



Records Custodian Updates

November 11, 2020

Good Morning!

Please turn off VPN.

Feel free to raise your hand in the participants panel or use chat if you have questions/comments.

Call, email, or Skype if you have questions after the meeting.



Agenda

- Multiple Department Requests
- Communicating with Requesters
 - Narrowing a search
 - Location fees
- Locating Relevant Records
- Training Needs

Multiple Agency Requests

- Notify Atty Adriana Peguero and the appropriate Records Custodians
 - [List of Custodians](#) – EmployeeNet/Information Technology/Records Management
 - Attach original request
- Coordinate Response
 - When to coordinate
 - Ensure reasons for withholding records are consistent
 - Indicate which departments are included in the response
 - Ensure fees are consistently applied



Communicating With Requesters

- City Attorney's Office – when to engage
 - Active/Potential litigation
 - Requests from attorneys/law firms
- Confirm receipt of the request
 - Requester can remain anonymous (except prisoners/committed persons)
 - Though a reason for the request is not required, we can assume any reason and apply the balancing test – check with Attorney's Office
 - Estimate time to respond
 - Estimate fees
- Narrowing the search (email)
 - Terms
 - Common terms
 - Email Addresses
 - Determine who has the requested records



Communicating With Requesters continued

- Fees (EmployeeNet/Information Technology/Records Management
 - MGO 3.70
 - Location Fees – (#emails reviewed per hour x hourly rate)
 - Copy, Other Fees
 - Payments and Prepayments
- Response to Requester
 - Justify any emails/documents withheld
 - Indicate consultation with City Attorney's Office
 - Provide appeal information



Locating Relevant Records

- Email
 - Personal emails on City account
 - City emails on personal accounts
 - Emails beyond 7 years – emails may be retained in individual accounts for longer than 7 years based on the retention schedule.
- Drafts
 - Not released beyond approving authority
- Personal Notes
 - Not subject to release if used as a personal reference
- Withholding Records – Consult with City Attorney’s Office
 - Withhold vs. Redact
 - Confidential, Attorney-Client Privilege or Work Product
 - Wis. Stat. §19.35



Training Needs?

- Public Records Law & MGO 3.70
- City Public Records Procedures
- Discovery Accelerator (Email Searches)
- Records Management



Questions?

