

How to Respond to a FOIA Request

Document Summary

1. A skeletal checklist of responding to FOIA requests
2. A detailed checklist of FOIA response steps
3. A state-by-state FOIA and Open Meetings Informational Overview
4. A territory-by-territory FOIA Informational Overview

Table of Contents

FOIA Response Checklist.....	4
Detailed FOIA Response Steps.....	5
Miscellaneous Notes.....	7
Federal and National Resources.....	8
Federal Resources.....	8
STATES.....	9
Alabama.....	9
Alaska.....	10
Arizona.....	11
Arkansas.....	12
California.....	13
Colorado.....	14
Connecticut.....	15
District of Columbia.....	16
Delaware.....	17
Florida.....	18
Georgia.....	19
Hawaii.....	20
Idaho.....	21
Illinois.....	22
Indiana.....	23
Iowa.....	24
Kansas.....	25
Kentucky.....	26
Louisiana.....	27
Maine.....	28
Maryland.....	29
Massachusetts.....	30
Michigan.....	31
Minnesota.....	32
Mississippi.....	33
Missouri.....	34
Montana.....	35
Nebraska.....	36
Nevada.....	37
New Hampshire.....	38

New Jersey.....	39
New Mexico.....	40
New York.....	41
North Carolina.....	42
North Dakota.....	43
Ohio.....	44
Oklahoma.....	45
Oregon.....	46
Pennsylvania.....	47
Rhode Island.....	48
South Carolina.....	49
South Dakota.....	50
Tennessee.....	51
Texas.....	52
Utah.....	53
Vermont.....	54
Virginia.....	55
Washington.....	56
West Virginia.....	57
Wisconsin.....	58
Wyoming.....	59
TERRITORIES.....	60
American Samoa.....	60
Guam.....	61
Northern Mariana Islands.....	62
Puerto Rico.....	63
U.S. Virgin Islands.....	64

FOIA Response Checklist

1. **Timeline:** Check the timeline for responding if the requester is using state law
2. **Scope:** Clearly Understand what records the requester is asking for
3. **Subject Matter:** Determine if you are likely to have records subject to the request
4. **Fee Estimate Calculation:** Provide an estimate of
 - i. **Search and review time**
 - ii. **Pages**, including pages that may be released partially
5. Determine if **expedited processing** is required
6. **Search for records** responsive to the request
 - a. **Begin your search when instructed** by the office FOIA Coordinator
 - b. **Inform** your office **FOIA Coordinator** if you believe other offices or persons have responsive records
 - c. **Search all relevant files**
 - i. You must conduct an **adequate search of those paper and electronic files where you believe it is reasonable to expect to locate records covered by the subject matter** of the request.
7. **Releasability:** Determine if records are to be released or withheld from the requester
8. **Bracket** the information that should be withheld
9. **Organize** the records responsive to the request and submit them to your office FOIA Coordinator
10. **Submit your response package** to the FOIA caseworker

Detailed FOIA Response Steps

1. **Timeline:** Check the timeline for responding if the requester is using state law
2. **Scope:** Clearly Understand what records the requester is asking for
 - a. For clarification regarding the scope of the request, ask
 - i. Your **Office FOIA Coordinator**, or
 - ii. **The FOIA caseworker** responsible for overseeing process, or
 - iii. **Contact the requester** ☐ **TIP:** use this opportunity to ask questions or offer suggestions to further define the scope of the request
3. **Subject Matter:** Determine if you are likely to have records subject to the request
 - a. You are only required to look for records where you it is **reasonable to expect to locate paper or electronic records** covered by the subject matter
 - b. Only records that are **in existence on the date the request is received** and are **under your organization's control** are subject to the FOIA request
 - c. No records that **may fall** under the request may be destroyed after receiving it
 - d. If you think records may be located in other offices or with people who were previously involved in the subject matter, provide that information promptly to your office FOIA coordinator or the FOIA caseworker
4. **Fee Estimate Calculation:** Provide an estimate of
 - i. **Search and review time**
 1. **Search Time:** Includes time spent locating records in file cabinet, folders, searching databases, consulting others, etc.
 2. **Review Time:** Includes actual time each person who will be involved in the review of the records will spend determining if
 - a. The records can be released in their entirety or in part, and
 - b. The process of bracketing any information that will be proposed to be withheld
 - ii. **Pages**, including pages that may be released partially
 1. Duplication estimate is based off the number of pages likely to be released to the requester
 - a. It **does not include staff-hours used to copy** the records
5. Determine if **expedited processing** is required
 - a. If the FOIA request has been granted expedited processing, you must process the expedited FOIA request before processing any previous FOIA requests
6. **Search for records** responsive to the request
 - a. **Begin your search when instructed** by the office FOIA Coordinator
 - i. A search can only begin when a request is “perfected,” i.e. all fee related or other issues are resolved
 - ii. If no estimates are required, you will likely immediately begin the search
 - b. **Inform** your office **FOIA Coordinator** if you believe other offices or persons have responsive records
 - i. This will ensure that your organization as a whole does an adequate search for responsive records by enabling efficient coordination
 - c. **Search all relevant files**

- i. You must conduct, based on your knowledge of the subject matter, an **adequate search of those paper and electronic files where you believe it is reasonable to expect to locate records covered by the subject matter** of the request. You must include in your search the following:
 1. **Paper records**
 - a. under your personal control including working papers you have retained in your possession
 - b. maintained in your office
 - c. in your organizational databases or records centers
 2. **E-mails** including property sheets in the Received, Sent, Archives, and Trash files.
 - a. NOTE: Since trash files are still within your control, e-mails responsive to a FOIA request in the trash folder must be identified, retrieved, printed out, and processed.
 - i. You should also move the e-mail out of the trash folder to eliminate the possibility that an automatic deletion of e-mail will destroy the only copy.
 3. **Electronic records** in your archival libraries or other such record databases or catalogues, including all versions
 4. **Other electronic files**, including but not limited to spreadsheets, presentation files including those files stored on disks
 5. **Databases** including those files stored on disks
 6. Audio or video files or tapes.
7. **Releasability:** Determine if records are to be released or withheld from the requester
8. **Bracket** the information that should be withheld
9. **Organize** the records responsive to the request and submit them to your office FOIA Coordinator
10. **Submit your response package** to the FOIA caseworker

Miscellaneous Notes

Some records that may fall under the received request may be determined to be personal records

- These may not have been circulated to anyone else in your organization and were likely not filed within any organizational records
- HOWEVER, these records must still be identified and retained
 - While your organization may not have to invoke an exemption to withhold them from the requester, it must inform the requester that there are records that have been deemed to be personal records and the number of pages
- Please reach out to your office FOIA Coordinator or refer to your state FOIA office for a personal records checklist or personal records retention policy

Listed law school contacts can be contacted to initiate a partnership with local law schools – we recommend starting a dialogue, as law schools will find a symbiosis in helping their community while providing their students with solid experiential learning experience.

Federal and National Resources

Federal Resources

- **Federal FOIA Ombudsman:** [The Office of Government Information Services \(OGIS\)](#) is a Freedom of Information Act (FOIA) resource for the public

STATES

Alabama

Alabama Public Records Law ([Al. Code §36-12-40](#))

- Any citizen may request records
- **Registration and circulation records and information** concerning the use of the public, public school or college and university libraries of Alabama are exempt
- Any **parent of a minor child** shall have the **right to inspect the registration and circulation records** of any school or public library that pertain to his or her child

Alabama Open Meetings Law ([Al. Code §36-25A-1](#) et seq.)

