



Freedom of Information Act

Foster Swift provides advice and counsel to public entities regarding all aspects of Michigan's Freedom of Information Act, 1976 PA 442 ("FOIA.gov"). While public officials are often familiar with, and receive training on, the basics of FOIA, many FOIA requests involve more complex, nuanced, and sensitive issues that require careful consideration and action. We help our clients respond to requests for public records in an appropriate, timely and legally compliant manner, and maintain the confidential nature of information, as appropriate.

Some of the FOIA questions and issues that we frequently help our clients confront include:

- Does the FOIA apply if a request does not specifically reference the FOIA or is not submitted on an official FOIA form?
- Must "public records" that are contained on an official's personal computer be turned over?
- How quickly must a response be delivered, and how can extensions be obtained?
- What must be done to properly deny a request?
- How, when, and for what should fees be collected from the requester?

Our comprehensive FOIA services include:

- Responding to requests for records
- Assisting with FOIA appeals
- Drafting and review FOIA policies and procedures
- Assisting in the resolution of FOIA disputes
- Representing public entities in litigation involving FOIA disputes and alleged violations
- Training officials on FOIA requirements, including what constitutes a "public record"

The FOIA is designed to assist the public in gaining access to records and information from federal, state and local governments. Foster Swift FOIA attorneys, through their extensive experience representing public entities, have the expertise to help clients uphold their obligations under the FOIA and navigate through issues that may arise under the law.

PRACTICE CONTACT(S)

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ATTORNEYS

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RELATED PRACTICES

Library Law

Municipal & Public Entity Law



PUBLICATIONS & ALERTS

- A Look at State and Federal FOIA, *Foster Swift Municipal Law News*, August 7, 2019
- New Amendments to the Freedom of Information Act – Public Act 523 of 2018, *Michigan Police Chiefs (Michigan Association of Chiefs of Police)*, January 14, 2019
- Maintaining Attorney-Client Privilege in Public Meetings, *Foster Swift Municipal Law News*, April 24, 2018
- New Freedom of Information Act Case: Documents Do Not Have to be Produced by the Time the FOIA Response is Due, *Foster Swift Municipal Law News*, July 19, 2016
- Email and the Freedom of Information Act, *Foster Swift Municipal Law News*, April 30, 2015
- Develop FOIA Documents for New Requirements, *Foster Swift Municipal Law News*, March 30, 2015
- Complying with the New Freedom of Information Act Changes, *Foster Swift Municipal Law News*, January 27, 2015
- New Changes to the Freedom of Information Act, *Foster Swift Municipal Law News*, January 16, 2015
- Dealing with Employment Issues and Complying with the Open Meetings Act, *Foster Swift Municipal Law News*, March 2013
- New FOIA Bill Introduced – HB 5879, *Foster Swift Municipal Law Bulletin*, September 19, 2012
- Private Emails Sent on Public Systems are not Automatically Subject to Disclosure Under FOIA, *Foster Swift Municipal Law News*, March 2010
- The Freedom of Information Act: Do Emails Qualify as a "Public Record?", *Foster Swift Municipal Law News*, June 2009
- The Long List of Michigan Statutes Regulating Townships: Sorting out the Tangled Web, *Foster Swift Municipal Law News*, April 2008

NEWS

- Seuryneck Listed in Crain's as Notable Woman in Law, *Crain's Grand Rapids Business Journal*, February 21, 2024
- Municipal Attorney Courtney Gabbara Agrusa Joins Foster Swift, *Detroit Legal News*, August 21, 2023
- Seuryneck Recognized as a Notable West Michigan Lawyer, *Grand Rapids Business Journal*, March 20, 2023
- Dickinson Receives GRBA 3 in 10 Award, July 21, 2020
- A sidebar with ... Anne Seuryneck, *Michigan Lawyers Weekly*, April 24, 2020
- Foster Swift Participates at the 2020 MTA Conference, *Foster Swift Municipal Law News*, February 16, 2020
- Foster Swift Elects Anne Seuryneck as President of the Firm, February 13, 2020
- Southfield Office Welcomes Municipal Attorney, December 4, 2018
- Foster Swift Releases Video on FOIA in Relation to School Law, May 19, 2016

EVENTS

- Can They FOIA That?, *Michigan Township Association (MTA) Conference 2024*, April 24, 2024
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Legal issues "grab bag!", *County Road Association of Michigan Annual Legal Issues Symposium*, December 7, 2021

Open Meetings Act and Freedom of Information Act: Back to the Basics, *Michigan Municipal League: 2018 Convention*, September 20, 2018

The ABCs of the FOIA, *MTA: Upper Peninsula Municipal Law Seminar*, February 15, 2017

Legal Essentials for Municipal Officials, January 18, 2017

WEBINAR | New Changes to the Freedom of Information Act, February 17, 2015

Major Changes to Michigan's Freedom Of Information Act, *Michigan Townships Association Annual Conference*, January 29, 2015

Back to the Basics: OMA & FOIA, *Michigan Municipal League, Training Week*, April 24, 2013

Public Employment and Labor Law – The Basics, *Foster Swift Webinar Series for New Municipal Officials*

WEBINAR | Avoid Common Freedom of Information Act Mistakes, *Foster Swift Webinar Series for New Municipal Officials*, March 14, 2013

Back to the Basics: OMA & FOIA, *Michigan Municipal League, Elected Officials Academy*, February 15, 2013
