EMERGENCY RULE: 
PRIORITIZATION OF COLORADO OPEN RECORDS ACT (CORA) 
REQUESTS DURING EMERGENCY

I. AUTHORITY:

The Colorado Open Records Act, C.R.S. § 24-72-201, et seq. ("CORA") authorizes the official custodian of records to issue rules regarding the inspection of public records that are reasonably necessary to limit operational disruption caused by access to the records.

II. PURPOSES OF EMERGENCY RULE:

A. To modify procedures and adjust expectations for the processing of CORA requests by the City during the current coronavirus pandemic; and

B. To provide direction to City staff concerning the allocation of City resources to CORA requests during the pandemic and the prioritization of CORA responses relative to other important public duties and functions; and

C. To protect the City and its residents from potential disruption of City services during the pandemic caused by the diversion of already limited City resources and personnel from necessary operations.

III. SCOPE:

This Rule shall apply to all public records maintained by the City with the exception of records kept, made or maintained by the Lakewood Police Department (LPD) or the Lakewood Municipal Court and requested under the Criminal Justice Records Act ("CCJRA"), C.R.S. § 24-72-301, et seq.

IV. DURATION:

This Rule shall become effective immediately upon issuance and shall remain in effect until the City Clerk gives written notice that the Rule has been revoked.
V. PROCEDURES:

City staff shall adhere to the following procedures during the period in which this Rule is in effect:

A. City personnel in the City Clerk’s Office and in other appropriate departments shall process CORA requests as quickly as reasonably possible, but only after those individuals have completed any pending or scheduled duties that are necessary (1) to maintain City operations and services, (2) to protect the public health, or (3) to comply with any order, proclamation, declaration or directive affecting the City, whether issued by the City or by any other governmental agency or official with jurisdiction to do so.

B. As soon as practical after receiving a CORA request, the City Clerk's Office shall issue written notice to the requesting party that the current health pandemic constitutes “extenuating circumstances” as that term is used in CORA and that as a result, the City shall have up to ten (10) working days to process and respond to the request.

C. Notwithstanding the provisions of Subsection B, above, City staff involved in processing a CORA request shall use their best efforts to provide an appropriate response to the requesting party within three (3) working days if the same can be done in compliance with Subsection A. above.

D. No City employee who is working remotely with City authorization shall be ordered or required to come to City facilities, solely to identify, locate and compile records, perform on-site research, draft responsive correspondence, or take any other action in response to a filed CORA request.

Declared and issued this 3rd day of April 2020, by:

Michele Millard, City Clerk