



**OOR**  
Office of Open Records

## HOW TO FILE AN APPEAL

If you submit a Right-to-Know request to a state or local agency in Pennsylvania and your request is denied, you can file an appeal with the Office of Open Records. There is no fee, and you do not need an attorney.

All appeals must be made in writing and must be submitted to the Office of Open Records **within 15 business days from the mailing date of the Agency's response or the date that the request was deemed denied.** If that timeframe expires before you provide the required information to the OOR, you lose your right to appeal and may need to file a new RTK request with the Agency.

## The Best Way to Submit an Appeal to the OOR

The simplest and best way to prepare an appeal is to **use the online version of the official OOR Appeal Form.**

The **OOR Appeal Form** can be used to appeal full denials, partial denials, and deemed denials (i.e., when the agency doesn't respond by the deadline), as well as to appeal any fees being charged by the agency.

To file an appeal under the Right-to-Know Law, a requester **must provide all of the following:**

- A copy of the RTK request.
- A copy of the Agency's response (or a notation that the request was "deemed denied," meaning the Agency didn't respond at all).
- A written statement explaining the grounds on which the requester asserts that the record is a public record.
- A written statement addressing any grounds stated by the agency for denying the request.

Using the **online version of the official OOR Appeal Form** will walk you through the process, step by step.

The OOR will not docket appeals or respond to requests where the OOR has reason to believe that a requester's identity is anonymous or has been misrepresented to the OOR.

## Alternative Ways to Submit an Appeal to the OOR

The OOR strongly recommends that appeals be submitted through the **online version of the official OOR Appeal Form.**

If that's not possible, the OOR also accepts appeals via email, fax, postal mail, and in-person submission.

Appeals submitted via email should be attached **as a Microsoft Word (.doc or .docx) or PDF file.**

**Email Attachment Formats:** *Appeals filed via email may include PDF, Microsoft Word (doc, docx, or rtf), Microsoft Excel (xls orxlsx), and image file (jpg, png, gif, or tiff) attachments. If an appeal to be filed via email includes an attachment of any other format, call the Office of Open Records (717-346-9903) before sending it. Other formats may be rejected by Commonwealth servers.*

**Email Attachment Filesize:** *If an appeal to be filed via e-mail includes an attachment exceeding 4MB, call the Office of Open Records (717-346-9903) before sending it. Attachments exceeding 4MB may be rejected by Commonwealth servers.*

Appeals may also be submitted via fax (717-425-5343) or postal mail:

Office of Open Records  
333 Market Street, 16th Floor  
Harrisburg, PA 17101-2234

In-person submissions are accepted at the Office of Open Records, 333 Market Street, 16th Floor, Harrisburg, PA, during normal business hours.

The deadline for an appeal submitted electronically (email or fax) is 11:59:59 p.m. on the 15th business day from the mailing date of the Agency's response or the date that the request was deemed denied. For in-person submissions and submissions via postal mail, the deadline is 5:00 p.m. on the 15th business day.

## About Appeals of "Deemed Denied" Requests

When an agency does not respond to you in writing within five business days of your written RTK request, the request is considered to be "deemed denied." If an agency did not respond, please indicate this when you file an appeal.

## What Happens After You File an Appeal

When the Office of Open Records receives an appeal, a docket number is assigned, an Appeals Officer is assigned, and both the requester and the agency are sent a letter containing important information about the appeal process.

A binding Final Determination will be issued pursuant to the timeline required by the RTKL. In most cases, that means within 30 calendar days.