

Written Public Summary of the Office of the Auditor General's (OAG's) Freedom of Information Act (FOIA) Procedures and Guidelines

A. How to submit written requests.

FOIA requests to the OAG can be sent by e-mail or mail.

Requestors can e-mail requests by clicking on the FOIA REQUEST link on the OAG Web site under the Transparency tab.

Alternatively, requestors can mail requests to:

Office of the Auditor General
Attn: FOIA Coordinator
201 N. Washington Square, Sixth Floor
Lansing, MI 48913

Each request should include the requestor's name, phone number, and mailing address.

B. How to understand the OAG's written responses to FOIA requests.

The OAG has several options when responding to written requests for public records. It can grant the FOIA request, deny the request, grant it in part and deny it in part, or take one 10-business-day extension. After 10 business days pass, the OAG has to respond with one of the other options.

If the request is granted or granted in part and denied in part, the OAG can also charge a fee to process the request. There is no fee for requests that do not require the OAG to incur costs above the threshold set in its policies and procedures. Fees are calculated using its policies and procedures and you will receive a detailed itemization of the fee. The OAG may require you to pay a good-faith deposit before it processes your request. After you pay any deposit and final balance due, the OAG will produce records in its possession that fall within the scope of your request and that legally may be disclosed to the public. The OAG may also notify you that some of the records you have requested are available on its Web site.

If the request is denied, the OAG will inform you of the basis for its denial in a written notice. Reasons the OAG may deny a request include:

1. You did not describe the records you have requested well enough and the OAG cannot determine what you are asking for;
2. The OAG has determined that it does not have records responsive to your request in its possession; or

3. The records you have requested are exempt from public disclosure.

If all or part of your request is denied, the OAG will inform you of your right to appeal its denial to the Auditor General and/or to file a lawsuit against the OAG in its written response.

C. Deposit requirements.

If the OAG estimates a fee to process a FOIA request greater than \$50, the OAG will require a good-faith deposit from you before providing the public records. The deposit shall not exceed one-half of the total estimated fee. Any written notice containing a notice of a deposit shall also contain a best-effort estimate by the OAG regarding the time frame, after a deposit is received, that it will take the OAG to provide the public records. The time frame estimate is not binding upon the OAG, but the OAG shall provide the estimate in good faith and strive to be reasonably accurate and to provide the public records in a manner based on this State's public policy under Section 15.231 of the *Michigan Compiled Laws* and the nature of the request in the particular instance.

D. Fee calculations.

FOIA permits the OAG to charge a fee to process FOIA requests using a form to give you a detailed itemization of the costs involved. The OAG may charge for the following costs:

- (1) Labor costs for the search, retrieval, and examination of public records.
- (2) Labor costs for the review of public records and the separation and deletion of exempt from nonexempt material.
- (3) Nonpaper physical media costs.
- (4) Duplication and publication costs of public records.
- (5) Labor costs for the duplication or publication of public records.
- (6) Actual costs of mailing public records.

E. Avenues for challenge and appeal.

If the OAG charges a fee or denies all or part of a request, you may submit to the Auditor General a written appeal that specifically states the word "appeal" and identifies the basis for which the fee should be reduced or the disclosure determination should be reversed. Written appeals may be sent to the e-mail address or mailing address listed above and will be forwarded to the Auditor General or the person designated by the Auditor General to respond to written appeals.