

WAC 44-14-00001 Statutory authority and purpose. The legislature directed the attorney general to adopt advisory model rules on public records compliance and to revise them from time to time. RCW 42.56.570 (2) and (3). The purpose of the model rules is to provide information to records requestors and state and local agencies about "best practices" for complying with the Public Records Act, chapter 42.56 RCW ("PRA" or "act"). The overall goal of the model rules is to establish a culture of compliance among agencies and a culture of cooperation among requestors by standardizing best practices throughout the state. The attorney general encourages state and local agencies to adopt the model rules (but not necessarily the comments) by regulation or ordinance. The act provides that local agencies should consult the model rules when establishing local ordinances implementing the act. RCW 42.56.570(4). The act further provides that public records officer training must be consistent with the model rules. RCW 42.56.152(3).

The act applies to all state agencies and local units of government. The model rules use the term "agency" to refer to either a state or local agency. Upon adoption, each agency would change that term to name itself (such as changing references from "name of agency" to "city"). To assist state and local agencies considering adopting the model rules, an electronic version of the rules is available on the attorney general's website, <http://www.atg.wa.gov/model-rules-public-disclosure>.

The initial model rules in 2006-2007 were the product of an extensive outreach project. The attorney general held thirteen public forums all across the state to obtain the views of requestors and agencies. Many requestors and agencies also provided detailed written comments. The model rules reflect many of the points and concerns presented in those forums. For the model rules updates in 2018, the attorney general considered case law and legislative developments since 2006-2007. The attorney general sought additional comments from requestors, agencies, and others.

The model rules provide one approach (or, in some cases, alternate approaches) to processing public records requests. Agencies vary enormously in size, resources, and complexity of requests received. Any "one-size-fits-all" approach in the model rules, therefore, may not be best for requestors and agencies.¹

Note: ¹See also *Hearst v. Hoppe*, 90 Wn.2d 123, 580 P.2d 246 (1978) (agencies "are afforded some discretion concerning the procedures whereby agency information is made available.")

[Statutory Authority: RCW 42.56.570. WSR 18-06-051, § 44-14-00001, filed 3/2/18, effective 4/2/18. Statutory Authority: 2005 c 483 § 4, RCW 42.17.348. WSR 06-04-079, § 44-14-00001, filed 1/31/06, effective 3/3/06.]