

## **FINAL DETERMINATION**

DATE ISSUED AND MAILED: May 14, 2024

IN RE: *Kevin Souffrant v. Lancaster County Court of Common Pleas*; OOR Dkt. AP 2024-1208

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.** The Lancaster County Court of Common Pleas and Lancaster County Clerk of Courts (“Court”) are judicial agencies.<sup>1</sup> 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 Court 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.<sup>2</sup> All documents or communications following the issuance of this Final Determination shall be sent to [oor-postfd@pa.gov](mailto:oor-postfd@pa.gov). This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

*/s/ Joshua T. Young*

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Senior Deputy Chief Counsel  
Joshua T. Young, Esq.

Sent to: Requester (via first class mail);  
Lancaster County, AORO; Lancaster County Court of Common Pleas, Rule 509  
Administrator (via E-file Portal)

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<sup>1</sup> The Request identifies the “Court of Common Pleas of Lanc. Co.” as the agency to which the Request was submitted. Additionally, in the statement accompanying his Request form, the Requester identifies the “Court of Common Pleas, Office of Clerk of Courts” as the agency to which the RTKL request was submitted. While the County appears to have responded to the Request on behalf of the Clerk of Courts and provided the Requester with a copy of a docket sheet, the OOR does not have jurisdiction over RTKL requests submitted to the Court of Common Pleas or the County Clerk of Courts, as both are considered judicial agencies under the RTKL. To the extent the Requester also submitted a RTKL request to the County, no such request was provided with his appeal documents.  
<sup>2</sup> *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).