

**UTAH PROSECUTORIAL ASSISTANTS ASSOCIATION**

*Homestead – June 18-20, 2014*

*Let's talk*

**G.R.A.M.A**

UTAH CODE ANN. § 63G-2-101 ET SEQ.

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## GRAMA Request – Agency Response Checklist

- Reference the date/time the requestor submitted the request and the type of request.
- Determine if records have an existing retention and classification.
  - Refer to retention schedules posted on Records Management intranet;
  - If not there, contact Records Management for more information.
- Determine whether requestor is the subject of the record (or the parent or guardian of the subject of the record), or if the requestor created the record.
- Obtain requested records and review them for content; contact your DA for assistance in reviewing records.
- Provide requestor an estimate of cost if over \$50.00 and/or if extensive research or redaction must be done. If requestor has requested a fee waiver, determine whether the requestor qualifies for a fee waiver.
- If classified by the County as private, protected, or controlled, weigh privacy interests with the public's right to access. Ask DA to assist you in this process. For example, information contained in a record that is classified as "private" because it is a "clearly unwarranted invasion of personal privacy" may be released if the information has already been released to the public by the subject of the record or by some other source (e.g. court documents, etc.).
- If the record contains data that is private, protected, or controlled, as well as data that is public, redact the private, protected, or controlled information. If the requestor is the subject of the record, or the creator of the record, he or she may be able to access private or protected information. If questions arise, ask DA for assistance.
- Draft letter to requestor. Reference date of request and summarize request. If releasing records in full or in part, reference records being released. If denying request in full or in part, reference part of request being denied.
  - For denials, state the reason for the denial and cite the statutory provision being relied upon. (For example, the County is denying your request because "release of the record reasonably could be expected to interfere with [an] . . . enforcement proceeding[ ]." Utah Code Ann. § 63G-2-304(9)(b)). If needed, request assistance from DA.
- If requestor has requested a fee waiver, determine whether the requestor qualifies for a fee waiver under Utah Code Ann. § 63G-2-203(4)(a)-(c) and agency policy. If granted, state as much in the letter and state the reason for granting the waiver. If denied, state the reason for the denial and cite to any applicable provisions to support the denial. (For example, the County is denying your request because the County has determined that releasing the record primarily benefits you and not the public"). Request DA assistance if needed.