

Memorandum

FROM: Patricia Harrelson, Executive Director
Edith A. Gilliland, Agency Attorney II

TO: Richland County Bar Association Family Law Committee

DATE: August 30, 2013

With regard to the request for records in DR cases, RCCSB shall follow the following procedure and seeks the assistance of the Richland County Bar Association.

1. Attorneys who represent parents in Domestic Court may serve RCCSB with a Notary Subpoena for an on-site file review of cases involving the parents and as a result of the file review may request copies of relevant documents, this **subpoena must be served on RCCSB a minimum of 30 days PRIOR TO the scheduled hearing.**
2. Provided that the subpoena gives RCCSB 30 days to gather the files for the review (including redaction of any privileged information or work product); we will welcome the on-site file review. Much like the current process for GAL's, the Supervising Agency Attorney (Edith Gilliland) will contact the requesting attorney and schedule a time to do the file review, during which the documents will be identified that the attorney wishes to have copied.
3. Counsel for RCCSB will review the documents requested and then will then provide copies of the requested documents unless there is a dispute as to whether any specific documents should be released without a court order.
4. In the event that we dispute the release of any document requested, RCCSB shall then immediately file a Motion to Quash, so that the Court can conduct an *in camera* inspection in lieu of a formal hearing on the Motion or other remedy the Court so orders.
5. Any documents released by RCCSB SHALL NOT BE FURTHER DISCLOSED – even to their clients unless otherwise ordered by the court. The documents are for the use of Counsel only. Please seek a court order for re-release of our records.
6. In the case where RCCSB receives less than 30 days' notice, we will file not honor the Notary Subpoena, and we file a Motion to Quash and the Court can make further orders it deems appropriate.

We do however, understand that you do get emergency assignments, and while we will generally file to Quash, please call Edith Gilliland at 419-774-4100 and if the file is smaller and we can accommodate you, we will do our best to do so based on our workload at that moment.

Cc. The Honorable Judge Heather Cockley