

JAMES B. MARTIN
District Attorney



OFFICE OF THE DISTRICT ATTORNEY
LEHIGH COUNTY COURTHOUSE
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NOTICE TO THE PUBLIC

Under Pennsylvania's Right-to-Know, or Open Records, Law, records of state and local agencies are presumed to be public. However, there are exceptions in the law. Any legal resident of the United States, including a political subdivision, can request records.

A record is defined as:

“Information, regardless of physical form or characteristics, that documents a transaction or activity of an agency and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the agency. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image-processed document.”

Requests for records must be in writing. You can obtain a request form in person at the Lehigh County District Attorney's Office, can ask that a form be faxed to you, or you can print a form from the District Attorney's Office link on Lehigh County's website at www.lehighcounty.org. Make your request as specific as possible to allow us to identify what you are seeking. Please note: this office does not accept anonymous requests.

You can:

- 1.) Give the completed form to the receptionist. The hours for the District Attorney's Office are Monday-Friday, 8:30 a.m. to 4:30 p.m.;
- 2.) Complete the form and fax the request to Christine, F. Murphy; the Open Records Officer for the Lehigh County District Attorney's Office, at 610-820-3323;
- 3.) E-mail the request to daopenrecords@lehighcounty.org, or
- 4.) Mail your request to Open Records Officer Christine F. Murphy, Lehigh County District Attorney's Office, Lehigh County Courthouse, 455 W. Hamilton St., Allentown, PA 18101-1614.

The Open Records Officer has five business days after the request is received to respond to your request. If a response is not sent within that time period, the written request for a record shall be deemed denied.

Under certain circumstances, the Open Records Officer may need a 30-day extension to respond to a request. If that happens, the Officer will send you written notice explaining the reason for the delay and a reasonable date when a response can be expected. If the date that a response is expected is more than 30 days, following the initial five business days, the request shall be deemed denied unless you have agreed in writing to an extension of the date specified in the notice.

If your request is granted, copies will be made for you. When you have paid appropriate fees, the records will be given to you. If fees are more than \$100, you will have to prepay the amount before copies are made. The fee for copies is 25 cents a page. If you want the records mailed to you, you will have to pay the cost of postage. Fees can be paid by certified/bank check or money order payable to the County of Lehigh. Please take the check to the Lehigh County Fiscal Office, Lehigh County Government Center, Room 119, 17 S. Seventh St., Allentown, Monday-Friday from 8 a.m. to 4 p.m. Ask for a receipt and mail or bring that to the District Attorney's Office, and the records will be given to you or mailed to you.

If your request is denied, you can file an appeal with Heather Gallagher, Open Records Appeals Officer in the District Attorney's Office. You have 15 business days from the mailing date of the denial or 15 business days from the date of a deemed denial to file an appeal. The Appeals Officer can hold hearings and require both sides to submit documents supporting their positions.

The Appeals Officer will send you a written decision and explanation for the decision within 30 calendar days of receipt of the appeal unless you agree otherwise. Either side can appeal the Appeals Officer's decision to Lehigh County Court of Common Pleas within 30 days of the mailing of the final decision.

To view the law in its entirety, go to: <http://openrecords.state.pa.us>.

James B. Martin
District Attorney