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April 13, 1998

Mr. William Wayne Waters
15910 70th Avenue E
Puyallup, WA 98373-7182

Re: *Petition for Public Records Disclosure Order: Support Enforcement Department and Department of Human Resources Records*

Dear Mr. Waters:

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 March 19, 1998,[1/] asks the Attorney General to direct the Support Enforcement Department (SED) and Department of Human Resources (DHR) to make available the following documents:

> My child support payment record from Sept of 1984 to April of 86. They are in archives.

You state in your petition that you have requested disclosure of your payment records from 1995 to the present time but that your requests were denied by several persons, including Vicki Smith at SED and Gin Denison at DHR.

SED and DHR records reflect that on numerous occasions those agencies have sent you copies of your payment history for the period September 1984 to April 1986. For example, on October 24, 1995, Jennifer Boss of SED's Interstate Team sent you a complete payment history pursuant to your request. On February 14, 1997, Rhonda Johnson, of the AFSD Child Support Accounting Unit in DHR, sent you "complete pay records." In addition, Ms. Johnson sent you an audit of your payment records, as did Vicki Smith of SED's Interstate Team on January 15, 1997.

It is unclear whether either SED or DHR have any other payment records related to your child support payments from September 1984 to April 1986. Nevertheless, both agencies have agreed to review all of their files relating to your child support payment record, including any that might be

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[1/] We appreciate your extending the deadline by which the law would otherwise have obligated us to respond.

at Archives, to determine if any such additional records exist. Barbara Hunter, Assistant Administrator, SED Field Operations, informs us that SED will review all of its records and will provide copies of your entire payment record for the period of September 1984 through and including April 1986. Phillip Yarnell, Assistant Administrator, DHR Child Support Administration, informs us that DHR will do the same for its records.[2/]

Because both SED and DHR have agreed to provide to you the records described in your petition, we deny your petition as moot.[3/]

In conclusion, your Petition for a Public Records Order is denied as moot. SED and DHR have agreed to review and provide copies of your payment history to you subject to the limitations noted above.

Sincerely,

DAVID SCHUMAN
Deputy Attorney General

JAA02ACD
cc: Barbara Hunter, Assistant Administrator Field Operations, SED
Phillip Yarnell, Assistant Administrator, Adult and Family Services, DHR

[2/] Child support records are subject to various confidentiality provisions. The purpose of maintaining the confidentiality of support enforcement records is to protect those persons involved in the support enforcement action. Or Laws 1997, ch 746, § 132. Such protection is not needed when release of the information about one of the participants is to that participant. Consequently, information regarding you may be disclosed to you, but information in the child support record about persons other than you is confidential and may not be disclosed. *Id.; see also* ORS 418.135(1) (SED/DHR shall use information only for purposes of administration of public assistance or child support programs); OAR 461-105-0050, -0060, -0120(4)(a), 461-195-0290. To the extent your records request covers documents containing information pertaining to persons other than yourself, that information must be deleted prior to disclosure of the documents to you.

[3/] SED and DHR may charge you the actual cost of staff time and materials for producing copies of your records. ORS 192.440(3); OAR 461-195-0290(6).