DAN RAYFIELD
ATTORNEY GENERAL

BENJAMIN GUTMAN
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Justice Building
1162 Court Street NE
Salem, Oregon 97301-4096
Telephone: (503) 378-6002

July 22, 2026

VIA E-MAIL ONLY: info@govoversight.org

Joe Thomas
Government Accountability and Oversight
info@govoversight.org

Re: Petition for Public Records Disclosure Order
Oregon Judicial Department
DOJ File No.: 198040-GA0137-26

Dear Mr. Thomas:

This letter is the Attorney General's response to your petition for disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition indicates that you did not receive a final response to a public records request submitted to the Oregon Judicial Department (OED). Your petition therefore asks the Attorney General to order OJD to respond to the request, waive fees, and pay a $200 fine.

The Public Records Law confers the right to inspect public records in Oregon, unless such records are exempt under ORS 192.338, 192.345, or 192.355. ORS 192.314(1). Upon receipt of a written public records request by an individual identified in an agency's published procedures for submitting requests, the agency is obligated to respond to the request "as soon as practicable and without unreasonable delay." ORS 192.329(1). An agency that is unable to complete its response within fifteen business days of receiving a written request is required to provide the requester with a reasonable estimated completion date. ORS 192.329(5). A requester may petition the Attorney General if they believe an agency has failed to comply with the processing timelines contained in ORS 192.329. ORS 192.407(1). The agency carries the burden of sustaining its actions. ORS 192.411(1).

Your petition states that you submitted your request on December 1, 2025. OJD acknowledged receipt of your request and provided a fee estimate, which you paid on December 10, 2025. You explain that as of July 2026, OJD had not produced any records.

We contacted OJD's legal counsel about your petition. He explained that the processing of your request has taken significantly more time than anticipated. OJD originally estimated 3.5 hours of staff time would be needed to process your request. But OJD's counsel indicated that one of your search terms flagged over 600 communications that included more than 60 judges, each of which must be consulted prior to release of the records because they are independently elected officials. OJD made an initial production of records on July 21 and estimates it will complete its production on July 31. OJD's counsel stated that OJD was waiving any additional fees and providing you with a refund of the original fee in recognition of the time it has taken to complete the response.

From the available record, it appears OJD failed to respond to your request within statutorily prescribed timeframes, and we are required to treat this failure as a denial of your request. ORS 192.407(1)(a). When an agency fails to comply with ORS 192.329, we have discretion to order disclosure of nonexempt material, waiver of fees, or a penalty of $200 to the requester. ORS 192.407(3). OJD has now partially completed its response to you, waived its fees, and provided you with an estimated completion date. Under the circumstances, we decline to order further relief. You are free, of course, to file a new petition with this office in the future if you wish to contest OJD's subsequent handling of your records request.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DEP:pjn
c via e-mail only: Sam Dupree (OJD)