authority to approve and sign agreements for on-line access to electronic Superior Court records using written agreement forms approved by the Prosecuting Attorney.

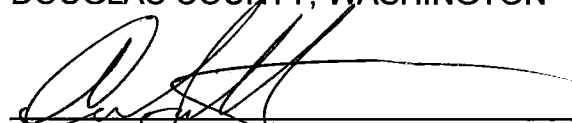
3.XX.040 Fee collection.

The Douglas County Clerk shall adopt appropriate procedures for collection of access fees.

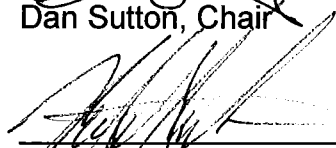
DONE IN OPEN SESSION this 30th day of April, 2018, in the Commissioners' Chambers, Douglas County Courthouse, at Waterville, Washington.

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DOUGLAS COUNTY, WASHINGTON

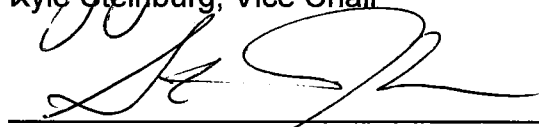




Dan Sutton, Chair




Kyle Steinburg, Vice Chair



Steven D. Jenkins, Member

ATTEST:



Tiana Rowland, Deputy Clerk of the Board