

Open Records Policy

Open Records Requests will be processed according to the following policy

1. Certain items may be excluded in whole or in part if they contain exempted information as prescribed under KRS 61.878
2. The Harlan County Clerk's office is funded by collecting statutory fees. Accordingly, copies of records are first subjected to the fee schedules established by KRS 64.012 and KRS 64.019.
Otherwise, copies will be charged at: **Non-commercial document requests \$.50 per copy**
3. A phone number and/or email address is not required but may help process your request. The request should be sent to the Harlan County Clerk at:

**210 E Central St Ste 205
Harlan, KY 40831**

The request may be hand-delivered, mailed, or sent via fax to (606) 573-0064 during regular office hours. The request may also be emailed to the County Clerk, Donna Hoskins, at donna.hoskins@ky.gov.

You may also contact the County Clerk at (606) 573-3636.

All open records requests should be submitted on the **Request to Inspect Public Records** form

4. A determination will be made within five (5) working days from the date an application is received (excepting Saturdays, Sundays, and legal holidays) regarding approval of the request, and the requestor will be notified in writing of the decision within the five (5) day period.
5. Applicants requesting copies of public records for a commercial purpose KRS 61.874 must provide a certified statement to the Harlan County Clerk stating the commercial purpose for which the records will be used. If approved, applicants will be required to enter into a contract with the Harlan County Clerk. The contract will state the fee required by the Harlan County Clerk to produce the copies, including labor and production costs.
6. Certain items may be excluded in whole or in part if they contain exempted information as prescribed under KRS 61.878.
7. The Harlan County Clerk's office is funded by collecting statutory fees. Accordingly, copies of records are first subjected to the fee schedules established by KRS 64.012 and KRS 64.019.
Otherwise, copies will be charged at:
Non-commercial document requests \$.50 per copy
Non-commercial recordings, computer discs, tapes 55.00 per copy
8. All fees, including postage if necessary, must be paid in advance.

Request to Inspect Public Records

Pursuant to the Kentucky Open Records Act (“the Act”), KRS 61.870 *et seq.*, the undersigned requests to inspect the public records which are described below.

Requester’s contact information.

Name: [REDACTED]

Mailing Address: [REDACTED]

E-mail Address (if applicable): [REDACTED]

Records to be inspected:

[REDACTED]

Statement regarding the use of public records. KRS 61.870(4) defines “commercial purpose” as “the direct or indirect use of any part of a public record or records, in any form, for sale, resale, solicitation, rent, or lease of a service, or any use by which the user expects a profit either through commission, salary, or fee.” However, “commercial purpose” does not include the publication or related use of the public record by a newspaper or periodical, by a radio or television station in its news or informational program, or by use in the prosecution or defense of litigation by the parties to such an action or their attorney.

This request is (choose one):

- NOT for a commercial purpose; or
- FOR a commercial purpose.

Statement regarding residency. I further state that I am a resident of Kentucky because I am (please check one):

- An individual residing in the Commonwealth; or
- A domestic business entity with a location in the Commonwealth; or
- A foreign business entity registered with the Kentucky Secretary of State; or
- An individual that is employed and works at a location within the Commonwealth; or
- An individual or business entity that owns real property within the Commonwealth; or
- An individual or business entity that has been authorized to act on behalf of an individual or business entity listed above; or
- A news-gathering organization as defined in KRS 189.635(8)(b)1a. to e.

Signature: [REDACTED] Date: [REDACTED]