



STATE OF INDIANA

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August 4, 2026

Re: Complaint 25-FC-309
John E. Sturm (Complainant) v.
Health and Hospital Corporation Administrative Law Judge [ALJ]
(Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed July 15, 2025.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on October 28, 2025, requesting a formal response by November 26, 2025. A formal response, submitted by Deborah Albright of Monday McElwee Albright on behalf of Respondent, was received in our office on November 12, 2025.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by failing to provide copies of the public records within a reasonable time.

ANALYSIS

The public policy of APRA states that “[p]roviding persons with information is an essential function of a representative government and an integral part of the routine duties of public officials and employees, whose duty it is to provide the information.” Indiana Code (IC) 5-14-3-1. Respondent is a public agency for purposes of APRA; and therefore, subject to the requirements. IC 5-14-3-2(q). As a result, unless an exception applies, any person has the right to inspect and copy Respondent’s public records during regular business hours. IC 5-14-3-3(a).

A public agency may not deny or interfere with the exercise of the right stated above. If the public agency does not deny the request, within a reasonable time after the request is received by the agency the public agency shall either:

- (1) *Provide the requested copies to the person making the request; or*
- (2) *Allow the person to make copies:*
 - (A) *on the agency’s equipment; or*
 - (B) *on the person’s own equipment.*

IC 5-14-3-3(b).

Complainant states that on July 2, 2025, he had requested the following:

Records of all evidence, documents, testimony, notes and recordings regarding the last recent hearing regarding a residence at 616 W 41st Street, Indianapolis, Indiana.

Complainant alleges that Respondent failed to provide the records in a timely manner within two (2) weeks, and therefore, filed this complaint.

APRA does not define the term "reasonable time". This office has in the past provided guidance on what would be considered a reasonable time for purposes of compliance with the APRA provisions. An informal benchmark this office observes for a typical response time would be thirty (30) days from the receipt of the request. *Opinion of the Public Access Counselor 20-FC-87.*

However, this office has further observed that many requests cannot be fulfilled within thirty (30) days for a variety of reasons. In those circumstances, *this office considers the following factors:*

- (1) the size of the public agency;*
- (2) the size of the request;*
- (3) the number of pending requests;*
- (4) the complexity of the request; and*
- (5) any other operational considerations or factors that may reasonably affect the public records process.*

Opinion of the Public Access Counselor 25-FC-034.

Respondent stated that Complainant was provided with the requested records on July 25, 2025. This office finds that the records were provided to Complainant in less than thirty (30) days, which was not an unreasonable time frame for production.

CONCLUSION

This office finds that the Respondent did not violate APRA as alleged in the complaint.



Jennifer G. Ruby
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