

GRAMA Notice of Appeal to State Records Committee

used to appeal the denial affirmation of a chief administrative officer or local appeals board

Note: Utah Code § 63G-2-402(1) provides that a requester or interested party may further appeal the chief administrative officer's denial by filing a notice of appeal with the State Records Committee. This notice must be filed within 30 days of the date of issuance of the response from the governmental entity or no later than 45 days after date of the request if the government fails to respond or claims extraordinary circumstances. See Utah Code § 63G-2-403(1)

Requester or interested party information:

Name:

Date:

Address:

City:

State:

ZIP code:

Daytime telephone number:

Email address:

Appeal to:

Rebekkah Shaw
SRC Executive Secretary
346 South Rio Grande Street
Salt Lake City, Utah 84101
(801) 531-3851
SRCsecretary@utah.gov

Explanation of relief sought:

Note: Relief can relate to denial of access to records (Utah Code § 63G-2-401(1)) as well as unreasonable denial of request for a fee waiver (Utah Code § 63G-2-203(6)) or extraordinary circumstances (Utah Code § 63G-2-401(1)(b)).

To what type of denial does this appeal relate?

denial of access to records

denial of a request for a fee waiver

contest of claim of extraordinary circumstances

Note: The State Records Committee will weigh the competing interests and consider GRAMA and applicable laws in order to determine whether records were properly restricted or if interests favoring access are greater than or equal to the interests favoring restriction. A petitioner's argument that release of records is in the public interest will be useful.

Details and inclusions for notice of appeal:

The State Records Committee requires documentation to be submitted with the appeal. Specific appeals procedures are outlined in Administrative Rule: Title R35. Administrative Services SRC

This petition of appeal to the State Records Committee requires the following attachments or inclusions:

- statement of facts, reasons, and legal authority in support of this
(see Utah Code § 63G-2-403(3)(b))
- copy of original GRAMA request or description of records requested
- copy of notice of denial from the governmental entity's records officer
- copy of appeal to the governmental entity's chief administrative officer (optional)
- copy of notice of decision from the governmental entity's chief administrative officer
- decision of local appeals board, if applicable

Note: Utah Code § 63G-2-401(5) provides that a chief administrative officer's failure to respond is equivalent to a denial.

Is this appeal based on a chief administrative officer's failure to respond? yes no

Note: Utah Code § 63G-2-401(4) provides for third party participation in appeals involving confidentiality claims.

Does this appeal involve a confidentiality claim? yes no unknown

Notice to governmental entity:

This notice of appeal must, on the same day, also be forwarded to the governmental entity to which the records request was made (Utah Code § 63G-2-403(3)).

Was a copy of this notice of appeal sent to the governmental entity? yes no

Request assistance:

A petitioner may request assistance from the government records ombudsman. The ombudsman serves as a resource for a person who is filing an appeal relating to a records request. The ombudsman may also attempt to mediate disputes between requesters and responders (Utah Code § 63A-12-111(2)).

Rosemary Cundiff
Government Records Ombudsman
346 South Rio Grande Street Salt
Lake City, Utah 84101
rcundiff@utah.gov
(801) 531-3858