

Public Records Request Procedures:

Except as otherwise provided by law, and except as described herein, public records of the department are open for inspection by citizens of the State of Alabama. Access to public records will be provided as follows:

DEFINITIONS

a. Standard request. A public-records request that seeks one or more specifically and discretely identified public records that the department determines would take less than eight hours of staff time to process considering the time needed to identify and retrieve any responsive records and to redact or take other measures to withhold legally protected information. A standard request should require no or minimal clarification by the requester.

b. Time-intensive Request. A public-records request that the department determines would take more than eight hours of staff time to process considering the time needed to identify and retrieve any responsive records—including because the request is vague or overly broad—and any time needed to redact or take other measures to withhold legally protected information.

c. Confidential Records. Records of the department (including, but not limited to, youth case files) containing information concerning any youth for whom the department has provided social services are not public records and are required by state law to be kept confidential. (See, Code of Alabama, 1975, Section 44-1-39). In addition, certain records containing confidential information concerning individuals or businesses associated with the department, for example certain personnel records, investigative records, business records, and records the disclosure of which would be detrimental to the best interests of the public, are not public records and must be kept confidential.

Youth case files are Confidential Records and are retained by the department a maximum of six (6) years. Generally, youth case files are retained by the department until the youth's eighteenth birthday, then forwarded for storage at the State Records Center until the youth attains the age of twenty-five years. A sampling of youth case files is done prior to the destruction of the records. Youth case files will not be produced, except in limited circumstances including as described in Code of Alabama, 1975, Section 44-1-39, and only upon order of the committing juvenile court.

The department requires compliance with the Health Insurance Portability and Accountability Act (HIPAA), (Public Law 104-191) before producing any records subject to HIPAA. The department will require written authorization from the subject before using or disclosing any personal health information. Certain other laws, for example the Family Educational Rights and Privacy Act (FERPA), may also prohibit disclosure or require written authorization.

Public records of the Department that are not Confidential Records are otherwise available to citizens of the State of Alabama. To obtain public records or request copies of rules of the Department of Youth Services, a request should be made in writing to: Department of Youth

Services, P. O. Box 66, Mt. Meigs, Alabama 36057. Attention: Legal Division. Telephone: (334) 215-3803. The request must provide the legal name, (Alabama) address, and contact information of the citizen or entity making the request, the purpose for which the Alabama citizen is requesting the information, and must identify the requested records with reasonable specificity.

Fees and Costs: A non-refundable twenty-five (\$25.00) research fee is required for each request. The research fee includes up to twenty photocopies at no additional cost.

A fee for the cost of copies at the rate of fifty cents (\$.50) per page will be charged for all copies (in excess of twenty), which is the actual cost incurred for producing records.

If you, a citizen of Alabama, submit a legitimate request for non-Confidential Records in the possession of the department, it is the department's intent that you will receive within two business days correspondence acknowledging your request.

If you, an Alabama citizen, submit a Standard Request the department intends to send you correspondence within two business days stating the number of pages and the amount (if any) of additional fee. The department expects to be prepared within 15 business days to provide a substantive response to such standard request. Upon receipt of certified funds in the specified amount, the documents will be copied and sent via US mail to the address identified in the request.

If you, an Alabama citizen, submit a Time-intensive Request the department intends to notify you within 15 business days after the acknowledgment that the request qualifies as a Time-intensive Request. At that time, the department intends to notify you of any likely fees and allow you to withdraw the Time-intensive Request and submit a new request that is not a Time-intensive Request. If you elect to proceed with your Time-intensive Request, the department expects to be prepared to provide a substantive response fulfilling or denying the request within 45 business days after you elected to proceed with your Time-intensive Request. The department may extend this 45-business day period in 45-business-day increments by notifying you in writing.