

Bond Case Briefs

Municipal Finance Law Since 1971

PUBLIC RECORDS - WASHINGTON

Bogen v. City of Bremerton

Court of Appeals of Washington, Division 2 - August 10, 2021 - P.3d - 2021 WL 3504603

Citizen brought action against city alleging violation of Public Records Act (PRA).

The Superior Court granted city's motion to dismiss. Citizen appealed.

The Court of Appeals held that:

- One-year statute of limitations on citizen's PRA claim began to run on day after city's final action on citizen's records request, and
- Court would defer to superior court to award attorney fees.

One-year statute of limitations on citizen's Public Records Act (PRA) claim against city began to run on day after city's final action on citizen's public records request, rather than on day of city's final action; "within one year of" language in statute established period of time allowed for judicial review of agency actions, not how to compute that period of time, and "within one year of" time period in statute did not include day of triggering event.

Court of Appeals would defer to Superior Court to award attorney fees in citizen's action against city alleging violation of Public Records Act (PRA); though citizen prevailed on his appeal of grant of motion to dismiss for failure to state a claim, citizen's PRA claims had not yet been decided on merits