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October 25, 1993

Lloyd Walker
SID #6163641, O.S.C.I.
3405 Deer Park Drive, S.E.
Salem, OR 97310

Re: **Petition for Public Records Disclosure Order**
Jackson County Trial Court Records

Dear Mr. Walker:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on October 18, 1993, asks the Attorney General to direct the Jackson County District Attorney's office to provide certain records concerning case no. 82-3098-C-2. For the reasons that follow, we respectfully deny your petition.

Your petition describes requests you have made to the District Attorney for Jackson County and the Trial Court Administrator Jim Adams. This order does not address the request made to the District Attorney. When a request to inspect or copy a public record is denied by an elected official, the person requesting the record must institute proceedings in the appropriate circuit court to seek relief from that claim of right to withhold disclosure. ORS 192.480. By advising you of this procedure, we do not express any opinion on whether the District Attorney has in fact denied a public records request in this matter.

Because your petition also describes a request made to the Jackson County Trial Court Administrator, Jim Adams, we will treat your petition as also directed at that official. Trial Court Administrators are state officers, ORS 8.170, and thus this petition is properly before the Attorney General. ORS 192.450.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitation. However, the Attorney General may order a state agency to disclose records only where the agency first has denied a request for public records. ORS 192.450(1).

We have been informed by Mr. Adams that he provided the records you requested, to the extent that they existed in the custody of the trial court administrator, to your attorney, Mr. Lester E. Seto, by letter dated September 1, 1993. Because the records have been previously provided to your attorney, your petition is denied as moot.

Sincerely,

Amy Veranth
Assistant Attorney General
Opinions Coordinator

AV:LRR:lrr:cfs/JGG080DB
c: Linda Zuckerman, Legal Counsel
Office of the State Court Administrator
Supreme Court Building
1163 State Street
Salem, OR 97310

Jim Adams
Trial Court Administrator
Jackson County Justice Building
100 S. Oakdale
Medford, OR 97501