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Maximizing Your FOIA Response Rate

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The majority of the calls we receive relate to FOIA requests and the inability to get requested materials. The following are a few tips that may help you maximize your getting the information or documents you want.

Brevity isn't always beneficial: Too short might be too vague and mean that you will get a lot more information than you intended (along with a hefty bill). By using some of the additional tips below, you may be able to develop a more targeted and specific request with better results.

Use Links: according to a CJR study, a feature associated with a higher full-grant rate was the use of links to website, which requesters used to provide context and clarify the kinds of records they desired. Although only around one percent of requesters used them, links boosted requesters' chances from 23 percent to 36 percent.

Request Data: The CJR study also found that requests that specifically asked for "data" were given full grants at a markedly higher rate than others—36 percent as compared to 23 percent. That said, the power of this effect varied considerably from agency to agency.

Follow EPA Requester's Lead: By including identification numbers for facilities/documents of interest, people filing requests to the EPA saw their probability of a full grant jump from 42% to 64%. When an identification number wasn't provided in an EPA request, other language related to describing the records requested became more important. In particular, requesters that asked for specific data or narrowed their request with dates achieved full-grant rates of over 60%. Requesters who used knowledge of the EPA's organizational structure by specifying which EPA Region had the records they sought or which EPA Site was the subject of their request enjoyed success rates of about 62 percent, regardless of whether they gave an identification

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number. *In other words - Know the agency to which you're sending your request.* And that's a nice segue into my next point.

To understand how an agency organizes its available records, the best place to go is often the agency itself. In the case of the EPA, its website lays out explicit instructions for those who wish to submit a FOIA request. For example, the EPA states FOIA requests should be directed to regional offices. The EPA's website also has a "Docket Center" where one can explore regulations and associated reports—a valuable starting point for finding identification numbers. FOIA.gov also provides contact information for offices obscured within the larger federal dept. and agencies. Based on the experiences of FOIA-experts like Galka, calling the agency's officer can sometimes be the most efficient way of understanding an agency's record system.

Beyond agency resources, Galka's FOIA Mapper (<https://foiamapper.com/what-is-a-record-system/>) project provides official documents submitted to the National Archives that lay out the framework of agencies' record systems. Documents like these can serve as a useful starting point for asking concrete, targeted questions if you plan to reach out to a FOIA officer directly.

Additionally, the growing community of FOIA enthusiasts can be a resource. A CJR piece noted that requesters have compiled an incredible amount of information about the nuances of crafting requests to specific agencies. Accessing that budding community of experts can be as simple as following #FOIA on Twitter.

A couple of starting points in Michigan: The Michigan Department of Technology, Management & Budget (DTMB) has government retention schedules: http://www.michigan.gov/dtmb/0,5552,7-150-9141_21738_31548-56101--,00.html. These can tell you what kinds of records the public body is required to retain (and for how long).

You can also search Michigan statutes <http://www.legislature.mi.gov/> using keywords to find out what sort of records might be required for certain public bodies.

Avoid the Sink Holes: Think about **all** the public bodies that might have the information you want. Often, county governments are in possession of information from the State. Consider asking the County for the information instead of the state. Likewise, if the county isn't forthcoming, see if a local township or other body has the info.

Robin Luce Herrmann

248.593.3044

luce-herrmann@butzel.com