

BLOUNT COUNTY REGISTER OF DEEDS PUBLIC OPEN RECORDS POLICY

349 COURT STREET MARYVILLE, TN. 37804 ~ (865)273-5880 ~

www.blounttn.org

Pursuant to Tenn. Code Ann. § 10-7-503(g), the following Public Records Policy for Blount County Register of Deeds is hereby adopted by the Blount County Board of Commissioners to provide economical and efficient access to public records as provided under the Tennessee Public Records Act (“TPRA”) in Tenn. Code Ann. § 10-7-501, et seq.

The TPRA provides that all state, county and municipal records shall, at all times during business hours, which for public hospitals shall be during the business hours of their administrative offices, be open for personal inspection by any citizen of this state, and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law. See Tenn. Code Ann. § 10-7-503(a)(2)(A). Accordingly, the public records of The Blount County Register of Deeds are presumed to be open for inspection unless otherwise provided by law.

Personnel of Blount County Government shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records. No provisions of this Policy shall be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of Blount County Register of Deeds, shall be protected as provided by current law. Concerns about this Policy should be addressed to the Public Records Request Coordinator for Blount County Register of Deeds, or to the Tennessee Office of Open Records Counsel (“OORC”).

This Policy is available for inspection and duplication in the office of the Blount County Register of Deeds Office. This Policy is also posted online at <http://www.blounttn.org>

I. Definitions:

A. Records Custodian: The office, official or employee lawfully responsible for the direct custody and care of a public record. See Tenn. Code Ann. § 10-7-503(a)(1)(C). The records custodian is not necessarily the original preparer or receiver of the record.

B. Public Records: All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or Ordinance or in connection with the transaction of official business by any governmental agency. See Tenn. Code Ann. § 10-7-503(a)(1)(A).

C. Public Records Request Coordinator: The individual, or individuals, designated in Section III, A.3 of this Policy who has, or have, the responsibility to ensure public record requests are routed to the appropriate records custodian and are fulfilled in accordance with the TPRA. See Tenn. Code Ann. § 10-7-503(a)(1)(B). The Public Records Request Coordinator may also be a records custodian.

D. Requestor: A person seeking access to a public record, whether it is for inspection or duplication.

II. Requesting Access to Public Records

A. Public record requests shall be made to the Public Records Request Coordinator ("PRRC") or his/her designee in order to ensure public record requests are routed to the appropriate records custodian and fulfilled in a timely manner.

B. Requests for inspection only cannot be required to be made in writing. The PRRC should request a mailing or email address from the requestor for providing any written communication required under the TPRA.

C. Requests for inspection may be made orally, in person or in writing using the attached Form: Blount County Register of Deeds 349 Court Street Maryville, TN. 37882. Fax 865-273-5890, or by email: bteaster@blounttn.org
Ishields@blounttn.org

D. Requests for **copies**, or requests for inspection and copies, shall be made orally in person and in writing, by mail, or by email, at the Blount County Register of Deeds 349 Court Street Maryville, TN 37804 bteaster@blounttn.org
Ishields@blounttn.org using the attached Form.

E. Proof of Tennessee citizenship shall accompany a records request. The records custodian may also require any citizen making a request to view a public record or to make a copy of a public record to present photo identification, if the person possesses a photo identification issued by a governmental entity that includes the persons' address. If a person does not possess photo identification, the records custodian may require other forms of identification acceptable to the records custodian.

F. Details in policy regarding meeting dates and times. Meeting public notices and other meeting documents may be found at:
<http://www.blounttn.org/commission/default.asp>.

- G. The Blount County Register of Deeds provides computers for public viewing of records during business hours 8 am-4:30 pm.

III. Responding to Public Records Requests

A. Public Record Request Coordinator

1. The PRRC shall review public record requests and make an initial determination of the following:

a. If the requestor provided evidence of Tennessee citizenship; and

b. If the records requested are described with sufficient specificity to identify them; and

c. If the Governmental Entity is the custodian of the records.

