

PUBLIC RECORDS METRIC GUIDANCE

METRIC 13

Total costs incurred by the agency litigating cases alleging a violation of Chapter 42.56 RCW or other public records statutes during the reporting period, including any penalties imposed on the agency

[RCW 42.14.026\(5\)\(m\)](#)

To respond to this metric, an agency will need to provide the total costs incurred in the reporting period litigating cases alleging a violation of chapter 42.56 RCW or other public records statutes, including any penalties imposed on the agency.

Include litigation costs incurred during the reporting period for all cases filed **before and during** the reporting period.

Include only those costs incurred **after** a case has been filed in court.

Costs may include:

- Estimated costs of agency staff time incurred while responding to litigation (e.g. responding to discovery, participating in depositions, attending mediation)
- Attorney fees for agency attorney
- Other costs for agency representation (e.g. costs associated with production of documents, purchasing deposition transcripts)
- Settlement amounts
- Total penalties awarded by Court
- Attorney fees (for requester's attorney) awarded by Court
- Costs (for requester's litigation) awarded by Court