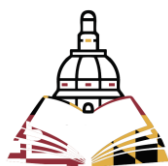


WES MOORE

Governor

ARUNA MILLER

Lieutenant Governor



Maryland
OFFICE OF THE
PUBLIC ACCESS OMBUDSMAN

LISA A. KERSHNER

Public Access Ombudsman

ALISA BRALOVE-SCHERR

Deputy Public Access Ombudsman

November 24, 2025

Sent via email to Marvin D. Tutt

marvindtutt@gmail.com

Dear Mr. Tutt,

On November 12, 2025, we received your request under the Maryland Public Information Act (MPIA) for the following:

REQUESTED RECORDS (July 1, 2025 – Present)

1. Case Log / Registry Entries (Administrative Metadata Only)
For any matter referencing “Marvin Tutt,” “Marvin D. Tutt,” or case identifiers associated with me, please provide:
 - Date opened / Date closed
 - Referring party name (individual or agency)
 - Responding party name (agency/custodian)
 - Subject category/tag (e.g., “child support,” “federal court,” “OAG”)
 - Disposition (e.g., “resolved,” “referred to PIACB,” “closed – no jurisdiction”)
 - Whether referred to the PIA Compliance Board (yes/no + date)Exclude: mediation communications, party statements, settlement terms, or any content protected by GP §4-1B-04(d).
2. Referral Documentation (Administrative Routing Only)
 - Intake forms or equivalent records showing who initiated contact with PAO regarding matters involving me (name, agency, contact info).
 - Referral letters/emails to the PIA Compliance Board (if any) concerning me — header metadata only (To/From/Date/Subject), not mediation substance.
 - Closure notices or disposition letters sent to referring/responding parties (please redact mediation content; produce administrative routing/outcome data).
3. PAO Policies / Procedures (Public Records)
Current PAO case-handling procedures describing:
 - How party identities are recorded in case logs.
 - When/how matters are referred to PIACB.
 - Retention schedules for case metadata vs. mediation communications.

On November 13, 2025, in response to our email seeking clarification on the scope of Part 1 of your request, you confirmed that you are only seeking records related to you.

Then, on November 15, 2025, you emailed us to amend your MPIA request to include records from January 1, 2025 going forward.

We have determined that we do not have any correspondence or other records responsive to Parts 1 or 2 of your MPIA request, as amended on November 15, 2025. Using the search terms and parameters you provided, we searched our Access database where we maintain data concerning mediation matters and a spreadsheet used to track both mediations and less formal requests for MPIA-related assistance. We do not log or track mediations or informal requests for MPIA-related assistance by any means other than those.

Our Office has record retention schedules applicable to mediations and other types of program activities and documentation, which are responsive to Part 3 of your request. We have attached a copy of our record retention schedules to this response.

In addition, we note that we do not have any specific instructions or training materials that reflect how party identities are recorded in case logs. Further, the Office of the Public Access Ombudsman does not refer any matters to the PIA Compliance Board (the “Board”). Rather, a party to a mediation that is unresolved or only partially resolved may, on their own, seek review by the Board.

In your November 13, 2025 email, you also asked, “if PAO does not log inquiries that do not become cases, please confirm that practice. If any potentially responsive material is maintained in another OAG/PAO mailbox or unit (e.g., Public Access Unit) rather than a PAO case file, please include that in the search.”

Our office maintains records related to our program’s activities other than specific MPIA mediations. For example, records may involve requests for other types of MPIA assistance, such as how to avoid an MPIA dispute, potential mediations that do not proceed to an actual mediation, or those that are terminated, withdrawn, or when not appropriate for mediation because the dispute does not involve an MPIA issue.

In this regard, we note that we have located an email that includes your name. We responded to this email. We found these emails in an email account other than those you named in your request. The MPIA only applies to a “public record” as defined in Maryland’s General Provisions Article § 4-201(a)(1) which provides that a “record or any information submitted to the Public Access Ombudsman” is explicitly excluded under GP § 4-101(k)(3)(ii). Thus, email communications with our office and our reply, which reflect information provided to us by the sender, are not subject to the MPIA and therefore are not produced.

In addition, because the emails contain confidential mediation communications, we deny access to them under GP §4-1B-04(d), GP § 4-301(a)(2)(i), and Courts and Judicial Proceedings, §§ 3-1801 – 3-1806 (the “Maryland Mediation Confidentiality Act”).

The MPIA provides certain remedies for a requestor who disagrees or is dissatisfied with a custodian's response, including the right to seek judicial review of the custodian's decision in court, GP § 4-362, and/or to submit the disputed matter to the Ombudsman, GP § 4-1B-04. If a dispute is not resolved through the Ombudsman, a party may be eligible to file a complaint with the Board. See GP §§ 4-1A-04 and 4-1A-05.

