



November 9, 2009

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**ATTORNEY GENERAL MADIGAN LAUNCHES STATEWIDE SEMINARS ON CHANGES TO OPEN GOVERNMENT LAWS*****Sessions to Help Foster Awareness, Compliance With FOIA and Open Meetings Act***

DeKalb — Attorney General Lisa Madigan today kicked off the first of a series of free seminars designed to help raise awareness about important changes to the state's Freedom of Information Act (FOIA) and Open Meetings Act, which will go into effect on Jan. 1, 2010. The seminars are intended to foster compliance with FOIA and the Open Meetings Act and increase awareness about the public's rights and the responsibilities of public officials under the state's primary government transparency laws.

"The critical changes to FOIA and the Open Meetings Act will help to increase transparency at all levels of government in Illinois," Madigan said. "These seminars are designed to ensure awareness of the changes in the laws by both the public and government officials."

Earlier this year, Madigan worked with legislators and a coalition of open-government advocates and organizations, including the Better Government Association, the Citizen Advocacy Center, Illinois Press Association, and Illinois Campaign for Political Reform. The Attorney General's office also worked closely with the Illinois Reform Commission to strengthen and negotiate the bill.

The law's groundbreaking provisions will make Illinois the fifth state to give the Attorney General's office binding authority to help the public obtain access to government meetings and public records. In 2004, Attorney General Madigan created in her office the position of Public Access Counselor (PAC) to work with members of the public, the media and government bodies to resolve disputes under the sunshine laws and ensure access to government information. The PAC's decisions, however, have not been binding on government bodies, resulting in instances in which governments have continued to deny people access to public records or government meetings. With the enactment of the new law, the PAC will be a permanent position in the Attorney General's office and will have the express authority to review and determine whether documents must be disclosed under FOIA or whether a government body has violated the Open Meetings Act. The Attorney General's Office, through the PAC, will have authority to subpoena information needed to resolve a dispute under FOIA or the Open Meetings Act, issue advisory opinions to guide government bodies, issue binding opinions to resolve disputes and file lawsuits to enforce the binding opinions.

Further, under the previous law, the public had little recourse when government bodies refused to comply with FOIA. The new law changes that, enabling courts to impose civil penalties of \$2,500 to \$5,000 against government bodies that willfully and intentionally violate the law. Additionally, where the former FOIA law gave courts discretion to consider awarding attorneys' fees and costs to a plaintiff who successfully sued to obtain a public record, the new law requires courts to award reasonable attorneys fees - making it much less burdensome for members of the public to sue to enforce their right to government information.

The new law also significantly strengthens and clarifies FOIA to make it easier for people to obtain public records. In particular, the law establishes a "presumption of transparency" for public records and requires government bodies that want to withhold a document to prove by clear and convincing evidence that the law allows them to do that. The new law also shortens the initial time for a government body to respond to a FOIA request from seven to five business days. Other critical changes to the law will enhance the public's access to documents, including a more narrowly defined personal privacy exemption, a cap on the amount a government body can charge for copying the public documents requested through FOIA, and a requirement that public bodies produce records in electronic format when possible.

The Attorney General's seminars will review the changes made to strengthen the state's transparency laws in an effort to help both the public and government officials prepare for the new requirements. The sessions will be held as follows:

Date	Location	Phone
November 9, 1-3 p.m.	Northern Illinois University Holmes Student Center 16th Floor, Sky Room 201 Carroll Ave. DeKalb	(815) 753-8560
November 10, 10 a.m.-12 p.m.	The Stoney Creek Inn and Conference Center, Salon A 101 18th St. Moline	(309) 743-0101
November 16, 1 p.m. - 3 p.m.	Holiday Inn City Centre Salon A 500 Hamilton Blvd. Peoria	(309) 674-2500
November 17, 10 a.m. - 12 p.m.	John Woods Community College Paul Heath Community Education & Fine Arts Center, Auditorium 1301 South 48th St. Quincy	(217) 224-6500
November 20, 1 p.m.-3 p.m.	Illinois State Police HQ LGI Training Room 9511 W. Harrison St. Des Plaines	(847) 294-4400
November 23, 10 a.m.-12 p.m.	McHenry County College Building B, Conference Center 8900 U.S. Highway 14 Crystal Lake	(815) 455-3700
December 3, 1 p.m. - 3 p.m.	John A. Logan College Building H, Room 118/119 700 Logan College Road Carterville	(618) 985-2828
December 4, 10 a.m. - 12 p.m.	Illinois Law Enforcement Alarm System 1701 East Main St. Urbana	(217) 328-3800
December 8, 1 p.m. - 3 p.m.	Four Points by Sheraton 319 Fountains Parkway Fairview Heights	(618) 622-9500
December 9, 1 p.m. - 3 p.m.	Illinois Education Association 3440 Liberty Drive Springfield	(217) 321-2305
December 11, 10 a.m. - 12 p.m.	James R. Thompson Center Auditorium, Concourse Level 100 West Randolph Chicago	(866) 376-7215

To attend a FOIA & OMA seminar, please contact Eileen Baumstark-Pratt at [SpecialEvents@atg.state.il.us](mailto:SpecialEvents@atg.state.il.us) or 1-866-376-7215 (TTY: 1-800-964-3013). For more

information regarding FOIA and OMA, please visit [www.illinoisattorneygeneral.gov](http://www.illinoisattorneygeneral.gov).

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