

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

JOEL EDWARD CHANDLER,
Appellant,

v.

ST. PETER'S ACADEMY, INC.,
Appellee.

No. 4D2025-2648

[August 19, 2026]

Appeal from the Circuit Court for the Nineteenth Judicial Circuit,
Indian River County; Cynthia L. Cox, Judge; L.T. Case No.
312024CA000403AXXXVB.

Joel Edward Chandler, Lakeland, pro se.

Reginald Bernard Sessions of Sessions Law Firm, Fort Pierce, for
appellee.

FORST, J.

Appellant Joel Edward Chandler appeals from the trial court's August 2025 final judgment denying Chandler's request for declaratory relief. The court found that Appellee St. Peter's Academy, Inc. ("the School") did not unjustifiably delay the production of records. We disagree and reverse. In light of the reversal, we do not address Chandler's argument regarding presuit notice requirements.

Background

This case arises from Chandler's complaint seeking to enforce Florida's Public Records Act against the School, a public charter school subject to Chapter 119, Florida Statutes (2022). In March 2023, Chandler emailed the School's principal and records custodian ("Custodian"), asking for electronic copies of certain public records relating to the School's annual meetings and corporate filings. Custodian never answered this email, despite testifying that she had received it.

More than a year later, in June 2024, Chandler sent a certified letter to the School enclosing a copy of his initial request and noting that no response had been received. Chandler filed a complaint a few weeks later to compel the production of the records.

The School's initial answer stated that the documents requested were readily available on the School's website and that copies were mailed to Chandler in July 2024. Chandler testified that he received the records, but contended his request was not satisfied because he was sent paper copies and not electronic records, as demanded. Months later, the School filed an amended answer, raising affirmative defenses including failure to state a claim, improper purpose, and failure to satisfy presuit notice requirements.

Following a bench trial, the court entered judgment for the School. The trial court effectively disregarded the March 2023 email request and found that Chandler had failed to present sufficient proof that the School knew it had received the request at that time. The court emphasized Chandler's failure to follow up for approximately fourteen months and stated that the "responsibility for ensuring effective communication of a public records request lies with *both* the requester and the agency." The court concluded that the School's delayed response following the June 2024 certified letter was reasonable under the circumstances and found no willful or malicious conduct on Custodian's part.

This appeal follows.

Analysis

"A trial court's factual findings involving an alleged Public Records Act violation are reviewed for competent substantial evidence, while its interpretation of the law is reviewed *de novo*." *Jackson v. City of S. Bay*, 358 So. 3d 18, 21 (Fla. 4th DCA 2023). "Where delay is at issue . . . the court must determine whether the delay was justified under the facts of the particular case." *Id.* (quoting *Citizens Awareness Found., Inc. v. Wantman Grp., Inc.*, 195 So. 3d 396, 399 (Fla. 4th DCA 2016)).

The Florida Constitution provides that "[e]very person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf" Art. I, § 24(a), Fla. Const. The Public Records Act also guarantees the right to inspect such records and provides that a "custodian of public records and his or her designee must

acknowledge requests to inspect or copy records promptly and respond to such requests in good faith.” § 119.07(c), Fla. Stat. (2022).

The case law interpreting Chapter 119 explains that public records custodian is *required* to make the records available, and that unjustified delay in producing such records is *per se* a violation of the Act. *See Roldan v. City of Hallandale Beach*, 361 So. 3d 348, 352–53 (Fla. 4th DCA 2023) (“Unlawful refusal under section 119.12 includes not only affirmative refusal to produce records, but also unjustified delay in producing them.” (quoting *Jackson*, 358 So. 3d at 22)); *Promenade D’Iberville, LLC v. Sundy*, 145 So. 3d 980, 983 (Fla. 1st DCA 2014) (“Disclosure of public records is not a discretionary act; it is a mandatory act.” (quoting *Mills v. Doyle*, 407 So. 2d 348, 350 (Fla. 4th DCA 1981))).

Custodian testified that she is the School’s records custodian. A charter school is a public agency as defined in the Public Records Act and is subject to the Act’s requirements. Custodian confirmed that her email address was posted on the School’s website as a means of contacting the School. Chandler sent an email to that address in March 2023 with the subject line “THIS IS A PUBLIC RECORDS REQUEST.” Custodian testified that she had received the email, which went unread through “sheer inadvertence.”