Although the mediation remedy otherwise available through the Ombudsman would not yield the usual input of a third party (requestor, custodian, and Ombudsman), please feel free to let us know if you have questions or would like to discuss this response.

We hope that this information is helpful to you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Kershner", with a stylized, cursive script.

Lisa A. Kershner
Ombudsman

RECORDS INVENTORY AND RETENTION SCHEDULE COVER SHEET

Schedule Number (To be completed by DGS/Records Management Division)	2998
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Agency Information

Department / Agency	Office of the Public Access Ombudsman
Division / Unit	N/A - Office of the Public Access Ombudsman is an independent office created by General Provisions Article § 4-1B-02 that is administratively supported by the Office of the Attorney General's Public Access Unit.
Mission Statement/Link to division/unit website	https://news.maryland.gov/mpiaombuds/#

Schedule Information

Supersedes Schedule(s)	2810
Amends Schedule(s)	

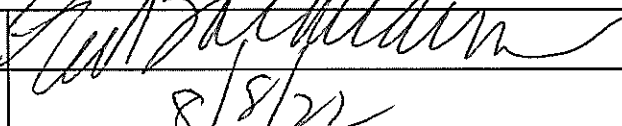
Preparer Information

Name of Preparer	S. Spencer Dove
Title of Preparer	Administrative Officer
Preparer Email Address	sdove@oag.state.md.us
Preparer Telephone Number	410-576-7035
Date	April 7, 2022

Agency Approval

Name of Agency Director	Lisa Kershner
Agency Director Signature	
Date	April 7, 2022

State Archivist Approval

State Archivist Signature	
Date	8/8/22

**DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS INVENTORY AND RETENTION SCHEDULE**

Schedule No. 2998

(To be completed by DGS/Records Management Division)

Records Series Title: Mediation Files

Page 1 of 9

Record Series Content	This record series typically contains a request from an applicant or custodian for Ombudsman assistance, notes, working papers, and emails between the Ombudsman, an applicant, and a records custodian. Depending on the outcome of the mediation, the files may contain consent documents from the parties and an agreed resolution (either as emails or written agreement).
Record Series Function	Chronicle of assistance to applicant or custodian with PIA issues
Organization/Arrangement	Alphabetical for each fiscal year (July 1 through June 30)
Indexing System	Mediation File Index Database (Item 5)
Restrictions (Law or Regulation Citation)	§ 4-1B-04(d) of the General Provisions Article, § 3-1803 of the Courts & Judicial Proceedings Article (Maryland Mediation Confidentiality Act)
Formats (paper, electronic, etc.)	Electronic and paper
Volume (file drawers, gigabytes, etc.)	Paper. 6 File drawers. Electronic 8 gigabytes
Annual Accumulation (file drawers, gigabytes, etc.)	2 File drawers. 2 Gigabytes
Current Location	200 St. Paul Place, 19 th Floor, Baltimore MD 21202; and PAU Drive of the Office of the Attorney General
Audit Requirements	None
Date Span	12/20/16 to present
Completeness /Gaps	Complete

Schedule Item Number	1
Retention	Paper and digital files both retained in office 3 years after file is closed, then destroyed.
Justification for Permanent Retention	

DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS INVENTORY AND RETENTION SCHEDULE

Schedule No. 2998

(To be completed by DGS/Records Management Division)

Records Series Title: Report Working Papers and Notes

Page 2 of 9

Record Series Content	This record series typically contains notes, working papers, and emails gathered by the Ombudsman to perform an investigation or to prepare a report.
Record Series Function	Documentation of research and deliberation for investigative and other reports.
Organization/Arrangement	Chronological
Indexing System	None
Restrictions (Law or Regulation Citation)	In general, records are open to public access, but in the case of investigatory reports and related materials the Ombudsman may possess some confidential and/or restricted records, e.g., §§ 4-301, 4-311, 4-344, 4-351 of the General Provisions Article. These records will be maintained in a fashion such that their status as confidential is identifiable.
Formats (paper, electronic, etc.)	Electronic and paper
Volume (file drawers, gigabytes, etc.)	5 File Drawers, 2 Gigabytes
Annual Accumulation (file drawers, gigabytes, etc.)	1 File drawer, 500 megabytes
Current Location	200 St. Paul Place, 19 th Floor, Baltimore MD 21202; and PAU Drive of the Office of the Attorney General
Audit Requirements	None
Date Span	2016 to present
Completeness /Gaps	Complete

Schedule Item Number	2
Retention	Paper and digital files retained in office 5 years after file is closed then destroyed.
Justification for Permanent Retention	