- Guarantees that Alabama's citizens have open access to agencies, boards, commissions, and other governmental bodies which conduct the people's business

Resources

- **Legal Services Alabama:** <https://legalservicesalabama.org/pro-bono/>
- **University of Alabama School of Law Public Interest Dean:** [Glory McLaughlin](#)
- **Jobs to Move America:** [Patricia Todd](#) - ptodd@jobstomoveamerica.org

State Attorney General

P.O. Box 300152
Montgomery, AL 36130
(334) 242-7300
<https://www.alabamaag.gov>

Alaska

Alaska Public Records Act ([A.S. §09.25.110](#) et seq.)

- Any person can request records
- Most records in the possession of municipalities, municipal governments, and the Alaskan state government are subject to disclosure.
- **Presumption:** All records are public, subject to inspection by any member of the public.
 - **Only reason to withhold** records is if a legal exception can be identified that authorizes withholding access.
- **Defines “public records” to mean** “books, papers, files, accounts, writings, including drafts and memorializations of conversations, and other items, regardless of format or physical characteristics, that are developed or received by a public agency, or by a private contractor for a public agency, and that are preserved for their informational value or as evidence of the organization or operation of the public agency”
 - Does not include proprietary software programs.
- **Relevant Exemptions:**
 - Juvenile,
 - Medical and public health
 - **Library lending**
 - Some law enforcement records.

Alaska Open Meetings Law ([A.S. §44.62.310](#) et seq.)

- **Closed Meetings** if they could **prejudice the reputation or character** of any person, or adversely affect government finances.

Resources

- **Alaska Legal Services Corporation:** <https://www.alsc-law.org/contact-us/>
- **Alaska Legal Resource Center:** <https://www.touchngo.com/lglcntr/index.htm>

State Attorney General

1031 West 4th Avenue, Suite 200
Anchorage, AK 99501
attorney.general@alaska.gov
(907) 269-5100
<http://www.law.state.ak.us/>

Arizona

Arizona Public Records Law ([A.R.S. §§ 39–121.01](#) to [39–121.03](#))

- Any person can request records
- All public records be open to inspection by any person at all times during office hours.
- **Public records:** books, papers, maps, photographs or other documentary materials.
 - o **Digital meta-data** attached to files stored in any electronic form are considered part of that document and are thus **subject to open records requests**.
- Individuals making FOIA request for commercial purposes must state those purposes
- **Relevant Exceptions:**
 - o Student records,
 - o Research records,
 - o **Balancing Test:** If the release of a record would constitute an invasion of personal privacy and that invasion outweighs the public's right to know, or
 - o If the disclosure of a record is detrimental to the best interests of the state.

Arizona Open Meetings Law ([A.R.S. §38-431 et seq.](#))

- **Public Policy:** Meetings of public bodies must be conducted openly
 - o **Notices and agendas** must be provided for these meetings which reasonably inform the public of the matters to be discussed or decided.

Resources

- **Southern Arizona Legal Aid:** <https://www.sazlegalaid.org/>
- **AZ Law Help:** <https://www.azlawhelp.org/>
- **University of Arizona Law Clinics:** <https://law.arizona.edu/academics/clinical-programs>

State Attorney General

1275 West Washington Street
Phoenix, AZ 85007
AGInfo@azag.gov
(602) 542-5025

Arkansas

Arkansas Freedom of Information Act ([Ark. Code Ann. §§ 25-19-101](#) to 25-19-111)

- Citizens of the state can request public records
- **Defines public records** as “writings, recorded sounds, films, tapes, electronic or computer-based information, or data compilations in any medium required by law to be kept.”
- **Relevant Exceptions:**
 - State tax records,
 - Education records,
 - Information that would create unfair competition,
 - Computer security information,
 - home addresses of non-elected employees,
 - License examinations, or
 - Records relevant to the security of public infrastructure.

Arkansas Open Meetings Law (w/in AK FOIA) ([Ark. Code Ann. §§ 25-19-101](#) to 25-19-111)

- Public business must be performed in an open and public manner so that the electors shall be advised of the performance decisions of public officials making public policy
- **Closed Meetings:** To consider employment, appointment, promotion, demotion, disciplining, or resignation of any public employee.

Resources

- **Arkansas Access to Justice:** <https://arkansasjustice.org/need-help/>
- **Legal Aid of Arkansas:** <https://arlegalaid.org/>
- **University of Arkansas School of Law:** <https://law.uark.edu/service/>
- **Center for Arkansas Legal Services:** <https://www.arkansaslegal.org/>

State Attorney General

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Little Rock, AR 72201
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(501) 682-2007
<https://arkansasag.gov/>

California

California Public Records Act ([Calif. Public Records Act: Gov't Code §6250-6268](#))

- Any person can request records without stating a purpose.
- **Defines “Public records”** as defined as “any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.”
- **Separate category of “purely personal information”** that, although it may be in the custody of a government agency, does not fall under the act.
- **Catch all exemption:** “The agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this chapter or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.”
- **Response Time:** Within 10 days

California Open Meetings Law ([Brown Act: Gov't Code §54950-54960.5](#))

- Covers local government and political subdivisions, the executive branch of the state, and methods by which public meets are conducted on the state level.

Resources

- **California Pro Bono:** <https://www.californiaprobono.org/>
- **Public Counsel:** <https://publiccounsel.org/>
- **California Lawyers Association:**
<https://calawyers.org/california-lawyers-association/eight-nonprofits-to-consider-for-pro-bono-service/>
- **Melmed Law Group:** <https://www.melmedlaw.com/pro-bono-program/>

State Attorney General

P.O. Box 944255
Sacramento, CA 94244-2550
<https://oag.ca.gov>

Colorado

Colorado Open Records Act ([C.R.S. §§ 24-72-200.1 to 24-72-205.5](#))

- Any person can request records without stating a purpose; custodian cannot ask for one.
 - Criminal justice record can't be used for solicitation of business for monetary gain
- **Public records include** all writings that are made, maintained, kept or held by entities that are subject to the Act, for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds.
- **Relevant Exemptions:**
 - **At the custodian's discretion:**
 - Records of investigations.
 - **Custodian must Exempt:**
 - Personnel files,
 - Letters of reference,
 - Library records, or
 - Addresses of public school children.
- **Response Time:** 3 days

Colorado Sunshine Law for Open Meetings ([C.R.S. 24-6-401](#) et seq.)

- All meetings of two or more members of any state public body where any public business is discussed must be open to the public.
- Gathering of a quorum or three or more individuals of a local body constitutes a meeting.
- Emailed messages discussing pending actions constitutes meetings
- Closed: Negotiations with employee organizations; personnel; and student discipline.

Resources

- Denver Bar Association: <https://www.denbar.org/Public/Pro-Bono-Legal-Assistance>
- Colorado Women's Bar Association:
<https://www.cwba.org/COMMUNITY-LEGAL-SERVICES>
- Colorado Legal Services:
<https://www.coloradolegalservices.org/node/6/support-colorados-pro-bono-attorneys>

State Attorney General

1300 Broadway, 10th Floor
Denver, CO 80203
(720) 508-6000
<https://coag.gov>

Connecticut

Connecticut Freedom of Information Act ([C.T. Gen. Statutes Chapter 14 §§ 1–200 to 1-242](#))

- Any person can request records without stating a purpose.
- **Public records include** any recorded data or information relating to the conduct of the public's business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract.
- **Relevant Exemptions:**
 - o Strategy or negotiation concerning pending litigation,
 - o Licensing tests and statements of personal worth.
 - o Collective bargaining records and reports.
 - o Personal information including names and addresses of students enrolled in any school
 - o Petitions
 - o Records of complaints

Connecticut Open Meetings Law ([C.T. Gen. Statutes Chapter 14 §§ 1–200 to 1-242](#))

- **Defines meetings** as all gatherings of or communications to a quorum of members of a multi-member public agency with the intention of discussing or deciding on public policy.
- **Relevant Exemptions:**
 - o Employment search committees for executive positions,
 - o Collective bargaining,
 - o If the group does not constitute a quorum.

