

TAZEWELL COUNTY CLERK'S OFFICE
FREEDOM OF INFORMATION GUIDELINES

I. **INTRODUCTIONS**

These guidelines are established to implement the provisions of the Freedom of Information Act. The purpose of these guidelines is to support the policy of providing public access to the public records in the possession of this Office while, at the same time, protecting legitimate privacy interests and maintaining administrative efficiency.

II. **DEFINITIONS**

- A. Terms used in these guidelines shall have the same meaning as in the Freedom of Information Act.
- B. "FOIA" means the Freedom of Information Act.
- C. "Freedom of Information Officer" means the Tazewell County Clerk or his/her designee(s).
- D. "Office" means the Tazewell County Clerk's Office.
- E. "Requestor" means a person who submits a request for public records in accordance with these guidelines.

III. **PROCEDURES FOR REQUESTING PUBLIC RECORDS**

A. Person to Whom Requests are Submitted

Requests for public records shall be submitted to the Freedom of Information Officer of this Office. Requests shall be submitted to the following address:

Tazewell County Clerk's Office
Freedom of Information Officer
11 S. 4th St., Suite 203
Pekin, IL 61554

B. Form and Content of Requests

- 1. Requests must be made in accordance with the FOIA. Requests may be submitted in any written form that you choose or you can use the forms provided by this office.
- 2. The requestor shall provide the following information in a request for public records;
 - a. The requestor's full name, address and phone number;

- b. A description of the public records sought, being as specific as possible.
- c. Whether the request is for inspection of public records, copies of public records, or both.
- d. If the request is for copies, the requestor shall indicate whether the copies requested are to be in paper format or electronic format.
- e. If the request is for commercial purposes.
- f. If the requestor is requesting a fee waiver.

IV. **PROCEDURES FOR OFFICE RESPONSE TO REQUESTS FOR PUBLIC RECORDS**

A. Time for Office Response

1. The Office shall either comply with or deny a request for public records within 5 business days after its receipt of the request.
2. The time for response may be extended by the Office for not more than 5 business days from the original due date. When additional time is required, the Office shall, within 5 business days after receipt of the request, notify the person making the request of the reasons for the extension and the date by which the response will be forthcoming.

B. Types of Office Responses

1. The Office shall respond to a request for public records in one of three ways:
 - a. Approve the request;
 - b. Approve in part and deny in part;
 - c. Deny the request.
2. Upon approval of a request for public records, the Office may make available the materials, give notice that the materials shall be made available upon payment of allowable costs, or give notice of the time and place for inspection of records.
3. A denial of a request for public records shall be made in writing by letter of the decision to deny the request such, the reasons for the denial, including a detailed factual basis for the application of any exemption claimed, and the names and titles or positions of each person responsible for the denial. The notice of denial shall also inform the requester of the right to review by the Public Access Counselor and shall provide the address and phone number for the Public Access Counselor. Each notice of denial of an appeal shall also inform the requestor of his right to judicial review.

4. If the Office responds to a categorical request by stating that compliance would unduly burden its operation and the conditions are met, it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the public body. Such a response shall be treated as a denial of the request for information.
5. Failure to respond to a written request within 5 business days will be considered by the requestor a denial of the request.

V. **PROCEDURES FOR APPEAL OF A DENIAL**

A. Appeal of a Denial

1. A requestor whose request has been denied has the right to have the denial reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. The requestor can file the Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, IL 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

2. The Request for Review must be done within 60 calendar days of the date of the denial letter. The requestor must include a copy of the original FOIA request and the denial letter when filing a Request for Review with the PAC.

VI. **PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTORS**

A. Inspection of Records at the County Clerk's Office.

1. Unless otherwise agreed, the inspection of records shall take place at the Office of the Freedom of Information Officer during normal working hours.
2. Documents which the requestor wishes to have copied shall be segregated during the course of the inspection. Generally all copying shall be done by Office employees.
3. An employee of the Office may be present throughout the inspection. A requestor may be prohibited from bringing bags, brief cases, or other containers into the inspection room.

B. Copies of Public Records

1. Copies of public records shall be provided to the requestor only upon payment of any charges which are due.

2. For black and white, letter or legal sized copies, the first 50 pages are free, and any additional pages are 15 cents a page. For color copies or abnormal size copies, the Office can charge the actual cost of copying.
3. The Office can charge for electronic copies but only for the actual cost of the recording medium.
4. The Office may waive or reduce copying fees at any time if disclosure is in the public interest.

C. General materials available from the Freedom of Information Officer

1. Information on how to submit a FOIA.
2. A brief description of the office, including its purpose, budget and number of employees.
3. A copy of these Guidelines.