

As the custodian of the public record, the Clerk maintains records that are open to inspection and copy. This includes court cases, land records, probate records, etc. Unless sealed, expunged, or confidential pursuant to a specific statute, court order or Rule of the Virginia Supreme Court, these records are available for copy at the statutory rate of \$.50 per page. Accordingly, the Clerk's already public records are exempt from the Virginia Freedom of Information Act (VFOIA).

For the few records that the Clerk's office possesses which are subject to the VFOIA, requestors are charged for the records requested. VFOIA permits charging the requestor the actual cost of responding to the VFOIA request, such as: staff time spent searching for the requested records, copying costs, costs for discs or flash drives, or any other costs directly related to supplying the requested records. The Clerk's office calculates staff time for filling the request, by the relevant staff member's hourly rate, and may include that cost to the requestor, as part of the estimated costs. General overhead costs are not included in actual costs.

You may ask for a cost-estimate in advance, which allows you to know, upfront, the cost of producing the records requested. This then gives you the opportunity to modify your request, which may allow you to lower your cost. If the Clerk's office estimates that your request will cost more than \$200 to fill, we may require you to pay a deposit, not to exceed the amount of the estimate, before filling your request.

If you owe the Clerk's office payment from a previous VFOIA request that has remained unpaid for more than 30 days, the Clerk's office will require payment of the past-due bill before it will address any new VFOIA request. While the Clerk's office does not conduct research for customers, our hours are 8am-4pm Monday through Friday, and our online systems can be found at [Court Public Access Network | Circuit Court \(fairfaxcounty.gov\)](#)