Resources

- **2.1.1 of Connecticut:**
<https://uwc.211ct.org/legal-assistance-when-you-cant-afford-a-lawyer-civil-matters/>

State Attorney General

55 Elm Street
Hartford, CT 06106
attorney.general@ct.gov
(860) 808-5318
<https://portal.ct.gov/ag>

District of Columbia

District of Columbia Freedom of Information Act ([D.C. Code §§ 2-531-540](#))

- Modeled on the federal FOIA statute
- Covers the D.C. executive branch and the District of Columbia Council.
- **Response Time:** 15 days

District of Columbia Open Meetings Act ([D.C. Code §§ 2-571-580](#))

- Requires publication of advance notice and agenda (including notice of any segment to be closed) and prompt availability of full records of the proceedings by video or transcript (written minutes are a substitute only if full records are not feasible).
- **Relevant Exceptions:**
 - o Individual charter school governing bodies; or
 - o D.C. Advisory Neighborhood Commissions.

Resources

- **Legal Aid D.C.:** <https://www.legalaiddc.org/who-we-are/pro-bono-program>
- **Miller & Chevalier:** <https://www.millerchevalier.com/practice-area/pro-bono>
- **Zuckerman Spaeder:** <https://www.zuckerman.com/pro-bono>

State Attorney General

400 6th Street, NW
Washington, DC 20001
oag@dc.gov
(202) 727-3400
<https://oag.dc.gov>

Delaware

Delaware Public Records Law ([Title 29, Chapter 100](#))

- Citizens of the state can request public records and a purpose is not required.
- **Public records are defined** as information of any kind, owned, made, used, retained, received, produced, composed, drafted or otherwise compiled or collected by any public body, relating in any way to public business, or in any way of public interest or in any way related to public purposes.
- **Relevant Exemptions:**
 - Personnel, medical or pupil file, the disclosure of which would constitute an invasion of personal privacy
 - Records specifically exempted from public disclosure by statute or common law
 - Labor negotiations records
 - The minutes of executive meetings where the the meeting has been closed by a vote of the public body because the subject of the meeting was either hiring discussions, disciplinary hearings, litigation strategy, criminal investigations or preliminary discussions of publicly funded projects.
 - Public Library records
- **Response Time:** 15 days

Delaware Open Meetings Law ([Title 29, Chapter 100](#))

- All gatherings of quorum of members of a public body, whether formal, informal or through video conferencing, with the intention of discussing public business are considered meetings.
- **Relevant Closed Meetings:** Employee evaluations; attorney-client discussions and meetings; collective bargaining; student disciplinary hearings.

Resources

- **Delaware Volunteer Legal Services:** <https://www.dvls.org/>
- **Morris Nichols:** <https://www.morrisnichols.com/about-pro-bono-community>

State Attorney General

820 N. French St.

Wilmington, DE 19801

attorney.general@state.de.us

(302) 577-8400

<https://attorneygeneral.delaware.gov>

Florida

Florida Sunshine Law ([Fla. Stat. sec. 119.01](#) et. seq.)

- Any person can request public records, a purpose for the request is not required, and there is no restriction on how records can be used.
- **Public records include** all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of physical form or characteristics, or means of transmission, made or received pursuant to law to ordinance or in connection with the transaction of official business by any agency.
- **Relevant Exceptions:**
 - o Personal e-mails sent from or received by city employees using a government computer, and
 - o Some “drafts” or “notes.”

Florida Open Meetings Law ([Fla. Stat. sec. 286.011](#) et seq.)

- All meetings of any governmental body where official acts will be taken are public meetings.

Resources

- Funding Florida Legal Aid: <https://fundingfla.org/florida-pro-bono-matters/>
- Shutts: <https://www.shutts.com/about-pro-bono>

State Attorney General

PL-01 The Capitol
Tallahassee, FL 32399-1050
(850) 414-3300
<http://www.myfloridalegal.com>

Georgia

Georgia Open Records Act (O.C.G.A. §§ 50-18-70 to 50-18-103)

- Citizens can request public records, a purpose for the request is not required, and there is no restriction on how records can be used.
- **Public records** are those documents generated by individuals or groups in public office in the course of public service, including
 - School districts,
 - School boards
 - With exceptions, “any nonprofit organization that receives more than one third of its funds in the form of a direct allocation of tax funds from the governing authority of an agency.”
- **Response Time:** 3 days
- **Open Records:** Electronic Records

Georgia Open Meetings Act ([O.C.G.A. §50-14-1](#) et seq.)

- **Defines meetings** as any gathering of a quorum of members of a public body where business will be discussed or action will be taken.

Resources

- **Georgia Legal Aid:** <https://www.georgialegalaid.org/>
- **Alston & Bird:** <https://www.alston.com/en/our-firm/pro-bono/our-people>
- **Georgia State University Law:** probono@gsu.edu
- **Emory University School of Law:**
<https://law.emory.edu/center-for-professional-and-career-development/center-for-public-service/pro-bono-service.html>

State Attorney General

40 Capitol Square, SW
Atlanta, GA 30334
(404) 656-3300
<https://law.georgia.gov/open-government>

Hawaii

Hawaii Uniform Information Practices Act ([Haw. Rev. Stat. §91-1](#) et seq.)

- Any person can request public records, a purpose for the request is not required, and there is no restriction on how records can be used.
- **Public Records include** all materials maintained in government offices and agencies including all records whether they be written, auditory, visual, electronic, or other physical form.
- **Relevant Exemptions:** Records that constitute an invasion of privacy.
- **Response Time:** 10 days

Hawaii Sunshine Law ([Haw. Rev. Stat. §92-1](#) et seq.)

- **Defines meetings** as any gathering of a quorum of a public body.
 - o Anyone interested must be given an opportunity to submit data, views, or arguments, in writing, on any agenda item.
 - o Attendees must be allowed to present oral testimony on any agenda item.
- **Relevant Closed Meetings:** To consider personnel information relating to those applying for professional or vocations licenses; hiring or firing of an employee; labor negotiations; attorney consultation; misconduct investigations.

Resources

- **Legal Aid Society of Hawaii:** <https://www.legalaidhawaii.org/>
- **Volunteer Legal Services Hawaii:** <https://www.vlsh.org/>
- **Hawaii Justice Foundation:** <https://www.hawaiijustice.org/>
- **University of Hawaii School of Law:** <https://hoku.law.hawaii.edu/probono/guidelines>
- **LawHelp:**
<https://www.lawhelp.org/hi/organization/hawaii-online-pro-bono-free-legal-answers/veterans/pension?ref=v4kCz>

State Attorney General

425 Queen Street
Honolulu, HI 96813
(808) 586-1500
<http://ag.hawaii.gov>

Idaho

Idaho Public Records Act ([Idaho Code §§ 74–101](#) to 74-126)

- Any person can request records without stating a purpose.
 - Only restriction on the use is the creation of mailing or phoning lists
- All records are presumed to be open records.
- **Relevant Exemptions:** Current and former public employees
- **Response Time:** 3 days

Idaho Open Meeting Law ([Idaho Code §74-201 et seq.](#))

- **Defines a meeting** as any convening of a government body to deliberate and decide on public matters, including all meetings conducted through telecommunication.
- **Relevant closed Meetings:** Personnel matters; labor negotiations.

