

RESPONDING TO AN FOIA REQUEST

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

1. Jot down the date on the letter immediately so you'll know later when it arrived.
2. Calculate how many "working" days, excluding weekends and holidays, between the arrival date and the end of the 10 days allowed for a reply.
3. Check to see if the information sought is available online. If so, notify requestor.
4. Check to see if the request is for copies of documents or for an opportunity to inspect documents or receive them electronically. The public and news media are entitled to all.
5. Determine whether there will be costs other than those for simple copying. You may charge a fee not to exceed the actual cost for search, retrieval, redaction and copying. Copies may not exceed the prevailing commercial rate. 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.
6. Notify in writing the requesting party that the request has been received and give a reasonable timetable for your response, normally not to exceed 30 days. Include information about costs, including deposit, if any. Try not to wait the maximum time limit. Some public bodies tend to delay 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.
7. Try 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.
8. Remember that the public is granted access to public records and that includes all books, maps, photos, papers, cards, recordings and electronic data, or other documentary materials in the possession of a public body.
9. Invest a little effort in being cordial. It'll be time well-spent.