



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

RUSSELL COLEMAN  
ATTORNEY GENERAL

1024 CAPITAL CENTER DRIVE  
SUITE 200  
FRANKFORT, KY 40601  
(502) 696-5300

26-ORD-143

April 2, 2026

In re: Ann Ramser/Louisville Metro Government

**Summary:** The Louisville Metro Government (“Metro”) violated the Open Records Act (“the Act”) when it failed to provide a detailed explanation of the cause of delay, as required by KRS 61.872(5).

***Open Records Decision***

On January 19, 2026, Ann Ramser (“Appellant”) submitted a request to Metro for records related to Metro’s Planning Commission bylaws and policies and procedures. On January 26, 2026, Metro responded and notified the Appellant that, pursuant to KRS 61.872(5), it needed until April 28, 2026, to make the records available to her. As a basis for the extension, Metro stated that: (1) the request “[r]equires a search for paper and electronic records” and “the files to be reviewed and redacted”; (2) “the scope of the request is broad”; (3) “[t]he records contain a mixture of exempt and nonexempt information”; and (4) it had to conduct “an email search.” This appeal followed.

Under KRS 61.880(1), a public agency must decide within five business days whether to grant a request or deny it and “notify in writing the person making the request, within the five (5) day period, of its decision.” This time may be extended under KRS 61.872(5) when records are “in active use, in storage or not otherwise available,” but only if the agency “immediately notif[ies] the applicant” and gives “a detailed explanation of the cause . . . for further delay and the place, time, and earliest date on which the public record will be available for inspection.” The Office has recognized that persons requesting a large volume of records should “expect reasonable delays in records production.” 12-ORD-228. However, the reasonableness of such a delay “is a fact-intensive inquiry.” 21-ORD-045. A vague statement about the volume of a request is not a “detailed explanation” under KRS 61.872(5). *See, e.g.*, 22-ORD-164; 17-ORD-194.

Here, the Appellant submitted a request to Metro, and it informed her it needed until April 28 to make the records available. On appeal, Metro states only that it has since provided all responsive records in its possession to the Appellant.<sup>1</sup> But Metro's initial response failed to provide the "detailed explanation" required by KRS 61.872(5). Accordingly, Metro violated the Act.

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court under KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Under KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

**Russell Coleman**  
**Attorney General**

/s/ Matthew Ray  
Matthew Ray  
Assistant Attorney General

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Distributed to:

Ann Ramser  
Alice Lyon  
Nicole Pang  
Natalie S. Johnson  
Annale Taylor  
Donald Haas  
Michael Spenlau  
Anne Coorsen

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<sup>1</sup> Because this appeal challenges the delay of Metro's response, it is not rendered moot by Metro's eventual production of documents. See 25-ORD-385 n.1.