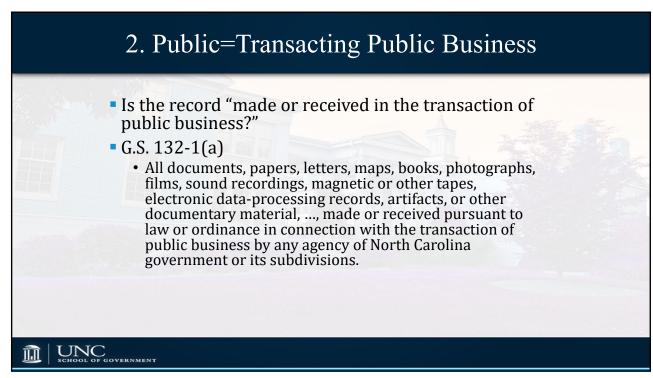




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1. The duty of records custodians
Who is the custodian of public records?
• G.S. 132-2
• The public official in charge of an office having public records shall be the custodian thereof.
 https://canons.sog.unc.edu/2014/12/custodians-of-public-records/
• What is this person legally required to do?
Provide for public access to existing public records
• There is no requirement to create or compile a record merely to respond to a public records request. G.S. 132-6.2(e).
• If no corresponding record exists, no further response is required.

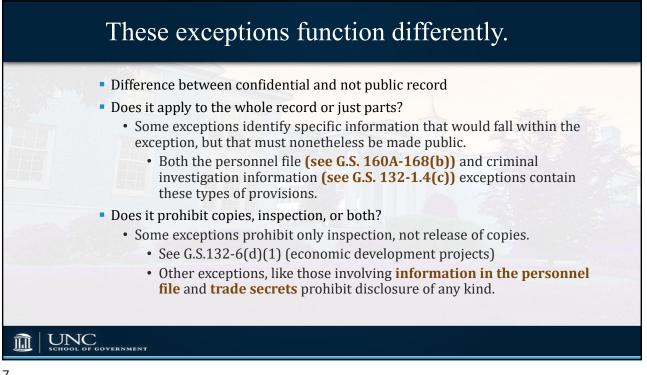


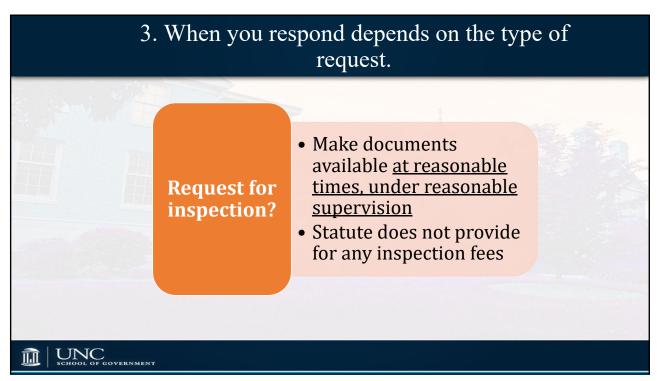
NOTE!



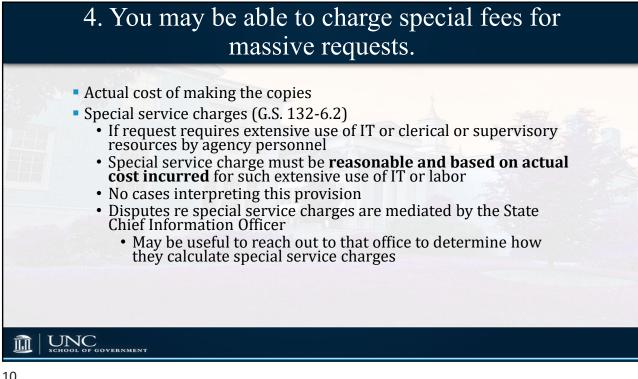
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There are many exceptions.
 Section 132 excludes several types of documents from the definition of a public record.
Some examples:
Law enforcement agency recordings (see 132-1.4A)
Sensitive public security information, such as blueprints of government buildings or security plans (see 132-1.7)
 Social security numbers and other identifying information (see 132- 1.10)
Other laws may create exceptions as well
• G.S. 153A-98
• G.S. 130A-12
• G.S. 130A-143
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Responding to Massive Requests
Develop an internal procedure.
 Determine who will coordinate the response and who will be involved.
 Policy can be useful to remind employees of the possibility of public records requests and to make them cognizant of which records may be public and subject to access.
 It can also remind employees and officials of the fact that some records made on their personal devices and accounts may be subject to public access.
Dealing with Massive Public Records Requests
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