Resources

- **Idaho Volunteer Lawyers Program:** <https://isb.idaho.gov/ilf/ivlp/legal-assistance/>
- **Idaho Legal Aid Services:**
<https://www.idaholegalaids.org/node/1133/pro-bono-opportunities>
- **Boise Attorney Group:**
<https://www.boiseattorneygroup.com/free-law-resources-legal-aid.html>

State Attorney General

700 W. Jefferson Street, P.O. Box 83720
Boise, ID 83770-0010
(208) 334-2400
<http://www.ag.idaho.gov>

Illinois

Illinois Freedom of Information Act ([5 Illinois Compiled Statutes 140 – FOIA](#))

- Any person can request records without stating a purpose.
 - **Restrictions on use:** to further a commercial enterprise, violate individual privacy, or disrupt the day-to-day working of the public body.
- Requires each public agency to nominate an officer to be the official keeper of public records and complete an online training course, established by the attorney general.
- **Defines public records** as all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, recorded information and all other documentary materials under the control of any public body.
- **Relevant Exemptions:** Personnel information and disciplinary actions.
- **Response Time:** 5 days

Illinois Open Meetings Act ([5 Illinois Compiled Statutes 120 – Open Meetings Act](#))

- **All meetings**, whether in person or by video or audio conference, telephone call, electronic means of any sort, where a **majority of a quorum of a public body meets** to discuss or act on business in any way is open to the public.
- **Relevant Closed Meetings:** Numerous exemptions including disciplinary reviews and performance reviews.

Resources

- **Public Interest Law Initiative:** <https://pili.org/resources/for-the-public/>
- **University of Illinois Chicago Law:** law-probono@uic.edu
- **Chapman:** <https://www.chapman.com/probono>

State Attorney General

500 S. 2nd Street

Springfield, IL 62701

PublicAccess@atg.state.il.us

(877) 299-3642

<http://foia.ilattorneygeneral.net>

Indiana

Indiana Access to Public Records Act ([§§5-14-3-1](#) et seq.)

- Any person can request records without stating a purpose.
 - **Restrictions on use:** for commercial purposes except if it is news publications, academic research or non-profit organization activities using the information.
- **Public records are defined** as essentially any information created, maintained or filed by government agencies.
- **Relevant Exemptions:**
 - Personal files of employees,
 - Names of charitable donors,
 - Schools, or
 - Labor negotiations.
- **Response Time:** 7 days for mail or email; 24 hours if request is in person.

Indiana Open Door Law ([I.C. §§5-14-1.5-1](#) et seq.)

- A **meeting is defined** as a gathering of a majority of the governing body of a public agency for the purpose of taking official action upon public business.
- **Relevant Exemptions:**
 - Meetings organized by other parties which are devoted to better governments, and
 - Orientation or training for new public officials.
- **Relevant Closed Meetings:** Collective bargaining and litigation strategy.

Resources

- **Pro Bono Indiana:** <https://probonoindiana.org/>
- **Indiana Legal Services:** <https://www.indianalegalservices.org/>
- **Indianapolis Legal Aid Society:** <https://www.indylas.org/>

State Attorney General

302 W. Washington St., 5th Floor

Indianapolis, IN 46204

(317) 232-6201

<https://www.in.gov/attorneygeneral/>

Iowa

Iowa Open Records Law ([Iowa Code §21.1](#) et seq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- Includes all records of government agencies except those deemed confidential.
- **Relevant Exemptions:**
 - Personal information on accepted students, current students, and past students,
 - Library records
 - Information on the donors of charitable contributions
- **Response Time:** 10-20 days

Iowa Open Meetings Law ([Iowa Code §21.1](#) et seq.)

- Defines a **meeting** as any gathering, formal or informal, where a majority of the members of a public body have the intention of deliberating or deciding upon public issues.

Resources

- **Iowa Legal Aid:** <https://www.iowalegalaid.org/volunteer-lawyers-projects>
- **Iowa State Education Association:** <https://www.isea.org/>
- **Community Lawyers of Iowa:** <https://www.communitylawyersofiowa.com/services>

State Attorney General

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<https://www.iowaattorneygeneral.gov>

Kansas

Kansas Open Records Act ([KSA 45-215](#) et. seq.)

- Any person can request records without stating a purpose
 - Departments are allowed to reject records claims if
 - It places “**an unreasonable burden**” on the department, or
 - If the department feels it is **designed to disrupt the flow** of the workings of government.
 - **Restrictions on use of records:**
 - Lists of names and addresses cannot be used for commercial purposes outside of political and educational opportunities
 - Student lists cannot be used by university sales offices.
- **Defines public records** as any records that are created or kept in public agencies and that pertain to the workings of the government.
- **Response Time:** 3 days

Kansas Open Meetings Act ([KSA 75-4317](#) et seq.)

- Defines a government meeting as any gathering of the majority of a government body with the intention of discussing public business
- **Relevant Exemption:** Impeachment hearings
- **Closed Meetings:**
 - Personnel matters;
 - Employer-employee negotiations

Resources

- **Kansas Pro Bono:** <https://klsprobono.org/>
- **Kansas Legal Services:** <https://www.kansaslegalservices.org/>
- **University of Kansas Law:** Meredith Schnug (Chair, Pro Bono) - mschnug@ku.edu

State Attorney General

120 SW 10th Ave., 2nd Floor
Topeka, KS 66612-1597
(785) 296-2215
<https://ag.ks.gov/open-government>

Kentucky

Kentucky Open Records Act (Kentucky Revised Statute Chapter 61.870 et seq.)

- Any person can request records without stating a purpose
 - Departments are allowed to reject records claims if
 - It places “**an unreasonable burden**” on the department, or
 - If the department feels it is **designed to disrupt the flow** of the workings of government.
 - **Restrictions on use of records:** if purpose declared to be commercial
- A **public record is defined** as including, “all books, papers, maps, photographs, cards, tapes, discs, diskettes, recordings, software, or other documentation regardless of physical form or characteristics, which are prepared, owned, used, in the possession of or retained by a public agency.”
- **Response Time:** 3 days, extensions allowed sometimes

Kentucky Open Meetings Act (Kentucky Revised Statute Chapter 61.800 et seq.)

- **Meetings are defined** as all gatherings of a public agency of every kind, including video teleconferences and casual gatherings.
- **Closed Meetings:**
 - Personnel matters;
 - Employer-employee negotiations.

Resources

- **Kentucky Legal Aid:** <https://www.klaid.org/pro-bono>
- **KY Justice:** <https://www.kyjustice.org/>
- **Legal Aid of the Bluegrass:** <https://lablaw.org/>
- **University of Kentucky Law:** D’lorah L Hughes (Director of Clinics) - dlorah.hughes@uky.edu

State Attorney General

700 Capitol Avenue, Suite 118
Frankfort, KY 40601-3449
(502) 696-5300
<https://ag.ky.gov>

Louisiana

Louisiana Public Records Act ([La.R.S. 44:1](#) etseq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Defines public records** as, “All books, records, writings, accounts, letters and letter books, maps, drawings, photographs, cards, tapes, recordings, memorandum, and papers, and all copies, duplicates, photographs, including microfilm, or other reproductions thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment, having been used, being in use, or prepared, possessed, or retained for use in the conduct, transaction, or performance of any business, transaction, work, duty, or function which was conducted, transacted, or performed by or under the authority of the constitution or laws of this state, or by or under the authority of any ordinance, regulation, mandate, or order of any public body”
- **Response Time:** 3 days

Louisiana Open Meetings Law ([La.R.S. 42:4.1](#) etseq.)

- Every school board meeting must allow public comment before every vote.
- People who willfully disrupt a meeting so business can't be conducted may be removed.
- Each public entity may develop its own “reasonable rules, regulations and restrictions” on public comment and involvement for meetings.
- **Closed Meetings:** Discussion of the character or professional competence of a person; collective bargaining negotiations; and misconduct investigations.

