

MEMORANDUM

TO: Richard Conlin, Seattle City Council President
FROM: Sharon Johnson
RE: Citizen's Service Bureau as PRA Ombudsman
DATE: September 11, 2009

This memorandum responds to your request to analyze the prospect of the Citizen's Service Bureau serving as PRA Ombudsman. This memo includes discussion regarding traditional role of an ombudsman and the requisite elements for a PRA Appeals Officer.

I.

Ombudsman – The role of an ombudsman is generally to serve as a neutral party who provides “confidential and informal” assistance in resolving conflicts. The ombudsman is independent of the agency's formal administrative functions. The ombudsman reviews all sides with impartiality and objectiveness. The ombudsman does not impose solutions but identifies options and strategies.

The ombudsman advises of rights and responsibilities but does not provide legal advice. The ombudsman does not advocate for either side in the conflict and does not participate in formal investigations, hearings or processes.

PRA Appeals Officer – PRA Appeals Officers are charged with carefully reviewing withheld documents that are in dispute. PRA Officers must possess strong knowledge of the PRA and the appropriate application of exemptions. PRA Appeals Officers must also possess above average knowledge of the agency in question in order to fully understand the documents it creates and maintains.

II.

The Citizen's Service Bureau should not be looked upon to serve as PRA Ombudsman in order to resolve PRA conflicts. The legal elements of the PRA call for active involvement in settling disputes. PRA Appeals Officers thoroughly investigate charges of improperly withheld documents and make decisions on behalf of one party over the other. An ombudsman does not side with one party over the other. An ombudsman does not provide legal advice, a requisite element in the appeals process.

III.

Citizen's Service Bureau can have a viable role in the PRA through its excellence in customer service. The Bureau can assist requestors with questions such as where and how to file a request and whom to contact regarding a request.

In order for the Bureau to develop a successful role in the PRA process it must address the issues of training and access. Staff involved with the PRA must be well trained and informed. Better use of the Bureaus' web page could be made to include an area specific to public records disclosure. The Bureau can be an effective participant in public records disclosure with the appropriate training and tools.