How to Submit a FOIA Request for Review

A person who believes that their FOIA request was improperly denied within the previous 60 days may submit a Request for Review (RFR) to the PAC. A FOIA RFR is a formal way of asking the PAC to take a look at the original FOIA request, as well as the public body's response (or lack thereof), and determine if a FOIA violation has occurred. Section 9.5(a) of FOIA specifies three things that a requester must submit to the Public Access Bureau to file a FOIA RFR:

1) **A copy of the FOIA request submitted to the public body** (and any follow up messages clarifying or modifying the request). Even when the response from the public body quotes the FOIA request, a member of the public must include a **copy of the full original FOIA request** itself.

2) **Any responses to the request from the public body** (including any extension notices, requests for clarification, correspondence about narrowing the request, recurrent requester or voluminous request notifications, etc.) **OR**, if the public body failed to respond at all to the request, **a statement that the public body failed to respond.**

3) **A signed statement asking this office to review the denial**. The signature must be of the requester's true name rather than anonymous or a pseudonym. Typing the requester's name at the end of an e-mail qualifies as an electronic signature.

A requester must be sure to include all correspondence sent to or received from the public body regarding their FOIA request, including full copies of any e-mails (showing the sender and recipient's e-mail addresses, time sent, and subject line) or screenshots of any messages in an online FOIA portal. Copying and pasting text into a new document or making an AI-generated recreation of a record does not count as providing a copy of a record. If a requester does not submit to the PAC all the necessary materials for a FOIA RFR within 60 calendar days after the final denial (which is 60 days after the public body's response time expired if the public body failed to respond to the request), the PAC will not be able to review the allegations. 5 ILCS 140/9.5(a). It is a requester's responsibility to ensure that the PAC has received the necessary records for a complete Request for Review. Due to the volume of submissions sent to PAC, a requester may not receive notice when their submission is incomplete.

A FOIA RFR may be submitted to the PAC by either electronic mail or U.S. Mail:

Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62701
public.access@ilag.gov

The RFR does not need to follow any particular format. However, for those who would like to use one, a sample FOIA RFR form is available on the Public Access Counselor's website at **https://illinoisattorneygeneral.gov/Open-And-Honest-Government/PAC/Illinois-Residents/**.