

FINAL DETERMINATION

DATE ISSUED AND MAILED: August 5, 2022

IN RE: *Kendall Richardson v. Lehigh County Clerk of Courts*, OOR Dkt. AP 2022-1817

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The OOR lacks jurisdiction. Lehigh County Clerk of Courts (“Clerk of Courts”) is a judicial agency. *Faulk v. Phila. Clerk of Courts*, 116 A.3d 1183 (Pa. Commw. Ct. 2015). The OOR does not have jurisdiction over judicial agencies. 65 P.S. §§ 67.503(a)-(b). Case records can be requested from judicial records custodians pursuant to the Unified Judicial System’s Public Access Policy. More information can be found at <http://www.pacourts.us/public-records/public-records-policies>.

For this reason, the Clerk of Courts is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with 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 according to court rules as per 65 P.S. § 67.1303. 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

Issued by:

/s/ Kyle Applegate

Chief Counsel
Kyle Applegate

Sent to: Requester (via first class mail); Lehigh County Clerk of Courts (via email)

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