

Adopted: 04/24/13
Effective: 05/06/13

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 13-025

RELATING TO ELECTRONIC ACCESS TO PUBLICLY AVAILABLE
SUPERIOR COURT RECORDS AND ADDING A NEW CHAPTER 4.119 TO TITLE 4
OF THE SNOHOMISH COUNTY CODE

WHEREAS, the Snohomish County Clerk has identified substantial public interest, especially within the legal and commercial communities, for electronic access to Superior Court records; and

WHEREAS, similar programs in other counties have been met with very favorable responses; and

WHEREAS, the Snohomish County Clerk desires to provide electronic access to Superior Court records in order to facilitate the efficient handling of court records and provide enhanced customer service to the public; and

WHEREAS, it is in the public interest to facilitate access to court records; and

WHEREAS, RCW 36.18.016(24) requires the clerk of the superior court to collect costs for the provision of non-statutory services;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. A new chapter is added to Title 4 of the Snohomish County Code to read:

Chapter 4.119

ELECTRONIC ACCESS TO SUPERIOR COURT RECORDS

Sections:

- 4.119.010 Assessment of access fee authorized.
- 4.119.020 Fee Collection.
- 4.119.030 Contracting authority.
- 4.119.040 Establishment of fee.

4.119.010 Assessment of access fee authorized.

The Snohomish county clerk is hereby authorized to assess an access fee on all natural persons electronically accessing superior court records; provided, however, that the clerk may not assess an access fee on employees of not-for-profit organizations or corporations whose primary purpose is to provide access to justice for the poor and

1 infirm, courts of limited and general jurisdiction, and government agencies and
2 departments accessing electronic superior court records while in the performance of
3 their official duties.

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5 **4.76.020 Fee collection.**

6 The Snohomish county clerk shall adopt appropriate procedures for the collection
7 of the access fee.

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9 **4.119.030 Contracting authority.**

10 The Snohomish county clerk shall have the authority to approve and sign access
11 agreements with natural persons desiring access to electronic superior court records.

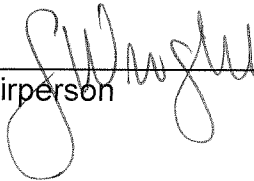
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13 **4.119.040 Establishment of fee.**

14 The Snohomish county clerk shall establish the access fee based upon a
15 financial analysis of the costs of providing access to electronic superior court records
16 and maintaining, enhancing, and operating said service. The clerk may adjust the fee
17 annually to reflect any changes in the costs of providing the service as determined by
18 subsequent financial analysis. At least twenty one days prior to implementation of the
19 fee or modification of the fee, the Clerk shall give public notice by posting a copy of the
20 proposed fee policy at the information counter of the County Clerk's office and on the
21 County Clerk's web page, publishing a copy in the Snohomish County Bar News, and
22 sending a copy via electronic mail or postal services to current subscribers. The Clerk
23 may implement the fee or modification of the fee on the twenty-second day after notice
24 is posted unless further notice is posted describing a different fee or modification of the
25 fee. Notice shall include:

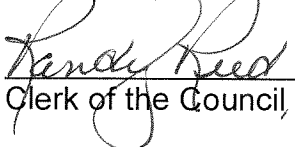
- 26 (a) The proposed action regarding the fee;
27 (b) Reference to the authority under which the fee is proposed; and
28 (c) How to submit written comments.
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30 PASSED this 24th day of April 2013.

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32 SNOHOMISH COUNTY COUNCIL
33 Snohomish County, Washington

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36 
Chairperson

37 ATTEST:

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39 Clerk of the Council, Assistant
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42 APPROVED

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44 EMERGENCY

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46 VETOED

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DATE: 4/24/13


County Executive

ATTEST:



Approved as to form only:

Deputy Prosecuting Attorney

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