STATE OF INDIANA

Mike Braun, Governor

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November 6, 2026

Re: Office of the Public Access Counselor (OPAC) Update

In an effort to promote transparency and openness of complaint review, OPAC is providing this weekly update:

Year	**2024**	**2025**	**2026 YTD**
Complaints Received	97	493	822
Complaints Pending	0	0	184

Complaints Received in November 2026 to date	24
Complaints Closed in November 2026 to date	41

Complaints Received in October 2026 to date	135
Complaints Closed in October 2026 to date	178

Pending complaints as of November 6:

240+ days old	0
239 to 180 days old	1
179 to 90 days old	48
89 to 60 days old	47
59 to 30 days old	45
<30 days old	43

Weekly Data – October 30 to November 6:

Number of Complaints Received	27
Number of Complaints Noticed	6
Number of Complaints Rejected	19
Number of Complaints Resolved	2
Number of Opinions Issued	26

OPAC receives complaints by email, fax and postal mail. Once received those complaints are reviewed for completeness of complaint and packet,

appropriateness for review by this office and timeliness of submission. The time clock starts when the complaint is received by this office. If emailed, the date we received the email, usually the same day. If postal mailed, the date it was received or the postmark date on the envelope.

Once this review is complete one of three (3) things will happen:

1) The Complainant will be notified that their complaint is insufficient. We are now only considering minor insufficiencies such as lack of signature or missing or incorrect email address for Respondent. The Complainant will then be given 5 calendar days to complete his or her complaint or it will be rejected. *Note: The time clock is not stopped for these 5 days.*

2) A Notice of Complaint will be emailed to both the Complainant and Respondent and includes the notice with formal response deadline and a copy of the complaint with supporting documentation. The Respondent will be given approximately 15 days to submit its formal response. *Note: The time clock is not stopped for these 15 days.*

3) The Complainant will receive a rejection of his or her complaint. Most rejections happen at the beginning of the process, but they can occur at any time in the process. Common rejections are that the subject matter has nothing to do with the Open Door Law or the Access to Public Records Act, the public agency's response was sufficient, the complaint was submitted more than thirty (30) days after the violation, or the required complaint form was not used. OPAC is statutorily prohibited from issuing an advisory opinion once a lawsuit is filed. If OPAC learns that a lawsuit is filed, OPAC will notify both parties and reject the complaint.

The next step is Respondent submitting its response within that timeframe. Occasionally, the Respondent requests additional time to answer, which is discussed with the Complainant and either approved or denied.

At any point in the process the complaint may be resolved. Resolved usually means that the requested documents have been released or the parties have reached an agreement. This would include when the Complainant withdraws his or her complaint.

Finally, OPAC reviews the file with complaint, response and any additional emails or documentation and issues an advisory opinion. *Note: Closed means rejected, resolved or advisory opinion issued.*

For additional detail on this process, please see Formal Complaint Guide or Public Access Handbook.