

Court Rules CPRA's 'Promptly Available' Standard is Flexible, Not Fixed

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Written by:

Manuel F. Martinez
Partner
Walnut Creek

Aislinn K. Roberts
Associate
San Luis Obispo

In *Voice of San Diego v. San Diego Unified School District* (2026) 120 Cal.App.5th 923, as modified (May 27, 2026), California's Fourth District Court of Appeal held the California Public Records Act (CPRA) does not impose a fixed deadline such as "days or a few weeks" for agencies to produce requested records. Instead, whether an agency has acted "promptly" depends on specific facts and circumstances of each request. This decision clarifies a common misconception about when records must be produced.

Background

The CPRA gives the public the right to inspect and obtain copies of government records. Under the CPRA, an agency has 10 days, or up to 24 in unusual circumstances, to determine whether the agency possesses responsive records and to notify the requester of that determination. Once an agency determines it has responsive records, it must make them "promptly available." The CPRA does not specify an exact deadline to produce those records, other than "promptly."

Voice of San Diego (Voice), an online news outlet, sued the San Diego Unified School District (District) after years of what it described as routine delay in fulfilling CPRA requests. Voice claimed the District averaged 399 days to produce records and argued the CPRA required production within "days or a few weeks" of the initial determination deadline. Voice sought a court order to stop the District's alleged unlawful CPRA practice.

The District disputed Voice's characterization of the timelines, submitting its own production records and testimonial evidence to show its process and timely (in the District's view) responses and production. The District argued that producing records on a rolling basis is justified by the scope and complexity of Voice's requests, many of which were overbroad, spanned multiple years and departments, implicated student and employee privacy, and required thousands of pages of review and

redaction. The trial court sided with the District, finding that Voice failed to establish the District's CPRA practice was unlawful. Voice appealed.

The Appellate Court's Decision

The Court of Appeal affirmed judgment in favor of the District. On the key legal question, the court held that the word "promptly" in the CPRA's disclosure provision means an agency must produce records "quickly and without delay as the occasion demands," but that what is "prompt" necessarily depends on the circumstances. Determining promptness requires courts to consider the scope and burden imposed on the particular agency by the particular request. The court declined to impose the "days or a few weeks" standard Voice advocated, reasoning that doing so would require the court to add words to the statute the Legislature chose not to include.

The court identified several factors relevant to assessing whether an agency has produced records promptly, including:

- The specificity and breadth of the request
- The nature and location of the records sought
- The volume of data to be searched and the storage medium involved
- The level of review required for exemptions and redactions
- The size, scope, and complexity of the business or activities of the agency
- External disruptions beyond the agency's control, such as cyberattacks or a declared state of emergency (such as COVID-19)

The court emphasized that there may be other factors to consider, and that this ruling is not a license for agencies to take as long as they wish with records requests. The court highlighted that the CPRA reflects a fundamental constitutional right of public access and agencies remain under an obligation to act promptly when processing requests. The analysis of what constitutes a "prompt" production is fact-intensive and will vary case-by-case.

The court found substantial evidence that the District did not engage in any unlawful practice of delay. The court found the 399-day average response time quoted by Voice misleading because Voice calculated this figure using only the date of the last production, ignoring earlier rolling productions that delivered records far sooner.

Takeaways

This decision provides meaningful guidance and some reassurance for public agencies navigating CPRA compliance.

First, there is no fixed deadline for producing records under the CPRA. The "promptly available" standard is deliberately flexible, and an agency is not automatically in violation

because a response took more than a few weeks, provided the timeline is justified by the facts and circumstances of the particular request.

Second, agencies should internally document their CPRA processes thoroughly. The District prevailed in large part because its CPRA officer submitted detailed declarations explaining the response process for each request. Maintaining thorough records of workflow, including search methods and reasons for any delay, is critical in the event practices are challenged.

Third, for complex or voluminous requests, agencies may wish to consider producing responsive records on a rolling basis as they become available. This approach demonstrates good faith compliance and can significantly affect how any claimed delay is measured by a reviewing court.

Finally, while the decision is now published and constitutes binding precedent, agencies should not interpret it as a green light for intentionally slow or delayed responses. The reasonableness of each agency's record production timeline is a fact specific determination. The obligation to act promptly remains real and enforceable, and agencies should continue to treat CPRA compliance as a priority to the extent feasible.

If you have any questions about this case, or for any questions regarding CPRA requests and compliance, please contact the authors of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#) and [LinkedIn](#), or download our [mobile app](#).

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