

Open Records Request

Pursuant to C.R.S. §24-72-203
(Colorado Open Records Act)

Request Presented to the Custodian of the Records:

- Requestor should always ask that reasons for denial or inability to comply (if any) be provided in writing
- If the records are not in the custody or control of the person to whom application is made, that person shall:
 - state in detail, in writing, the reason for the absence of the records from that person's custody or control, and
 - The location of the records, and
 - What person then has custody and control over the requested records

If the records are not made immediately available (and no statutory exception applies)

- The date and hour set for the inspection of records shall be set within a reasonable time after the request, which is presumed by statute to be **WITHIN THREE DAYS**. If extenuating circumstances exist, an extension may be had, but shall not exceed seven working days.

If the requested records are still not produced (and no statutory exception applies):

- It is appropriate and customary to provide written Notice of Intent to File Suit, allowing the Custodian of the Record a reasonable time to cure the violation.

CRS 24-72-203 defines a reasonable time as three days, but ten days is also customary

COMPLAINT

DISTRICT COURT
Must be filed within 28 days of expiration of time

Issues for the Court

See CRCP Rule 106, Rule 16 & CRS §24-4-106

1) IMPROPERLY

2) WITHHELD

3) PUBLIC RECORD

Plaintiff: Papers to File:

- Complaint for Judicial Review [jdf 610](#)
- Affidavit in Support (where appropriate)
- Summons [jdf 600](#)
- District Civil Cover Sheet [jdf 601](#)

NOTE: Frivolous Complaints may be subject to payment of fees & costs

ANSWER

Filed 21 days after service of the Complaint

FILING OF THE RECORD

(Where applicable)

- Record must be filed within 21 Days after the date for an Answer
- Cost of preparing the Record goes to the Plaintiff, but upon Plaintiff's objection, cost may be set over to Defendant by the Court

FILING OF BRIEFS

