

SUCCESSFUL FOIA REQUESTS

Step 3. Communication is Key.

- Be willing to discuss what you are looking for as the production of the records proceeds.
 - Avoid "scripting"--i.e., looking for specific data elements you believe *should* be contained in one record because that is the way you would have done it.
 - Avoid conspiracy theorist thinking.
 - Remember the "golden rule" and treat others in the same way you wish to be treated by them.
- FOIA is meant to be procedural, not adversarial.

VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

STAFF

Alan Gernhardt
Executive Director

Chad Ayers
Attorney

**900 East Main Street, Tenth Floor,
Pocahontas Building
Richmond, VA 23219**

**Telephone (804) 698-1810
Toll-Free 1-866-448-4100
Email: foiacouncil@dls.virginia.gov
Fax (804) 698-1899
Website:
<http://foiacouncil.dls.virginia.gov>**

Advisory opinions of the FOIA Council are available online.

VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

FOIA REQUESTS FOR CITIZENS

The Mechanics of Requesting Records



Virginia Freedom of Information Advisory Council

**FREEDOM OF INFORMATION
ADVISORY COUNCIL**

**OPEN GOVERNMENT—
IT’S YOUR CALL
1-866-448-4100**

Under Virginia law, the presumption is that all documents in the possession of public officials and all meetings of state and local public bodies are open to citizens of the Commonwealth. Of course, there are exceptions and these exceptions can lead to good faith disagreements between citizens or media and public officials.

There’s an office with the expertise to help resolve disputes over Freedom of Information issues. The Virginia Freedom of Information Advisory Council answers questions from private citizens, state and local public officials, and the media about access to public records and meetings.

FOIA REQUESTS FOR CITIZENS

Making FOIA Requests

Step 1. PREPARING TO MAKE THE REQUEST

Do your homework before you file your FOIA request. Spend time thinking about:

- WHAT do you really want to find out about--as specifically as possible.
- In what FORM do you want the records?
- Research what may already be available online at the agency's website. (State agencies are required to have a FOIA Rights and Responsibilities document on line that details the types of records they have and the costs for production).
- Call the FOIA Council for help in formulating the request.

**FOIA REQUESTS FOR
CITIZENS**

Step 2. MAKING THE REQUEST

While a written request is NOT REQUIRED under the Freedom of Information Act, you may want to consider putting your request in an email or letter to ensure that your request is clearly communicated.

- Make sure your request is legible;
- Make your request in a business-like manner;
- Avoid accusations and/or editorial comment in your request.
- Include your full address, daytime telephone, and email address. Provide a fax number if possible.
- Consider including a subject line: FOIA request.