

Before the Presiding Judges of the Administrative Judicial Regions

Per Curiam Rule 12 Decision

APPEAL NO.: 17-023

RESPONDENT: Franklin County Sheriff's Office

DATE: November 17, 2017

SPECIAL COMMITTEE: Judge Stephen B. Ables, Chairman; Judge Billy Ray Stubblefield; Judge Sid Harle; Judge Missy Medary; Judge Dean Rucker

Petitioner requested copies of records from the Franklin County Sheriff's Office (Respondent). Respondent informed Petitioner that the requested records had been expunged and denied the request. Petitioner then filed this appeal.

Rule 12 governs requests to inspect or copy judicial records in the custody of a records custodian of a court, judicial officer, or judicial agency. *See* Rule 12 Decision No. 05-001. Respondent is not a court or judicial officer, so Rule 12 would apply in this matter only if the Respondent is a judicial agency. Rule 12.2(b) defines "judicial agency" as "an office, board, commission, or other similar entity that is in the Judicial Department and that serves an administrative function for a court."

In Rule 12 Decision No. 10-006, we concluded that a police department was not a judicial agency within the meaning of Rule 12. Sheriff's offices, like police departments, are not judicial agencies subject to Rule 12 because they are not in the Judicial Department and they do not serve administrative functions for courts. Accordingly, Rule 12 does not apply to this matter, and we can neither grant the petition in whole or in part nor sustain the denial of access to the requested records.