

GRAMA Notice of Appeal to State Records Committee

Note: Utah Code § 63G-2-403 (GRAMA) provides that any person may further appeal the chief administrative officer's denial of an appeal by filing a notice of appeal with the State Records Committee. This notice must be filed within 30 days of the response from a governmental entity's chief administrative officer or 45 days if the chief administrative officer failed to make a determination.

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Requester's information

Name: Scott Logan Gollzher s.o.187728 Date: 01-24-2015

Address: 3415 South 900 West

City/State/Zip: South Salt Lake City, Utah 84119

Daytime telephone number: N/A

Make request to

Nova Dubovik
346 South Rio Grande Street
Salt Lake City, Utah 84101
ndubovik@utah.gov

Explanation of Relief Sought

Note: Relief can relate to conflicts over denial of access to records (Utah Code § 63G-2-402) as well as disputes over fees (Utah Code § 63G-2-203(6)) or extraordinary circumstances (Utah Code § 63G-2-402).

The State Records Committee can also use the weighing provision to order the release of records that are properly restricted if it determines that the interests favoring access are greater than or equal to the interests favoring restriction (Utah Code § 63G-2-203(11)).

On November 3, 2014 I submitted to Department of Child and Family Services (DCFS) a GRAMA referenced as GRAMA #6 for the complete record referenced under case #1887537, along with the names of DCFS personnel who had contact with said parties on specific days. (EXHIBIT A)

On December 3, 2014 Linda Bright Northern Region GRAMA specialist denied my request on grounds as noted. (EXHIBIT B)

On December 20, 2014 I appealed to DCFS Chief Administrative Officer, Ms. Sweeney. (EXHIBIT C)

- over -

Inclusions for notice of appeal

The State Records Committee requires documentation and has specific appeals procedures which are outlined in Administrative Rule: Title R35. Administrative Services, Records Committee, and should be reviewed by a petitioner.

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

- Statement of facts, reasons, and legal authority in support of this appeal
(see Utah Code § 63G-2-403(3)(b)).
- Original GRAMA request **EXHIBIT A** *Please reference previously submit letter to the SRC on DCFS appeal 2, 3, 4 and 5*
- Notice of denial from the governmental agency's records officer **EXHIBIT B**
- Notice of appeal to the governmental entity's chief administrative officer **EXHIBIT C**
- Notice of denial from the governmental entity's chief administrative officer **EXHIBIT D**

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)).

- Notice of appeal sent to agency

Request assistance

A petitioner may request assistance from the government records ombudsman. The ombudsman's responsibility is to serve 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
346 South Rio Grande Street
Salt Lake City, Utah 84101
rcundiff@utah.gov
(801) 531-3858

On January 13, 2015, Ms Senia Sweeney, Chief Administrative Officer for the Department of Human Services denied my request. In doing so she denied said request under reasoning applied before to my GRAMA's to DCFS entitled 2, 3, 4 and 5 currently before you for consideration. It would seem reasonable that this SRC appeal could be joined with the previous SRC appeal. And although the merits for each GRAMA to be considered are varied and an exception may applied — *nonetheless it is offered for consideration to save a separate hearing.*