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS INVENTORY AND RETENTION SCHEDULE		Schedule No. 2998 (To be completed by DGS/Records Management Division)
Records Series Title: Investigative and Other Reports		Page 3 of 9

Record Series Content	This record series includes all final investigative reports and other official publications.
Record Series Function	Official reports mandated by statute or other legal authority.
Organization/Arrangement	Subject
Indexing System	None
Restrictions (Law or Regulation Citation)	None
Formats (paper, electronic, etc.)	Electronic and paper
Volume (file drawers, gigabytes, etc.)	< 1 file drawer. 1 megabyte
Annual Accumulation (file drawers, gigabytes, etc.)	< 1 report, 500 kilobytes
Current Location	200 St. Paul Place, 19 th Floor, Baltimore MD 21202; and PAU Drive of the Office of the Attorney General
Audit Requirements	None
Date Span	2016 to present
Completeness /Gaps	Complete

Schedule Item Number	3
Retention	Retain in office for 5 years then transfer to Maryland State Archives for permanent retention.
Justification for Permanent Retention	Official reports mandated by statute or other legal authority.

DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS INVENTORY AND RETENTION SCHEDULE

Schedule No. 2998

(To be completed by DGS/Records Management
Division)

Records Series Title: Administrative Files

Page 4 of 9

Record Series Content	This record series typically contains correspondence files, notes, working papers, and emails gathered by the Ombudsman to perform administrative functions that are not part of a mediation. Examples include staff memoranda, staff meeting agendas, caseload status updates, and redirecting inquiries from the public that do not fit within the mediation role of the Ombudsman. Note that hiring occurs through the Office of the Attorney General, so the Ombudsman's materials do not constitute the official employee documents.
Record Series Function	Documentation of administration activities of office, including correspondence, statistical analysis of program, and office procedures.
Organization/Arrangement	Chronological
Indexing System	None
Restrictions (Law or Regulation Citation)	Some materials may be subject to §§ 4-1B-04, 4-301, 4-311, 4-344 of the General Provisions Article or other legal protections.
Formats (paper, electronic, etc.)	Electronic and paper
Volume (file drawers, gigabytes, etc.)	2 file drawer, 2 gigabytes
Annual Accumulation (file drawers, gigabytes, etc.)	1 file drawer; 500 megabytes
Current Location	200 St. Paul Place, 19 th Floor, Baltimore MD 21202; and PAU Drive of the Office of the Attorney General
Audit Requirements	None
Date Span	12/20/17 to present
Completeness /Gaps	Complete

Schedule Item Number	4
Retention	Retain for one year then destroy.
Justification for Permanent Retention	

DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS INVENTORY AND RETENTION SCHEDULE

Schedule No. 2998

(To be completed by DGS/Records Management Division)

Records Series Title: Mediation File Index Database

Page 5 of 9

Record Series Content	Finding aid for item 1. The index is in the form of an Excel spreadsheet and Access database. Includes fields for file number, date received, person requesting assistance, dispute description, and disposition date.
Record Series Function	Data collection for Ombudsman mediation activity
Organization/Arrangement	Alphabetical
Indexing System	None
Restrictions (Law or Regulation Citation)	§ 4-1B-04(d) of the General Provisions Article, § 3-1803 of the Courts & Judicial Proceedings Article (Maryland Mediation Confidentiality Act)
Formats (paper, electronic, etc.)	Electronic
Volume (file drawers, gigabytes, etc.)	1 gigabyte
Annual Accumulation (file drawers, gigabytes, etc.)	250 megabytes
Current Location	200 St. Paul Place, 19 th Floor, Baltimore MD 21202; and PAU Drive of the Office of the Attorney General
Audit Requirements	None
Date Span	2016 to present
Completeness /Gaps	Complete

Schedule Item Number	5
Retention	Paper and digital files both retained in office 5 years after file is closed, then destroyed.
Justification for Permanent Retention	

DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS INVENTORY AND RETENTION SCHEDULE

Schedule No. 2998

(To be completed by DGS/Records Management
Division)

Records Series Title: Program Aggregate Statistical
Reports

Page 6 of 9

Record Series Content	This record series typically contains summary reports of Ombudsman caseload statistics and training activities published to the Ombudsman's website.
Record Series Function	Tracking of Ombudsman caseload and activities.
Organization/ Arrangement	Chronologically
Indexing System	None
Restrictions (Law or Regulation Citation)	None
Formats (paper, electronic, etc.)	Electronic and paper
Volume (file drawers, gigabytes, etc.)	>1 file drawer, 3 Megabytes
Annual Accumulation (file drawers, gigabytes, etc.)	>1 file drawer, 4000 Kilobytes
Current Location	200 St. Paul Place, 19 th Floor, Baltimore MD 21202; PAU Drive of the Office of the Attorney General
Audit Requirements	None
Date Span	2016 - present
Completeness /Gaps	Complete

