

Responding to an FOIA Request

Here are some simple tips for government officials on how to respond when an FOIA letter is received from the public or the news media:

1. Jot down the date on the letter immediately so you know later when it arrived.
2. Calculate how many "working" days, excluding weekends and holidays, between the date of receipt and the end of the 15 days allowed for a reply.
3. Check to see if the request is for copies of documents or an opportunity to inspect documents. The public and news media are entitled to both.
4. Determine whether there will be other costs than those for simple copying. You may charge a fee not to exceed the actual cost of searching for and making copies. Keep in mind that costs can be waived if the information is in the "public interest" to release. Many citizen and news media requests fall into this classification.
5. Notify in writing the party requesting information that the request has been received and give an reasonable timetable for your response. Include information about costs. Try not to wait the maximum 15 days. Some public bodies tend to wait as long as possible but this runs contrary to the intent of the law and doesn't help your relationships with the public or press.
6. Make an effort to determine the best way to make the requested information available. In other words, a phone conversation with the requesting party might be in order.
7. Remember that the public is granted access to public records and that includes all books, maps, photos, papers, cards, magnetic tapes, computer data, or other documentary materials in the possession of a public body.
8. Invest a little effort in being as helpful as possible. It'll be time well-spent.