Resources

- **Baton Rouge Bar Foundation Pro Bono Project:** <https://shorturl.at/kqxyO>
- **Pro Bono Project:** <http://www.probono-no.org/>
- **Acadian Legal Service Corporation:** <http://www.la-law.org/>
- **Shreveport Bar Foundation Pro Bono Project:** <https://shorturl.at/msxCK>

State Attorney General

1885 North Third Street
Baton Rouge, LA 70802
ConstituentServices@ag.louisiana.gov
(225) 326-6079
<https://www.ag.state.la.us>

Maine

Maine Freedom of Access Act ([M.R.S.A. Title 1, Chapter 13.](#))

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Defines public records** as, “any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, or is in the possession or custody of an association, the membership of which is composed exclusively of one or more of any of these entities, and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business.”
- **Relevant Exemption:** University administrative committees.
- **Response Time:** 5 days for rejection, no timeline for positive response

Maine Freedom of Access Act ([M.R.S.A. Title 1, Chapter 13.](#))

- Applies to all meetings where transactions that affect the citizens of the state have occurred
- **Closed in meetings:** Certain personnel matters; and student disciplinary considerations..

Resources

- **Maine Volunteer Lawyers Project:** <https://www.vlp.org/>
- **Pine Tree Legal Assistance:** <https://www.ptla.org/>
- **Equality Maine:** <https://equalitymaine.org/resources/legal>
- **Preti Flaherty (Law Firm):** <https://www.preti.com/pro-bono/>
- **University of Maine Law:** Dmitry Bam (Vice Dean) - dmitry.bam@maine.edu

State Attorney General

6 State House Station
Augusta, ME 04333
(207) 626-8800
<http://www.maine.gov/ag/>

Maryland

Maryland Public Information Act ([Md. Ann. Code art. GP, § 4-101 \(2014\)](#))

- Any person can request records without stating a purpose
 - No restrictions for use of records
 - If the custodian of the records decides that inspection would go against the public interest, they may deny the record for up to ten days.
- **Public records** are defined by the Code of Maryland as documents in any form, made or received by a public body which pertain to government business.
- **Relevant Exemptions:**
 - Information that invades individual privacy;
 - Public policy development memos.
- **Response Time:** 30 days

Maryland Open Meetings Act ([Md. State General Provisions Article Title 3](#))

- A **meeting** is a gathering of a quorum of the public body for the transaction of public business.
- **Relevant Exemptions:** Public bodies acting in an administrative, judicial or quasi-judicial capacity unless the public body is meeting to discuss granting a license or permit or zoning laws or chance encounters or social gatherings.

Resources

- **2.1.1 Maryland:** <https://211md.org/resources/legal-services/>
- **Maryland Legal Aid:** <https://www.mdlab.org/pro-bono-opportunities/>
- **University of Maryland Law:** Russell McClain (Associate Dean) - rmcclain@law.umaryland.edu

State Attorney General

200 St. Paul Place
Baltimore, MD 21202

oag@oag.state.md.us

(888) 743-0023

<http://www.marylandattorneygeneral.gov>

Massachusetts

Massachusetts Public Records Act ([G.L. c. 4, § 7\(26\)](#))

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Public records are defined** as all books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any agency.
- **Relevant Exemptions:** Information that would invade individual privacy; and public policy development memos.
- **Response Time:** 10 days

Massachusetts Open Meetings Law ([G.L. c. 30A, §§18-25](#))

- A **meeting** is any gathering of a quorum of member of a public body for the purposes of deliberating and deciding on public matters with the exception of on site inspections of facilities or chance or social meetings at which no final decision are made.
- **Closed Meeting:** Certain personnel matters; discussion of individual characteristics; collective bargaining; and disciplinary records.

Resources

- **Community Legal Aid:** <https://communitylegal.org/get-involved/pro-bono/>
- **MassProBono:** <https://massprobono.org/opportunities/>
- **Harvard Law:** clinical@law.harvard.edu
- **Boston University Law:** lclinic2@bu.edu

State Attorney General

1 Ashburton Place, 20th Floor
Boston, MA 02108

ago@state.ma.us

(617) 727-8400

<https://www.mass.gov/orgs/office-of-attorney-general-maura-healey>

Michigan

Michigan Freedom of Information Act ([Mich. Comp. Laws Ann. §15.231 et seq.](#))

- Any person, except an incarcerated felon, can request records without stating a purpose
 - No restrictions for use of records
- **Records are defined** as a writing which encompasses handwriting, typing, printing, photographing, photocopying, and every other means of recording, and includes letters, words, pictures, sounds, or symbols, or combinations thereof, or other means of recording or retaining meaningful content prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.”
- **Relevant Exemptions:** Information deemed private and advisory communications with government agencies.
- **Response Time:** 5 days

Michigan Open Meetings Act ([Mich. Comp. Laws Ann. §15.261 etseq.](#))

- Meetings are any gathering of a quorum of a public body with the intention of deliberation or deciding on public matters.
- **Closed Meetings:** Collective bargaining and pending litigation discussions.
 - **Board can vote to close:** Discussion of certain personnel matters and student records.

Resources

- **Michigan Legal Help:** <https://michiganlegalhelp.org/>
- **Michigan Advocacy Program:** <https://miadvocacy.org/welcome>
- **Legal Aid of Western Michigan:** <https://lawestmi.org/i-can-help/pro-bono/>
- **University of Michigan Law:** Amy Sankaran (Pro Bono) - aharwell@umich.edu
- **University of Detroit Law:** Rebecca Simkins Nowak - simkinrg@udmercy.edu

State Attorney General

525 W. Ottawa Street, P.O. Box 30212
Lansing, MI 48909
miag@michigan.gov
(517) 335-7622
<https://www.michigan.gov/ag/>

Minnesota

Minnesota Data Practices Act ([Minn. Statutes 13.01 et seq.](#))

- Any person can request records without stating a purpose
 - **Only restriction on use:** if a commercial use is intended the government agency may charge an additional fee
- **Public records are defined** as all data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use.
- **Relevant Exemptions:** Some personnel matters
- No specified response time.

Minnesota Open Meeting Law ([Minn. Statutes Chapter 13D](#))

- The law states that any gathering of a public body for the transaction of business is considered a meeting and is to be open.
- **Closed Meetings:** Personnel matters and labor negotiations.

Resources

- **LegalWide:** <https://www.legalwide.com/pro-bono-lawyers-Minnesota.html>
- **Pro Bono Resources:** <https://shorturl.at/ghPQ4>
- **Robins Kaplan:** <https://www.robinskaplan.com/firm/pro-bono>
- **Lockridge Grindal Nauen:** <https://www.locklaw.com/pro-bono/>

State Attorney General

445 Minnesota Street, Suite 1400
St. Paul, MN 55101-2131
Attorney.General@ag.state.mn.us
(800) 657-3787
<http://www.ag.state.mn.us>

Mississippi

Mississippi Public Records Act ([Miss. Code Ann. 25-61-1](#) et seq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Records are defined** as “all books, records, papers, accounts, letters, maps, photographs, films, cards, tapes, recordings or reproductions thereof, and any other documentary materials, regardless of physical form or characteristics, having been used, being in use, or prepared, possessed or retained for use in the conduct, transaction or performance of any business, transaction, work, duty or function of any public body, or required to be maintained by any public body.”
- **Response Time:** Up to one day, unless departments decide otherwise (max 14 days)

Mississippi Open Meetings Act ([Miss. Code Ann. 25-4-1](#) et seq.)

- Defines meetings as any official assembly of a public body in order to deliberate or decide on public policy, including meetings using electronic telecommunication equipment but does not apply to chance meetings or social gatherings.
- **Closed Meetings:** Personnel matters; misconduct investigations; and admissions tests.

Resources

- **Mississippi Center for Legal Services:** <https://mscenterforlegalservices.org/>
- **Mississippi Volunteer Lawyers Project:** <https://mvlp.org/>
- **Mississippi Center for Justice:** mscenterforjustice.org
- **Human Rights Campaign Mississippi:** <https://www.hrc.org/in-your-area/mississippi>

State Attorney General

550 High Street, Suite 1200
Jackson, MS 39201
(601) 359-3680
<http://www.ago.state.ms.us>

Missouri

Missouri's Sunshine Law ([Mo. Code §610.023](#) et seq.)