Schedule Item Number	6
Retention	Paper and digital files retained in office 5 years, then destroyed.
Justification for Permanent Retention	

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS INVENTORY AND RETENTION SCHEDULE	Schedule No. 2998 (To be completed by DGS/Records Management Division)
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Records Series Title: Training and Outreach Materials	Page 7 of 9
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Record Series Content	This record series typically contains training materials including presentations and formatted handouts for PIA trainings provided to custodians and the public. Outreach materials include hard copy and/or digital training handouts, website files, twitter posts, and blog posts.
Record Series Function	Education materials on the PIA.
Organization/ Arrangement	Chronological
Indexing System	None
Restrictions (Law or Regulation Citation)	None
Formats (paper, electronic, etc.)	Electronic and paper
Volume (file drawers, gigabytes, etc.)	>1 file drawer, 1 gigabyte
Annual Accumulation (file drawers, gigabytes, etc.)	500 megabytes
Current Location	200 St. Paul Place, 19 th Floor, Baltimore MD 21202; and PAU Drive of the Office of the Attorney General
Audit Requirements	None
Date Span	2016 to present
Completeness /Gaps	Complete

Schedule Item Number	7
Retention	Paper and digital files retained in office 5 years after training/outreach conducted, then destroyed.
Justification for Permanent Retention	

DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS INVENTORY AND RETENTION SCHEDULE

Schedule No. 2998

(To be completed by DGS/Records Management
Division)

Records Series Title: Legislative Tracking and
Comments

Page 8 of 9

Record Series Content	Letters of comment and research materials pertaining to proposed amendments to the PIA as well as the text of existing law.
Record Series Function	Tracks and documents comment provided to legislative committees or representatives concerning proposed or existing provisions of the PIA.
Organization/ Arrangement	Chronological
Indexing System	None
Restrictions (Law or Regulation Citation)	None
Formats (paper, electronic, etc.	Electronic and paper
Volume (file drawers, gigabytes, etc.)	>1 file drawer. 300 Megabytes
Annual Accumulation (file drawers, gigabytes, etc.	100 megabytes
Current Location	200 St. Paul Place, 19 th Floor, Baltimore MD 21202; and PAU Drive of the Office of the Attorney General
Audit Requirements	None
Date Span	2016-present
Completeness /Gaps	Complete

Schedule Item #	8
Retention	Paper and digital files retained in office 5 years after end of legislative session, then destroyed.
Justification for Permanent Retention	

DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS INVENTORY AND RETENTION SCHEDULE

Schedule No. 2998

(To be completed by DGS/Records Management
Division)

Records Series Title: Final Determinations Relating to
Mediations

Page 9 of 9

Record Series Content	Final Determination is issued by the Public Access Ombudsman at the conclusion of a mediation as required by § 4-1B-04(b),(c) of the General Provisions Article.
Record Series Function	Tracks and documents Final Determinations issued by the Public Access Ombudsman at the conclusion of a mediation.
Organization/ Arrangement	Chronological
Indexing System	None
Restrictions (Law or Regulation Citation)	§ 4-1B-04(d) of the General Provisions Article; § 3-1803 of the Courts & Judicial Proceedings Article (Maryland Mediation Confidentiality Act)
Formats (paper, electronic, etc.	Electronic
Volume (file drawers, gigabytes, etc.)	300 Megabytes
Annual Accumulation (file drawers, gigabytes, etc.	100 megabytes
Current Location	PAU Drive of the Office of the Attorney General
Audit Requirements	None
Date Span	Beginning July 1, 2022 and going forward
Completeness /Gaps	

Schedule Item #	9
Retention	Digital files retained in office 5 years after file is closed, then destroyed.
Justification for Permanent Retention	

The MPIA provides certain remedies for a requestor who disagrees or is dissatisfied with a custodian's response, including the right to seek judicial review of the custodian's decision in court, GP § 4-362, and/or to submit the disputed matter to the Ombudsman, GP § 4-1B-04. If a dispute is not resolved through the Ombudsman, a party may be eligible to file a complaint with the Board. See GP §§ 4-1A-04 and 4-1A-05.

Although the mediation remedy otherwise available through the Ombudsman would not yield the usual input of a third party (requestor, custodian, and Ombudsman), please feel free to let us know if you have questions or would like to discuss this response.

We hope that this information is helpful to you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Kershner", with a stylized, cursive script.

Lisa A. Kershner
Ombudsman