



City Clerk Department  
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[www.federalwaywa.gov](http://www.federalwaywa.gov)  
Jim Ferrell, Mayor

***Sent via electronic mail to [agorulemaking@atg.wa.gov](mailto:agorulemaking@atg.wa.gov)***

Washington Attorney General's Office  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100

November 6, 2025

**RE: Public Comments on Public Records Act Model Rules Rule Making WSR 25-20-108**

To the Attorney General's Rule-Making Team:

Thank you for the opportunity to submit public comments on the changes to the Public Records Act (PRA) Model Rules proposed by the Attorney General's Office (AGO) in connection with Rule Making WSR 25-20-108.

We support the comments submitted by the Washington Municipal Clerks' Association (WMCA) and the Association of Washington Cities (AWC). In addition, the City of Federal Way respectfully submits the following comments outlining our primary areas of concern with the proposed rules:

**Organization of records – WAC 44-14-030(3) (pages 2-3)**

The City of Federal Way does not support this proposed amendment. Records retention/management is covered by RCW 40.14. The Public Records Act (RCW 42.56) does not mandate records management requirements, and the Model Rules should not be used to impose such obligations. Additionally, this proposed amendment is unlikely to reduce the overall processing time for records requests. If a requestor includes in their request, records that may be stored on personal devices, WAC 44-14-04003(10) outlines that a search of these devices needs to be conducted. Additionally, it's essential to note that not only employees but also elected officials and members of advisory boards and commissions may have records on personal devices.

**Triaging requests into "simple" and "complex" tracks – WAC 44-14-040(1) and "Time is of the essence" provision – WAC 44-14-040(3) (page 6)**

The City of Federal Way does not support these proposed amendments. Agencies should have the flexibility to establish their own policies for processing records requests. Triaging requests to prioritize simple requests could hinder the timely completion of more complex requests. We currently process and complete 80-85% of new requests within five business days. In addition, the concept of prioritizing requests based on perceived urgency complicates matters, undermines fairness, and increases pressure on agencies to evaluate requests differently. These proposed amendments are too subjective.



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**Third-party notice and preventing irreparable harm – WAC 44-14-040(6) (page 7)**

The City of Federal Way does not support this proposed amendment. There is no reference in the proposed amendment that addresses when there is a statutory requirement to provide a third-party notice. For example, RCW 42.56.250(2) states agencies “must provide notice” when they receive a request for information located exclusively in an employee’s personnel, payroll, supervisor, or training file. Plus, an involved party has the right to seek a court order if they choose. It is up to the court to make the final determination, not the agency.

Thank you for your time and consideration of our public comments.

Sincerely,

A handwritten signature in blue ink that reads "Heather Dumlao".

**Heather Dumlao, CMC, CPRO**  
*City Clerk*

A handwritten signature in blue ink that reads "Anna Lieck".

**Anna Lieck, CPRO**  
*Deputy City Clerk*

A handwritten signature in blue ink that reads "Cerena Ellison".

**Cerena Ellison, CPRO**  
*Public Records Analyst*