

PD-04 Cost Recovery Policy

(Eff. 01/17/2017)

Estimates:

Upon receiving requests for public records, if applicable, the Office of the Public Defender for the Fourth Judicial Circuit (PDO4) will provide an itemized estimate to the person initiating the request. The estimate will include the hours required, the estimated service charge for extensive labor, and actual duplicating or other material costs.

If upon receiving an initial estimate of charges a request is changed or otherwise limited in scope, the person initiating the request will be provided with a new estimate of charges.

Fee Guidelines - Special Service Charge:

- A special service charge will be imposed if the nature or volume of public records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both.
- Clerical or supervisory assistance includes searching for and or locating the requested record, reviewing for statutorily exempt information, deletion of statutorily exempt information, and preparing, copying the requested record(s).
- A special service charge will be warranted if the nature or volume of the public records requested to be inspected or copied requires more than 1 hour of agency resources or greater than 100 pages of documentation.
- The charge for clerical or supervisory resources will be no greater than the hourly rate, including benefits, of the lowest paid personnel capable of providing such services.
- In those cases where legal review is necessary, the charge will be at the lowest attorney rate (salary and benefits) employed by the PDO4.
- When documents can be sent by email, we will do so in the interest of efficiency and to minimize costs. In these cases we will only charge a service charge for extensive time. However, when a large volume of documents is requested and must be placed on a CD, DVD, or flash drive, the costs of those materials will be recovered.
- If the record is readily available in electronic form, then we will copy onto CD, DVD or flash drive, as needed. You will be charged for the actual costs of the media, not for the time to copy the documents onto the media.

- If the cost for providing paper or electronic copies of records is less than \$25.00, including postage and special service charges, the records will be provided at no charge as it is not cost-effective to collect such fees.

Collecting Recovered Costs:

- If fees are imposed for copies and/or the special service imposed, the requester will be advised of estimated costs.
- Payment will be collected before documents are copied, reviewed, redacted, or otherwise processed for release if their production meets the threshold for extensive time or material costs.
- If the actual costs incurred are less than such payment as estimated, the overpayment will be refunded to the requester. The requester will be required to remit additional monies upon release of the documents to pay for any costs in excess of the estimate.
- In the event the requester fails to remit additional monies to cover costs in excess of the deposit, the requested public records will not be released.

Material Costs:

One-sided Copy: \$ 0.15 per page

Double-sided copy: \$ 0.20 per page

CD-ROM/DVD: \$1.00 each

Packaging and shipping charges: Estimated costs may be changed to reflect actual cost incurred.

Reducing Costs and Limiting Charges:

- Labor costs can be reduced significantly if requests include keywords as opposed to “all documents or emails.” Similarly, narrowing a request to certain individuals or divisions can greatly reduce the use of extensive labor.
- We will help direct you to free, online sources whenever possible.
- Consider refining your requests for documents to provide better results and reduce unnecessary or duplicative costs.