Objective Delivery

The Uniform Electronic Transactions Act (“UETA”) provides that “an electronic record *is received when the record enters an information processing system* that the recipient has designated or uses for the purpose of receiving electronic records or information of the type sent and from which the recipient is able to retrieve the electronic record,” and that an “electronic record is received . . . *even if no individual is aware of its receipt.*” § 668.50(15)(b), (e), Fla. Stat. (2022) (emphasis added).

As defined by the UETA, Chandler’s demand for copies of the public records was officially and objectively received when it entered Custodian’s email inbox in March 2023. The School was then required to answer this request in a timely manner.

Delay in making public records available is permissible under very limited circumstances. A records custodian may delay production to determine whether the records exist, § 119.07(1)(c); if the custodian believes that some or all of the record is exempt under the Act, § 119.07(1)(d)-(e); or if the requesting party fails to remit the appropriate fees,

§ 119.07(4). Otherwise, “[t]he only delay permitted by the Act is the limited reasonable time allowed the custodian to retrieve the record and delete those portions of the record the custodian asserts are exempt.” *Trib. Co. v. Cannella*, 458 So. 2d 1075, 1079 (Fla. 1984). Unjustified delay in making non-exempt public records available violates Florida’s public records law. *Id.*

Sundy, 145 So. 3d at 983. Here, the requested records did not need to be searched for or redacted, nor was any part of the records exempt from disclosure. Custodian did not offer any justification for her failure to acknowledge or answer Chandler’s March 2023 email, except that she receives too many emails and cannot review all of them.

No Intent Requirement

The trial court found that the pertinent public records request was not actually received by the School until June 2024, when Chandler sent the certified letter, and that the School provided access to the records within a reasonable time thereafter. To the extent that the court failed to account for the March 2023 email in reaching this conclusion, the court erred.

Moreover, the trial court applied the wrong standard in the final judgment, when the court stated that it did not find Custodian had “willfully failed to comply or was acting knowing[ly], willful[ly], and/or malicious[ly].” The requirement of findings of knowing or willful failure to comply with the Public Records Act is present in section 119.10, which establishes penalties for public officers who violate the Act’s provisions. The complaint in this case *does not* accuse Custodian of personally violating Chapter 119 or request that Custodian be penalized—it simply asks that the School be forced to produce the records initially requested in March 2023. Therefore, a finding on whether Custodian had knowingly or willfully violated the Act was not required or appropriate. *See Roldan*, 361 So. 3d at 353 (“Where delay is at issue . . . the court must determine whether the delay was justified under the facts of the particular case. It is only an unjustified delay in making nonexempt public records available that violates Florida’s public records law.” (emphasis omitted) (citation modified)).

Further, the Public Records Act imposes upon the agency—not the requester—the duty to promptly acknowledge and respond to public records requests, stating that “records are open for personal inspection and copying by any person” and “[p]roviding access to public records is a *duty* of each agency.” § 119.01(1), Fla. Stat. (2022) (emphasis added). The

Act contains no requirement that a requester repeatedly follow up or ensure that the agency has reviewed its communications.

Because the trial court overlooked the initial request and applied an incorrect legal standard, we reverse and remand this matter for further proceedings. On remand, the trial court must determine, using March 2023 as the operative receipt date, whether the School unlawfully delayed or otherwise violated the Public Records Act, including whether the requested records were made available through the School's website within a reasonable time¹ and whether the School adequately complied with Chandler's demand for production in electronic format. See *Seigle v. Barry*, 422 So. 2d 63, 66 (Fla. 4th DCA 1982) ("The intent [of the Public Records Act] is rather to make available to the public information which is a matter of public record, in *some meaningful form*, not necessarily that which the applicant prefers." (emphasis added)).

Conclusion

The trial court's final judgment overlooked Chandler's March 2023 email and found that the delay in the production of records was justified based on a timeline that excluded that email. Therefore, the final judgment is reversed, and the case is remanded for the trial court to apply a reasonability test that begins with Chandler's March 2023 email.²

Reversed and remanded with instructions.

GROSS and LEVINE, JJ., concur.

* * *

Not final until disposition of timely-filed motion for rehearing.

¹ The record is unclear on this point. The School's answer and Custodian's testimony suggested that the records may have been available to Chandler on the School's website—the same website where Chandler located Custodian's email address. However, the trial court did not make any findings about this.

² Because the trial court did not make any findings regarding Chandler's compliance with pre-suit notice requirements, and that issue appears to pertain to attorney's fees, that issue is not yet ripe for appellate review.