

 <p>The seal of Loudoun County, Virginia, featuring a shield with a red cross and a green border, surrounded by the text "LOUDOUN COUNTY VIRGINIA" and the year "1757".</p>	<h2>Loudoun County Clerk of Circuit Court</h2> <h3>FOIA Policies and Procedures</h3>
<p>Effective Date: July 1, 2023</p> <p>Date Last Reviewed/Revised: June 22, 2023</p>	

Background

The Virginia Freedom of Information Act (FOIA), Section 2.2-3700 through 2.2-3714 of the Code of Virginia, allows public access to the official records of county government to citizens of the Commonwealth of Virginia. FOIA does not apply to the official records maintained by the Clerk of Circuit Court as Va. Code §17.1-208 allows for the public inspection of non-confidential records. Other records maintained by the Clerk of the Circuit Court that are not publicly accessible may be subject to the provisions of FOIA. See Va. Code § 2.2-3703 (A)(7).

Purpose

The purpose of this FOIA Policy is to set forth a policy for the processing and assessment of fees associated with FOIA requests.

Policy

A. Costs

- a. Per §17.1-275, all copies of records will be assessed a fee of \$.50/page for either paper and/or electronic copies. The certified copy fee is an additional \$2.00 charge. The triple seal copy fee is an additional charge of \$2.50.
- b. Requests that require extensive time to process may incur an additional charge for staff time to prepare the request. The charge will be the hourly rate of the lowest paid employee of the Clerk of the Circuit Court that has access to the requested records. Information regarding this additional charge will be discussed in more detail with the requesting party.
- c. If the costs to prepare and respond to the request exceeds \$200.00, staff will request a deposit prior to preparing the request.
- d. Estimates of the anticipated costs can be provided in advance before the FOIA request is processed to permit the requesting party to modify the request.

B. Methods to Lodge a FOIA Request

- a. USPS Mail: Clerk of the Circuit Court, Attention: FOIA, P.O. Box 550, Leesburg, VA 20178
- b. Email: CircuitClerk@loudoun.gov
- c. In-Person: Visit our office in person to make your request at 18 E. Market Street, Leesburg, Virginia.

C. Essential Details to Respond to a FOIA Request

- a. Please specify the record types, date ranges and other specific information to ensure the response sufficiently addresses your request.
- b. Please provide your legal name, address, email address and phone number so we may contact you with any questions and to notify you when the request has been fulfilled.

D. Clerk's Office Responsibilities

- a. The Clerk's Office must respond to your request within five (5) business days of receiving your request. Day one is considered to be the day after your request is received. The five-day period does not include holidays, weekends or closures for inclement weather.
- b. The Clerk's Office will give you an estimate of the time that it will take to fulfill your request.
- c. The Clerk's Office will advise you in writing as follows:
 - i. The request can be fulfilled and completed within five (5) business days.
 - ii. The request can be partially fulfilled, and an explanation will be provided to explain why a portion of the request cannot be fulfilled by this office.
 - iii. The request cannot be reasonably fulfilled within five (5) business days and an extension not to exceed seven (7) additional business days will be necessary.
 - iv. The request cannot be fulfilled because the release of requested records is prohibited by law.
 - v. The request cannot be fulfilled because the requested records cannot be found or do not exist.