2. The PRRC shall acknowledge receipt of the request and take any of the following appropriate action(s):

a. Advise the requestor of this Policy and the elections made regarding:

i. Proof of Tennessee citizenship;

ii. Form(s) required for copies;

iii. Fees (and labor threshold and waivers, if applicable); and

iv. Aggregation of multiple or frequent requests.

b. If appropriate, deny the request in writing, providing the appropriate ground such as one of the following:

i. The requestor is not, or has not presented evidence of being, a Tennessee citizen (if proof of citizenship is required).

ii. The request lacks specificity. (Offer to assist in clarification)
EX: Book/page (We do not use instrument numbers)

iii. An exemption makes the record not subject to disclosure under the TPRA. (Provide the exemption in written denial)

- iv. The Register of Deeds is not the custodian of the requested records.
- v. The records do not exist.
- vi. Our office does not provide title Searches. EX: search for all liens, judgments on a property/name. We do not provide broad searches of all record types EX: all records available on an individual/business.
- c. If appropriate, contact the requestor to see if the request can be narrowed.
- d. Forward the records request to the records custodian in the appropriate governmental department in order to obtain the records.
- e. If requested records are in the custody of a different governmental entity, and the PRRC knows the correct governmental entity, advise the requestor of the correct governmental entity and PRRC for that entity.

3. Designated PRRC is:

Bridget Teaster
349 Court Street Maryville, TN.
37804
865-273-5880 Office
865-273-5890 Fax
bteaster@blounttn.org

and/or

Lori Shields
349 Court Street Maryville, TN.
37804
865-273-5880
865-273-5890
lshields@blounttn.org

B. Records Custodian:

1. Upon receiving a public records request, a records custodian shall promptly make requested public records available in connection with Tennessee Code Annotated 10-7-503. If the records custodian is uncertain that an applicable exemption applies, the custodian may consult with the PRRC, counsel, or the ORRC.
2. If not practical to promptly provide requested records because additional time is necessary to determine whether the requested records exist; to search for, or retrieve, or otherwise gain access to records; to determine whether the records are open; to redact records or for other similar reasons, then a records custodian shall, within (7) business days from the records custodian's receipt of the request, send the requestor a completed public records request response form which is attached, developed by the OORC.
3. If a records custodian denies a public records request, he or she shall deny the request in writing as provided using the public records request response form.
4. If a records custodian determines production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the records custodian shall use the public records request response form to notify the requestor that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable. If appropriate, the records custodian should contact the requestor to see if the request can be narrowed.
5. If a records custodian discovers records responsive to a records request were omitted, the records custodian should contact the requester concerning the omission and produce the records as quickly as possible.

C. Redaction:

1. If a record contains confidential information or information that is not open for public inspection, (such as Social Security #'s) the records custodian, whenever possible, will prepare a redacted copy prior to providing access. If questions arise concerning redaction, the records custodian should coordinate with counsel or other appropriate parties regarding review and redaction of records. The records custodian and the PRRC may also consult with the OORC.
2. Whenever a redacted record is provided, a records custodian should provide the requestor with the basis for the redaction. The basis given for redaction shall be general in nature and not disclose confidential information.

IV. Inspection of Records.

- A. There shall be NO CHARGE for the inspection (without copies) of open records on site.
- B. The location for inspection of records held within the Blount County Register Of Deeds
349 Court Street Maryville, TN. 37804
Business Hours 8 am- 4:30 PM. With the exceptions of holidays that are posted on the County's website. www.blounttn.org and with weather closings.

C. Under reasonable circumstances, the PRRC or a records custodian may require an appointment for inspection or may require inspection of records at an alternate location. If an appointment is needed, it must be during regular business hours.

V. Copies of records

- A. A records custodian shall promptly respond to a public records request for copies in the most economic and efficient manner practicable.
- B. Copies will be available for pickup at 349 Court Street Maryville, TN 37804
- C. Upon payment for postage, copies will be delivered to requestor's home address by the US Postal Service.