- Citizens of the state can request records without stating a purpose
 - No restrictions for use of records
- **Records are defined** as “any record, whether written or electronically stored, retained by or of any public governmental body including any report, survey, memorandum, or other document or study prepared for the public governmental body by a consultant or other professional service paid for in whole or in part by public funds, including records created or maintained by private contractors under an agreement with a public governmental body or on behalf of a public governmental body.”
- **Response Time:** 3 business days

Missouri Sunshine Law for Open Meetings ([Mo. Code §610.010](#) et seq.)

- All gatherings of members of a public body where public business is discussed or decided upon are considered meetings and are required to be open to the public.
- **Closed Meetings:** Personnel matters; testing materials; and negotiations with employees.

Resources

- **Missouri Lawyers Help:** <https://missourilawyershelp.org/discounted-pro-bono-services/>
- **Legal Aid of Western Missouri:** <https://lawmo.org/>
- **Missouri Legal Services:** <https://www.lsmo.org/>
- **St. Louis Pro Bono Matters:** <https://www.bamsl.org/?pg=ProBonoMatters>

State Attorney General

207 W. High St., P.O. Box 899
Jefferson City, MO 65102
attorney.general@ago.mo.gov
(573) 751-3321
<https://ago.mo.gov>

Montana

Montana Public Records Act ([Montana Code 2-6-101](#) et seq.)

- Any person can request records without stating a purpose
 - **Only restriction on use:** sale of mailing lists for commercial reasons
- **Defines records** as all writings of government bodies, including electronic mail, and all items in “electronic format or other non-print media, including but not limited to videotapes, photographs, microfilm, film, or computer disk.”
- **Relevant Exemption** If right to individual privacy clearly exceeds public’s right to know
- **Response Time:** No specific time limits

Montana Open Meetings Law ([Montana Code 2-3-201](#) et seq.)

- **Defines meeting** as any gathering of a quorum of the members of a public body, including the use of electronic equipment, so as to deliberate and decide on public policy.
- **Closed Meetings:** Matters involving individual privacy and litigation between government entities and private parties.
 - Citizens may file suit to overturn decisions made in allegedly illegal meetings.

Resources

- **Montana Legal Services Association:** <https://www.mtlsa.org/volunteer/>
- **Crowley Fleck:** <https://crowleyfleck.com/practice-areas/pro-bono/>
- **University of Montana Law:** Kelsi Steele - kelsi.steele@mso.umt.edu

State Attorney General

215 North Sander, PO Box 201401

Helena, MT 59620-1401

contactdoj@mt.gov

(406) 444-2026

<https://dojmt.gov/agooffice/>

Nebraska

Nebraska Public Records Law ([Nebraska Statutes §84-712.01](#) et seq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- Public records include all documents, no matter the form, belonging to any government agency.
- **Relevant Exemption** If right to individual privacy clearly exceeds public's right to know
- **Response Time:** No specific time limits

Nebraska Open Meetings Act ([Nebraska Statutes §84-1408](#) et seq.)

- All regular or special gathers, whether informal or formal, where a public body convenes for the purposes of discussing and deciding on public policy are considered meetings and are open to the public, including meetings which use telecommunication equipment
- **Closed Meeting:** Collective bargaining and to protect an individual's reputation.

Resources

- **Nebraska Lawyers Foundation:** <https://www.nebar.com/page/NLF>
- **Legal Aid of Nebraska:** <https://www.legalaidofnebraska.org/>
- **Nebraska College of Law:** Daniel Gutman (1st Amendment Clinic) - dgutman2@unl.edu

State Attorney General

2115 State Capitol

Lincoln, NE 68508

ago.info.help@nebraska.gov

(402) 471-2683

<https://ago.nebraska.gov/open-government>

Nevada

Nevada Public Records Act ([N.R.S. 239](#) et seq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- Public records includes all books and records of all government entities.
- **Relevant Exemption:** Custodians must balance privacy issues with public interest.
- **Response Time:** 5 business days

Nevada Open Meetings Law ([N.R.S. 241](#) et seq.)

- A meeting is any gathering of a quorum of the members of a public body to deliberate or decide on public matters, including serial meetings where each meeting has less than a quorum but the combination of the meeting results in a quorum decision and the meetings were held to try and violate the open meetings law.
- **Closed Meetings:** To consider someone's character, alleged misconduct, or professional competence; and to conduct labor negotiations.

Resources

- **Legal Aid Center of Southern Nevada:** <https://www.lacsnprobono.org/>
- **Nevada Legal Services:** <https://nevadalegalservices.org/pro-bono-programs/>
- **Nevada 211:** <https://www.nevada211.org/legal-services/legal-aid/>
- **Northern Nevada Legal Aid:** <https://shorturl.at/fuQVY>

State Attorney General

100 North Carson Street
Carson City, NV 89701
AgInfo@ag.nv.gov
(775) 684-1100
<http://ag.nv.gov>

New Hampshire

New Hampshire Right to Know Law ([R.S.A. Ch. 91-A](#))

- Any person can request records; the only requirement for a statement of purpose is the release of statistical data sets that may contain personal information for research.
 - **Only restriction on use:** Records released as statistical data sets can only be used for research and cannot be distributed to undeclared, non-research personnel
- **Relevant Exemptions:** Student records and certain commercial/financial information.
- **Response Time:** 5 days

New Hampshire Open Meetings Law ([R.S.A. Ch. 91-A](#))

- Meetings are defined as all gatherings of a quorum of member of a public body for the purpose of deliberating and deciding public policy.
- **Closed Meetings:** Certain personnel matters and pending litigation.

Resources

- **New Hampshire Legal Aid:** <https://nhlegalaids.org/>
- **New Hampshire Legal Assistance:** <https://www.nhla.org/>
- **University of New Hampshire Law:** John Greabe - John.Greabe@law.unh.edu

State Attorney General

33 Capitol Street
Concord, NH 03301
attorneygeneral@doj.nh.gov
(603) 271-3658
<https://www.doj.nh.gov>

New Jersey

New Jersey Public Records Act ([N.J.S.A. 47:1A-1](#))

- Citizens of the state can request records without stating a purpose
- A **government record** is defined as any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business by any officer, commission, agency or authority of the State
- **Response Time:** 7 business days

New Jersey Open Public Meetings Act ([N.J.S.A. 10:4-6](#))

- Any gathering whether corporeal or by means of communication equipment, which is attended by, or open to, all of the members of a public body, held with the intent, on the part of the members of the body present, to discuss or act as a unit upon the specific public business of that body

Resources

- **Legal Services New Jersey:** <https://www.lsnj.org/>
- **Volunteer Lawyers for Justice:** <https://www.vljinj.org/>
- **McElroy Deutsch:** <https://www.mdmc-law.com/pro-bono>
- **Rutgers Law:** Joanne Gottesman (Director of Clinics) - jgottesm@camlaw.rutgers.edu

State Attorney General

8th Floor, West Wing; 25 Market Street
Trenton, NJ 08625-0080
(609) 292-4925
<http://www.state.nj.us/lps/>

New Mexico

New Mexico Inspection of Public Records Act ([NMSA \(1978\) 14-2](#) et seq.)

- Any person can request records, no statement of purpose is required
 - **Only restriction on use:** Police reports cannot be used to solicit victims for services
- **Records include** “all documents, papers, letters, books, maps, tapes, photographs, recordings and other materials, regardless of physical form or characteristics, that are used, created, received, maintained or held by or on behalf of any public body and relate to public business, whether or not the records are required by law to be created or maintained.”
- **Relevant Exemptions:** Letters of reference concerning employment, licensing or permits; matters of opinion in personnel files or students’ cumulative files; identity of applicant or nominee for president of institution of learning (names of at least five finalists must be released at least 21 days before selection is made).
- **Response Time:** 3 days

New Mexico Open Meetings Act ([NMSA \(1978\) 10-15-1](#) et seq.)

