

Subject: Washington Public Records Act Request: KENT SCHOOL DISTRICT – Disclosure of all LEGAL INVOICES and PAYMENTS to Attorneys and/or Law Firms (2020-2024)

From: 162639-09644632@requests.muckrock.com

To: PublicRecords@kent.k12.wa.us

Date: Thu, 25 Apr 2024 15:10:38 -0000

Kent School District  
Washington Public Records Act Office  
12033 SE 256th Street #A-100  
Kent, WA 98030-6503

April 25, 2024

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KENT SCHOOL DISTRICT – Public Records request for digital copies of all LEGAL INVOICES and PAYMENTS to Attorneys and/or Law Firms (2020-2024)

Via email: PublicRecords@Kent.k12.wa.us

To Whom It May Concern:

Pursuant to the Washington Public Records Act [RCW 42.56] I hereby request digital copies the following public records:

1. Digital copies of any/all invoices or bills for any/all legal services or legal representation provided to the District, the District School Board, or District employees.
2. Digital copies of any/all payments made by the District for any/all legal services provided to the District.
3. Digital copies of any/all emails, texts, and/or communications of any kind regarding legal invoices and/or payment for legal services of any kind made by the District.

#### DATE RANGE

The date range for this request is January 1, 2020 to April 25, 2024.

#### RECORDS INSTALLMENTS - ORDER OF PRODUCTION

If production of responsive records will be completed in multiple installments, please begin by producing records in REVERSE CHRONOLOGICAL FORMAT BY DATE. The most recent public records should be produced first and the oldest records produced last by date.

#### DEFINITION OF RECORDS AND WRITINGS

RECORDS AND WRITINGS as defined by RCW 42.56.010(4): any handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of

communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

#### PRODUCTION PROCESSING AND DELIVERY OF ELECTRONIC RECORDS

Please provide all records in their native electronic format. Please do not instead create new records by printing electronic files then scanning and printing the newly scanned prints.

Washington State Law is clear that the use of 3rd party “portals” (Such as GOVQA) for a public records request is optional for the requestor. Respectfully I decline. Please provide all records electronically via direct email attachment to this email address.

Please do not register this requestor for, nor direct this requestor to the use of any 3rd party commercial portal including but not limited to FOIAOnline, GovQA, NextRequest, FOIAExpress, JustFOIA FOIADirect, WebForm, or any other online service other than a direct NO PASSWORD REQUIRED, NO REGISTRATION REQUIRED, internet cloud-based download link, or electronic email.

Do not send any portion of this public records request to any 3rd party for-profit corporation such as GOVQA, a Grannicus Corporation or NEXT-REQUEST.

Do not register this request with any for profit portal or 3rd party organization such as GOVQA, a Grannicus Corporation, or NEXT-REQUEST.

#### PUBLIC RECORDS REQUESTS SUBMITTED VIA EMAIL

RCW 42.56.080 - Identifiable records—Facilities for copying—Availability of public records.

"...Agencies shall honor requests received in person during an agency's normal office hours, or by mail or email, for identifiable public records unless exempted by provisions of this chapter. No official format is required for making a records request; however, agencies may recommend that requestors submit requests using an agency provided form or web page."

This public records request is being made via email. This public records request will be honored and fulfilled by your agency via email as requested or relief will be sought per statute.

#### NATIVE ELECTRONIC FORMAT

Please provide all identified public records in their NATIVE electronic format, either .pst file or .pdf/ .pdf PORTFOLIO file. Please provide all electronic records in the fewest number of individual files as per native format or use free .zip or digital compression in each installment for the fewest number of total records and the most economical calculation of any applicable public records fees.

## FEES

In the event that there are fees, please inform us of the total charges in advance of fulfilling the request in strict compliance with all provisions of the Washington State Public Records Act.

## EXEMPTION LOGS

Please ensure all redactions or exemptions claimed by your agency in the production of responsive records are accompanied by a complete and detailed exemption log noting the valid legal reason for each exemption at each redaction location in the record produced, as well as the specific number of pages if any that your agency redacts or withholds in their entirety. Each redaction should be noted by footnote or by a clear reference to the specific justification for that redaction, and only the minimal exempt portion of any record may be withheld.

## COMMERCIAL PURPOSE DECLARATION

The Washington State Public Records Act prohibits the disclosure of "lists of individuals" for a commercial purpose (RCW 42.56.070(8)). I declare this public records request is not being made for any commercial purpose whatsoever. Also, this public records request is not being made for a "list of individuals." This declaration satisfies all requirements of RCW 42.56 regarding prohibitions on lists and commercial purposes. No additional commercial purpose declaration will be completed for this public records request.

## PRESERVATION OF PUBLIC RECORDS \*\*\* ANTICIPATE LITIGATION \*\*\*

### WAC 44-14-03005 RETENTION OF PUBLIC RECORDS

The lawful destruction of public records is governed by retention schedules. The unlawful destruction of public records can be a crime. RCW 40.16.010 and 40.16.020. An agency is prohibited from destroying a public record, even if it is about to be lawfully destroyed under a retention schedule, if a public records request has been made for that record. RCW 42.56.100. Additional retention requirements might apply if the records may be relevant to actual or anticipated litigation. The agency is required to retain the record until the record request has been resolved.

Note: An agency can be found to violate the Public Records Act and be subject to the attorneys' fees and penalty provision if it prematurely destroys a requested record after a request is made. See *Yacobellis v. City of Bellingham*, 55 Wn. App. 706, 780 P.2d 272 (1989). However, it is not a violation of the Public Records Act if a record is destroyed prior to an agency's receipt of a public records request for that record. *Bldg. Indus. Ass'n of Wash. v. McCarthy*, 152 Wn. App. 720, 218 P.3d 196 (2009); *West v. Dep't of Nat. Res.*, 163 Wn. App. 238, 258 P.3d 78 (2011). The Public Records Act (chapter 42.56 RCW) and the records retention statutes (chapter 40.14 RCW) are two different laws.

## COMMUNICATION VIA EMAIL

Please send all requests for clarification, status updates, and production of responsive electronic documents via direct email reply.

The requested documents will be made available to the general public.

Thank you in advance for your anticipated cooperation in this matter. We look forward to receiving your response to this request within 5 business days, as the statute requires.

Good Luck.

View request history, upload responsive documents, and report problems here:

[https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Fkent-school-district-20067%252Fkent-school-district-disclosure-of-all-legal-invoices-and-payments-to-attorneys-and-or-law-firms-2020-2024-162639%252F%253Femail%253DPublicRecords%252540kent.k12.wa.us&url\\_auth\\_token=ABxCDol6zesj14PKBugJ-2yFZ0%3A1s00kA%3A1ROoZO\\_ny1tJaGmzx2WJA3\\_ZrL8dAQXh1DIZOna3wKs](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fkent-school-district-20067%252Fkent-school-district-disclosure-of-all-legal-invoices-and-payments-to-attorneys-and-or-law-firms-2020-2024-162639%252F%253Femail%253DPublicRecords%252540kent.k12.wa.us&url_auth_token=ABxCDol6zesj14PKBugJ-2yFZ0%3A1s00kA%3A1ROoZO_ny1tJaGmzx2WJA3_ZrL8dAQXh1DIZOna3wKs)

If prompted for a passcode, please enter:

HMGVLNHH

Filed via MuckRock.com

E-mail (Preferred): 162639-09644632@requests.muckrock.com

PLEASE NOTE OUR NEW ADDRESS

For mailed responses, please address (see note):

MuckRock News

DEPT MR 162639

263 Huntington Ave

Boston, MA 02115

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.