

WAC 10-04-080 Agency review of denials or time estimates. (1) A requestor whose request for a public record has been denied or who believes that the office has not made a reasonable estimate of the time to respond to the request may petition the chief administrative law judge for review of the denial or estimate.

(a) The petition must be in writing and include a copy of, or reasonably identify, the written statement by the public records officer denying the request or providing the estimate.

(b) The petition must be sent to the public records officer who will promptly provide the petition and any other relevant information to the chief administrative law judge to conduct the review.

(2) The chief administrative law judge will consider the petition and either affirm, modify, or reverse the denial or the estimate. This review will be completed within two business days following the office's receipt of the petition, or within such times as mutually agreed by the office and the requestor.

(3) If the office denies access to a public record because it claims the record is exempt from disclosure in whole or in part, the requestor may request the attorney general's office to review the denial under RCW 42.56.530.

(4) A requestor may obtain judicial review of a denial of a public records request under RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any administrative appeal.

[Statutory Authority: RCW 34.12.030(6). WSR 18-01-144, § 10-04-080, filed 12/20/17, effective 1/20/18. Statutory Authority: RCW 34.05.020, 34.12.030 and 42.17.250. WSR 99-20-115, § 10-04-080, filed 10/6/99, effective 11/6/99. Statutory Authority: RCW 34.04.020 and 47.17.250 - 47.17.320 [42.17.250 - 42.17.320]. WSR 82-22-052 (Order 3), § 10-04-080, filed 11/1/82.]