- A meeting is any gathering of a quorum of members of the public body in order to discuss and decide on personnel policy, rules, regulations, ordinances and all other public business.
- **May be closed:** Limited (individual) personnel matters; personally identifiable student information; collective bargaining strategy; and discussions of single-source purchases of more than more than \$2,500.

Resources

- **New Mexico Legal Aid:** <https://newmexicolegalaid.org/>
- **University of Mexico Law:** Serge Martinez - serge.martinez@law.unm.edu
- **LegalWide:** <https://www.legalwide.com/pro-bono-lawyers-New-Mexico.html>

State Attorney General

408 Galisteo Street
Santa Fe, NM 87501
(505) 490-4060
<https://www.nmag.gov>

New York

New York Freedom of Information Law ([New York Freedom of Information Law](#) (FOIL))

- Anyone can request records in New York, a statement of purpose is not usually required
 - However, several New York courts have considered the requestor's motives to be relevant where the motive of the document requestor was to obtain documents relative to pending litigation.
 - Agencies can deny requests for lists if they'd be used for commercial or fundraising purposes
 - No restrictions once records are obtained
- A **record is defined** as any information kept, held, filed, produced, or reproduced by, with or for an agency or the state legislature, in any physical form whatsoever.
 - Documents are still covered by the act if a promise of confidentiality has been given, if they are in temporary possession of someone else, or if they originated outside the government but have come into possession of the government.
- **Relevant Exemption:** Disclosures resulting in unwarranted invasion of privacy.
- **Response Time:** 5 days

New York Open Meetings Law ([New York Open Meetings Law](#) (OML))

- Meetings are the official convening of a public body to discuss and decide on public business.
- **Closed Meetings:** Collective bargaining; certain personnel matters.

Resources

- **Legal Services NYC:** <https://www.legalservicesnyc.org/>
- **Lawyers Alliance for New York:** <https://lawyersalliance.org/lawyers>
- **Cornell First Amendment Clinic:** <https://cornell1a.law.cornell.edu/contact.php>
- **The Legal Aid Society:** <https://legalaidnyc.org/>
- **Volunteers of Legal Service:** <https://volspobono.org/>

State Attorney General

Office of the Attorney General, The Capitol
Albany, NY 12224-0341
(800) 771-7755
<https://ag.ny.gov/bureau/foil>

North Carolina

North Carolina Public Records Law ([Chapter 132 – North Carolina General Assembly](#))

- Any person can request records without stating a purpose
 - No restrictions for use of records
- Records include all documents, no matter the physical form, “made or received pursuant to law or ordinance in connection with the transaction of public business by any agency.”
- **No time limit for response** - a custodian of public records shall **make them available “at reasonable times and under reasonable supervision** by any person, and shall, as promptly as possible, furnish copies thereof upon payment of any fees as may be prescribed by law.”

North Carolina Open Meetings Law ([Chapter 143 – Article 33C NC General Assembly](#))

- An official meeting is any gathering of a public body to discuss or decide upon public business, including communication via any electronic means.
- **Closed Meetings:** Employee matters

Resources

- **North Carolina Pro Bono:** <https://ncprobono.org/nc-legal-services-providers/>
- **Legal Aid of North Carolina:** <https://legalaidnc.org/pro-bono/>
- **Duke University Law:** Stella A. Boswell - boswell@law.duke.edu

State Attorney General

9001 Mail Service Center
Raleigh, NC 27699-9001
opengov@ncdoj.gov
(919) 716-6938
<https://ncdoj.gov>

North Dakota

North Dakota Open Records Statute ([NDCC 44-04-18](#) et seq)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Defines records** as, “recorded information of any kind, regardless of the physical form or characteristic by which the information is stored, recorded, or reproduced, which is in the possession or custody of a public entity or its agent and which has been received or prepared for use in connection with public business or contains information relating to public business.”
- No time limit for response

North Dakota Open Meetings Statute ([NDCC 44-04-19](#) et seq.)

- A meeting is any gathering of quorum of the members of a public body, whether it be in person or through electronic means, in order to discuss and decide on public business, includes all meetings of less than a quorum if the public body holds a series of similar gatherings so that the attendance at the series constitutes a quorum of members.
- **Closed Meetings:** Non-renewal hearings between school board and teacher; and hiring/firing of college/university personnel/presidents by State Board of Higher Education.

Resources

- **Legal Services of North Dakota:** <https://lsnd.org/>
- **Legalwide:** <https://www.legalwide.com/pro-bono-lawyers-North-Dakota.html>
- **University of North Dakota Law:** Trish Hodny - patricia.hodny@UND.edu

State Attorney General

600 E. Boulevard Ave Dept. 125
Bismarck, ND 58505
(701) 328-2210
<https://attorneygeneral.nd.gov>

Ohio

Ohio Open Records Law ([Ohio Rev. Code sec. 149.43](#) et seq.)

- Any person can request records without stating a purpose, anonymously if they want
 - No restrictions for use of records
- Records include all records kept by any public office as well as records of both non-profit and for-profit private schools.
- No time indicated for response

Ohio Open Meetings Law ([Ohio Rev. Code sec. 121.22](#) et seq.)

- A meeting is defined as any prearranged discussion of public business by a quorum of the public body.
- **Closed Meetings:** Certain personnel matters.

Resources

- **Pro Bono Partnership of Ohio:** <https://pbpohio.org/>
- **Ohio Justice Foundation:** <https://www.ohiojusticefoundation.org/lawyers/pro-bono/>
- **Ohio State University Law:** Halle Hara - hara.67@osu.edu

State Attorney General

30 E. Broad St., 14th Floor
Columbus, OH 43215
(614) 466-2872
<https://www.ohioattorneygeneral.gov/sunshine.aspx>

Oklahoma

Oklahoma Open Records Act ([Title 51 Oklahoma Statutes § 24A.1](#) et seq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
 - Fees can be charged for document collection if for commercial purpose
- **Defines records** as “all documents, including, but not limited to, any book, paper, photograph, microfilm, data files created by or used with computer software, computer tape, disk, and record, sound recording, film recording, video record or other material regardless of physical form or characteristic, created by, received by, under the authority of, or coming into the custody, control or possession of public officials, public bodies, or their representatives in connection with the transaction of public business, the expenditure of public funds or the administering of public property.”
- **Relevant Exemptions:** Personnel records; public officials’ personnel notes; and certain educational records including student records.
- No time limit for response

Oklahoma Open Meetings Act ([Title 25, Oklahoma Statutes §§ 301](#) et seq.)

- A meeting is any conduct of business by the majority of a public body which has gathered for the purpose of conducting business.
 - Teleconferencing only allowed for holding meetings, not gathering consensus
- **Closed Meetings:** Some meetings of institutions of higher education and certain school board meetings.

Resources

- **LegalWide:** <https://www.legalwide.com/pro-bono-lawyers-Oklahoma.html>
- **Oklahoma City University Law:** Tia Ebarb Matt - tebarbmatt@okcu.edu
- **University of Oklahoma Law:** Amy Pepper - apepper@ou.edu
- **Fellers Snider:** <https://www.fellerssnider.com/about/community-pro-bono>

State Attorney General

313 NE 21st Street
Oklahoma City, OK 73105
(405) 521-3921
<https://www.oag.ok.gov>

Oregon

Oregon Public Records Law ([O.R.S. 192.410](#) et seq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Public record** includes any writing that contains information that relates to the conduct of the public's business, is prepared, owned, used or maintained by a public body regardless of physical form or characteristics.
 - If a record (a) does not relate to the conduct of the public's business and (b) is contained on a privately owned computer", then it is not a public record
- **Relevant Exemptions:** Testing materials and personnel disciplinary action.
- No time limit specified

Oregon Public Meetings Law ([O.R.S. 192.610](#) et seq.)

