



STATE OF INDIANA

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October 27, 2026

Re: Complaint 26-FC-235
Amy Harness (Complainant) v.
City of Shelbyville (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed May 18, 2026.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on May 12, 2026, requesting a formal response by June 10, 2026. A formal response, submitted by Attorney Luke Jolly of McKneely Law LLP, on behalf of Respondent, was received in this office on June 10, 2026.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) by failing to provide copies of the requested records.

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(s). 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).

The complaint states that Complainant filed an APRA request for records on March 18, 2026. The requested records were:

- 1) *“Records sufficient to show the underlying transactions, account detail, ledger entries, supporting schedules, vendor detail and fund sources for: “Other Services and Charges”; “Other Disbursements” and “Other Receipts” contained within the financial reports.*
- 2) *Records sufficient to explain certain changes and increases in budgeted*

amounts for 2022 and 2023.

- 3) *Records relating to corrective actions taken following the State Board of Accounts internal control findings including untimely bank reconciliations, untimely recording of receipts and untimely recording of disbursements.*
- 4) *Records include corrective action plans, internal memoranda, updated procedures or implementation.”*

Complainant alleges that no records were received at the time of filing the complaint.

Respondent acknowledged the request on March 18, 2026, and provided Complainant with records or referrals on the same day. Respondent's formal response indicated that the response of March 18, 2026 contained all responsive records.

Complainant and Respondent continued a dialogue regarding details of the information provided.

If a public agency does not deny an APRA request, within a reasonable time after the request is received by the agency, the 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).

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. *Advisory Opinion of the Public Access Counselor 20-FC-87.*

Respondent provided the responsive records on the same day as the requested information and promised information regarding multiple years of appropriations. Respondent states that additional correspondence with Complainant was to clarify those records that were provided and answer requests for information. This office concludes that the production of the records was made in a reasonable time following the request.

Respondent asserts that the record request was filled on March 18, 2026, citing “if an agency does not have further responsive records, then the agency has not violated APRA.” *Opinion of the Public Access Counselor 14-FC-25.* Respondent goes on to state that “If Respondent provided all the records

responsive to Complainant's request, then the records request has been fulfilled." *Opinion of the Public Access Counselor 25-FC-112*. We concur.

Complainant's March 21, 2026 email, acknowledging that records had been received, and subsequently asks for additional information and breakdown of the financial information that was submitted to Complainant. Respondent is not required to answer questions, since APRA applies to the request for copies of records. Respondent has stated that all responsive records have been submitted to Complainant and therefore would imply that no detailed listing of expenses existed or were available to support individual line items as requested. APRA does not require a public agency to create records that do not exist. *Opinion of the Public Access Counselor 10-FC-86*.

CONCLUSION

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

A handwritten signature in black ink, appearing to read "Brittney A. Long". The signature is stylized with a large, looped "B" and a long, sweeping underline.

Brittney A. Long
Public Access Counselor