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Court of Appeals issues ruling in the Tracy K. Baker e-mail case today *Court clarifies its earlier opinion regarding the release of the e-mails*

ARAPAHOE COUNTY, CO. ---- The Colorado Court of Appeals issued a ruling today in regards to Arapahoe County's petition for rehearing seeking clarification of the Court's July opinion in the Tracy K. Baker e-mail case.

Thursday's ruling clarifies that many of the 622 e-mails exchanged between the Clerk and Recorder and Leesa Sale will be released.

"The judgment of the trial court is affirmed to the extent it releases the 101 e-mails (identified as being work-related by Baker and Sale) ... and any other e-mails or portions thereof that concern work-related matters, except to the extent they identify persons other than Baker and Sale involved in the Sexual Harassment claim. The judgment is also affirmed as to (the release of) any e-mails relevant to Sale's promotion, salary, overtime, and potential grounds for termination."

The Court of Appeals has remanded the case back to the trial court, which means the District Court will determine which of the e-mails are work-related (in addition to the 101 identified by Baker and Sale) or are relevant to Sale's promotion, salary, overtime and potential grounds for termination.

The Court did not modify its earlier ruling that Baker and Sale had a little, if any, expectation of privacy in the e-mails due to the policies adopted by the County concerning Internet and e-mail use on County systems – policies that were individually signed by Baker.