VI. Fees, charges, and procedures for billing and payment.

- A. Fees and charges for copies of public records should not be used to hinder access to public records.
- B. Records custodians shall provide requestors with an itemized estimate of the charges prior to producing copies of records and may require prepayment of such charges before producing requested records.
- C. Fees and charges are as follows:
 - 0.50 for Letter/Legal (per page)
 - 0.50 per document to be emailed
 - \$1.00 per page for Certified Copies
 - 0.50 map (legal size)
 - \$1.00 map (11X17) Certified \$3.00
 - \$3.00 map (18X24) Certified \$5.00
 - \$5.00 map (24X36) Certified \$6.00
 1. "Labor" when time exceeds one (1) hour. "Labor" is the time (in hours) reasonably necessary to produce requested records, including the time spent locating, retrieving, reviewing, redacting, and reproducing records.
 2. If an outside vendor is used, the actual cost assessed by the vendor.
 3. Payment is to be made in cash, business check or money order payable to Blount County Register Of Deeds.
 4. Payment in advance may be required.

I. Aggregation of frequent and multiple requests.

1. Blount County Register Of Deeds will aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than 4 requests are received within a calendar month. (either from a single individual or a group of individuals deemed working in concert)
2. If aggregating:
 - a. The PRRC is responsible for making the determination that a group of individuals are working in concert.

PUBLIC RECORDS REQUEST FORM

The Tennessee Public Records Act (TPRA) grants Tennessee citizens the right to access open public records that exist at the time of the request. The TPRA does not require records custodians to compile information or create or recreate records that do not exist.

TO: Blount County Register of Deeds ~ (865)273-5880 ~ 349 Court Street Maryville, TN. 37804
PRRC Bridget Teaster, PRRC Lori Shields

FROM: _____
Requestor's Name/ Contact Information (Include Address)

Is The Requestor a Tennessee Citizen? Circle one: YES NO

REQUEST:

- Inspection** (The TPRA does not permit fees or require a written request for inspection only)
- Copy/Duplicate**

If costs are assessed, requestor has a right to receive an estimate. Do you wish to waive your right to an estimate and agree to pay copying and duplication costs in an amount not to exceed \$ _____? To waive estimation, please initial here: _____

Delivery preference:

- On-site pick up**
- Electronic (Email)**
- USPS First Class Mail**
- Other:** _____

RECORDS REQUESTED:

Please provide a detailed description of the record(s) requested, including: (1) book and page reference (2)name,document type, timeframe or dates for the records sought. *Under the TPRA, record requests must be sufficiently detailed to enable a governmental entity to identify the specific records sought. As such, your record request must provide enough detail to enable the records custodian responding to the request to identify the specific records you are seeking.*

SIGNATURE OF REQUESTOR & DATE SUBMITTED

SIGNATURE OF PRRC & DATE RECEIVED

PUBLIC RECORD REQUEST RESPONSE FORM
BLOUNT COUNTY REGISTER OF DEEDS 349 Court Street Maryville, TN. 37804

REQUESTOR'S NAME: _____

DATE: _____

In response to your records received on _____ our office is taking the action(s) indicated below:

- The public record(s) responsive to your request will be made available for inspection:

Location: _____

Date: _____ Time: _____

- ▶▶ Copies of public record(s) responsive to your request are:

▶▶ Attached;

▶▶ Available for pickup at the following location: _____

- ▶▶ Being delivered via:

▶▶ USPS FIRST-CLASS MAIL

▶▶ ELECTRONICALLY (EMAIL)

▶▶ OTHER; _____

- YOUR REQUEST IS DENIED ON THE FOLLOWING GROUNDS:

Request was not specific; (book/page reference), not enough detail to find the specific document.
We will need detail, such as name, date, type of document.

No such record(s) exist or this office does not maintain record(s) responsive to your request.

You have not paid the estimated copying/production fees.

The following State, federal, or other applicable law prohibits disclosure of the requested records:

Other: _____

The time reasonably necessary to produce the record(s) or information and/or information and/or to make a determination of a proper response to your request is:

If you have any additional questions regarding your record request, please contact the PRRC listed below.

Bridget Teaster, PRRC

(865)273-5889

bteaster@blounttn.org

Lori Shields, PRRC

(865)273-5884

lshields@blounttn.org
