

Section 3.20 REQUESTS FOR ELECTRONIC CASE RECORD INFORMATION FROM ANOTHER COURT OR OFFICE

Any request for electronic case record information from another court should be referred to the proper record custodian in the court or office where the electronic case record information originated. Any request for electronic case record information concerning multiple magisterial district judge courts or judicial districts should be referred to the Administrative Office of the Pennsylvania Courts.

COMMENTARY

The Committee asserts that for electronic case record information “filed” within a specific court or office the requestor should contact the court or office for information. However, requests for information about multiple magisterial district judge courts or judicial districts should be directed to and processed by the AOPC.

In light of the fact that the CPCMS provides the capability for a clerk of courts in one county to produce information about a case in another county, the Committee is concerned that this policy might be used by a requestor to attempt to compel court and office personnel to produce information about a case in another county. The Committee assumes that most personnel would be averse to producing information about a case from another county in that the courts and offices currently have “control” over the release of their own case records. Therefore, it is preferable that situations in which court or office X is releasing court or office Y’s case records be avoided. Therefore this section makes it clear that requests for electronic case record information should be made to the record custodian in the court or office where the electronic case record information originated.

Generally, requests for information regarding a specific court or office should continue to be handled at the local level, but should be consistent with the statewide public access policy, thus ensuring that a requestor will get the same kinds of information from any court or office statewide. If a requestor is unable to obtain the information, the AOPC should work with the record custodian or appropriate administrative authority (e.g., district court administrator) to facilitate the fulfillment of the request consistent with the policy, as currently is done for MDJS requests. As a last resort, the AOPC may handle these requests directly, if possible.

For requests regarding multiple magisterial district judge courts or judicial districts, the Committee recommends that such requests should be referred to the AOPC, which alone should respond to the same. The Committee opines that the AOPC will be in the best position to more efficiently handle these requests, considering the AOPC will be capable of identifying the precise technological queries needed to “run” the request.