pennsylvania
OFFICE OF OPEN RECORDS

FINAL DETERMINATION

IN THE MATTER OF	:	
	:	
LAWRENCE HARPER	:	
Requester	:	
	:	
v.	:	**Docket No.: AP 2016-1243**
	:	
PHILADELPHIA COUNTY	:	
CLERK OF COURTS,	:	
Respondent	:	
	:	

On or about June 23, 2016, Lawrence Harper ("Requester"), an inmate at State Correctional Institute – Huntingdon, submitted a request ("Request") to the Philadelphia County Clerk of Courts ("Court") pursuant to the Right-to-Know Law ("RTKL"), 65 P.S. §§ 67.101 *et seq*., seeking a criminal complaint and a specified criminal docket sheet in a specified docket number. The Court responded by denying his request for lack of prepayment. On July 22, 2016, Requester appealed to the Office of Open Records ("OOR").

The Court is a judicial agency that is not subject to the jurisdiction of the OOR. *See* 65 P.S. § 67.102; 65 P.S. § 67.503(b). The OOR does not have jurisdiction to hear appeals related to requests for records of judicial agencies. *See* 65 P.S. § 67.503(b). Instead, appeals involving a judicial agency are to be heard by an appeals officer designated by the judicial agency. *Id*. ("A judicial agency shall designate an appeals officer to hear appeals under Chapter 11").

For the foregoing reasons, Requester's appeal is **transferred** to Appeals Officer for the Court. This Final Determination is binding on all parties. Within thirty days of the mailing date of this Final Determination, either party may appeal to the Commonwealth Court. 65 P.S. § 67.1301(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond as per Section 1303 of the RTKL. However, as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.[1] This Final Determination shall be placed on the OOR website at: http://openrecords.pa.gov.

FINAL DETERMINATION ISSUED AND MAILED: July 22, 2016

/s/ Charles Rees Brown

CHIEF COUNSEL
CHARLES REES BROWN

Sent to: Requester, Appeals Officer, Philadelphia County Clerk of Courts

[1] *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).