



The Supreme Court of Oklahoma

Michael D. Evans
Director
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Administrative Office of the Courts
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Mike Mayberry
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July 31, 2009

W. Dan Nelson
Attorney at Law
2500 S. Broadway, Ste. 310
Edmond, Oklahoma 73013

Re: INAD Data Services, LLC Open
Records Request

Dear Mr. Nelson:

I serve as the General Counsel for the Administrative Office of the Courts and I have been asked to review your recent bulk record requests on behalf of INAD Data Services, LLC. In response to your July 7 and July 21, 2009 requests for the bulk electronic records of OSCN.net, KellPro, and the Workers' Compensation Court, please be advised that:

- The Supreme Court, by and through the Office of the Administrative Director of the Courts, receives and displays on OSCN.net all or a portion of the public records of only the 13 district court clerks who use the Oklahoma Court Information System (OCIS);
- In addition to those records which are publicly available on OSCN.net, the OCIS system includes a significant number of electronic data and records which are required by state and federal mandates to be kept confidential;
- There are criminal penalties for the release of some of these confidential court records;
- I have asked for legal assistance from the Office of the Attorney General to address your specific bulk data request from OSCN.net;
- I have also asked the MIS Department of the Administrative Office of the Courts to determine whether or not our system can reliably segregate the confidential materials which we have received from the 13 district court clerks who use OCIS and OSCN.net;
- The Administrator for the Workers' Compensation Court is Marcia Davis and that you should discuss the production of the Workers' Compensation records with her; and,

- Kellpro, Inc. is the software provider for 64 Oklahoma district court clerks and you should contact those clerks or KellPro for the information maintained by them.

If I am satisfied that all or a portion of the records on OSCN.net can be released in bulk, you should anticipate paying a reasonable fee to search and reproduce all of the public records that can be appropriately segregated for public view. Please understand that, if the electronic records can be reasonably segregated, the cost of a system wide search of this nature will likely be significant. If we determine that such a project is required by the Open Records Act, I will furnish you with a time and cost estimate to segregate and reproduce our records when that information is available to me.

Meanwhile, all public court records are available to your client through the courts' existing recordkeeping systems -- you may view and copy any public court record at the offices of the court clerks in this State, and many public court records are available on line, through OSCN.net or through KellPro's website service. Under these existing systems, confidential court records have already been reasonably segregated, and these systems contain the necessary processes to enable the courts to administer its extensive recordkeeping obligations.

Representative Mike Reynolds has discussed these same records requests with the Administrative Director of the Courts several times. The Director has advised Representative Reynolds that the A.O.C. does not have the court records of either KellPro or the Workers' Compensation Court on its website.

Respectfully,



Debra Charles
General Counsel

DAC/MDE: cs

cc: Michael D. Evans
Administrative Director of the Courts