- A meeting is defined as any convening of a quorum of the members of a governing body in order to discuss or decide on public business.
- **Closed Meetings:** Personnel matters; filling of a vacancy in elective office; misconduct investigations; some labor negotiations; and trade or commerce negotiations.

Resources

- **Pro Bono Oregon:** <https://probonooregon.org/>
- **Michael Fuller:** <https://underdoglawyer.com/pro-bono/>
- **Oregon Advocates:** <https://www.oregonadvocates.org/download.cfm?id=332044>
- **University of Oregon Law:** Roy Catalani - catalani@uoregon.edu

State Attorney General

1162 Court St. NE
Salem, OR 97301-4096
(503) 378-6002
<https://www.doj.state.or.us>

Pennsylvania

Pennsylvania Right to Know Law ([65 Pennsylvania Statute § 67.101](#) et seq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Defines records** as, “information, regardless of physical form or characteristics, that documents a transaction or activity of an agency and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the agency.”
- **Response Time:** 5 days

Pennsylvania Sunshine Act ([65 Pennsylvania Statute C.S. §§ 701](#) et seq.)

- A meeting is any prearranged gathering of a quorum of the members of a public body to discuss public matters.
- **Closed Meetings:** Collective bargaining and certain personnel matters.

Resources

- **PA Law Help:** <https://www.palawhelp.org/>
- **Legal aid of Southeastern PA:** <https://www.lasp.org/pro-bono>
- **Philly Bar Association:** <https://philadelphiabar.org/?pg=PIDirectory&appNum=4>
- **UPenn Law:** Kelly Farraday - <https://www.linkedin.com/in/kelly-a-farraday/>
- **Ballard Spahr:** <https://www.ballardspahr.com/about/pro-bono>

State Attorney General

16th Floor, Strawberry Square
Harrisburg, PA 17120
(717) 787-3391
<https://www.attorneygeneral.gov>

Rhode Island

Rhode Island Access to Public Records Act ([R.I. Gen. Laws §§38-2-1](#))

- Any person can request records without stating a purpose
 - **Only Restriction:** illegal to use information obtained from public records to “solicit for commercial purposes, or to obtain a commercial advantage over the party furnishing that information to the public body.”
- **Public records** are all documents, no matter their physical form that are “made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.”
- **Response Time:** 10 days to deny; no response within 10 days deemed a denial.

Rhode Island Open Meetings Act ([R.I. Gen. Laws §§42-46-1](#))

- A meeting is any convening of a public body to discuss or decide upon public business, including all “workshop,” “working,” or “work” sessions
- **Closed Meetings:** Certain personnel matters; collective bargaining; school committees; student disciplinary hearings; and student records.

Resources

- **Rhode Island Legal Services:** <https://www.helprilaw.org/>
- **Center of Justice:** <https://centerforjustice.org/>
- **LegalWide:** <https://www.legalwide.com/Pro-Bono-Lawyers-Rhode-Island.html>
- **Roger Williams Law:** Eliza Vorenberg - evorenberg@rwu.edu
- **Barton Gilman:** <https://bglaw.com/about-bg/what-sets-us-apart/community-services/>

State Attorney General

150 South Main Street
Providence, RI 02903
(401) 274-4400
<http://www.riag.state.ri.us>

South Carolina

South Carolina Freedom of Information Act ([S.C. Code Ann. §30-4-10 to 30-4-55](#))

- Any person can request records without stating a purpose
 - **Only Restriction:** prohibits the use of police reports, information about disabled individuals and employee information for commercial purposes.
- **Definition of records** includes all records, no matter their physical characteristics, that were “prepared, owned, used, in the possession of, or retained by a public body.”
- **Response Time:** 15 day period

South Carolina Open Meetings Law ([S.C. Code Ann. §30-4-60](#) et seq.)

- A meeting is the convening of quorum of the members of a public body, for the purposes of discussing and deciding on public business.
- **Closed Meetings:** Certain personnel matters.

Resources

- **South Carolina Legal Services:** <https://sclegal.org/>
- **South Carolina Access to Justice:** <https://www.scaccesstojustice.org/civil-cases>
- **University of South Carolina Law:** Emily Suski - esuski@law.sc.edu
- **Nelson Mullins:** https://www.nelsonmullins.com/culture/culture_pro_bono

State Attorney General

1000 Assembly Street, Room 519
Columbia, SC 29201
(803) 734-3970
<http://www.scag.gov>

South Dakota

South Dakota Sunshine Law ([SDCL Chapter 1-27](#))

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Public records are defined** as all records kept by public bodies in South Dakota, no matter the physical form.
- **Relevant Exception:** School records.
- No specified response time

South Dakota Open Meetings Law ([SDCL Chapter 1-25](#))

- All official meetings, including teleconferencing must be open to the public, unless members of a political subdivision are attending a meeting of the state.
- **Closed Meetings:** Employee or student performance and labor negotiations.

Resources

- **LegalWide:** <https://www.legalwide.com/pro-bono-lawyers-South-Dakota.html>
- **South Dakota Law Help:** <https://www.sdlawhelp.org/>
- **Legal Aid Offices:** https://www.legalaidoffices.com/city/sd-rapid_city
- **University of South Dakota Law:** Experiential@usd.edu

State Attorney General

1302 E Hwy 14, Suite 1
Pierre, SD 57501-8501
atghelp@state.sd.us
(605) 773-3215
<http://atg.sd.gov>

Tennessee

Tennessee Open Records Act ([Tenn. Code Ann. 10-7-503](#) et seq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Records** in the possession of public agencies in Tennessee are open to perusal by the public unless they are specifically exempted by statute or case law. Records are defined as any documents, no matter the physical form which are “made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency.”
- **Relevant Exemption:** Public school student records.
- **Response Time:** 7 days

Tennessee Open Meetings Law ([Tenn. Code Ann. 8-44-101](#) et seq.)

- **A meeting** is any gathering of a quorum of the members of a public body in order to deliberate or decide on public policy.
- **Closed Meetings:** Labor negotiations and personnel matters.

Resources

- **LegalWide:** <https://www.legalwide.com/pro-bono-lawyers-Tennessee.html>
- **West Tennessee Legal Services:** <https://wtls.org/>
- **Legal Aid of East Tennessee:** <https://www.laet.org/>
- **Baker Donelson:** <https://www.bakerdonelson.com/Pro-Bono>
- **University of Tennessee Law:** rmorgan2@utk.edu

State Attorney General

425 Fifth Avenue North

Nashville, TN 37243

(615) 741-2775

<https://www.comptroller.tn.gov/office-functions/open-records-counsel.html>

Texas

Texas Public Information Act ([Texas Government Code 552](#) (Public Information Act))

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Information is public if** it “is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business” by a governmental body or for a governmental body, and the governmental body owns the information or has a right of access to it.
- **Relevant Exceptions:** Personnel information and student records.
- **Response Time:** 10 days

Texas Open Meetings Act ([Texas Government Code Chapter 551](#))

- A **meeting** is any gathering of a quorum of the members of a public body with the intention of deliberating and deciding on public policy.
- **Closed Meetings:** Personnel and individual student matters.

Resources

- **Texas Access to Justice commission:** <https://www.texasatj.org/pro-bono>
- **Texas RioGrande Legal Aid:** <https://www.trla.org/probono>
- **Houston Volunteer Lawyers:** <https://www.makejusticehappen.org/>
- **UT Austin Law:** Andrea Marsh - amarsh@law.utexas.edu
- **Texas Tech Law:** probono.law@ttu.edu
- **Jackson Walker:** <https://www.jw.com/meet-jw/what-we-value/pro-bono/>

State Attorney General

PO Box 12548
Austin, TX 78711-2548
(512) 463-2100
<https://www.texasattorneygeneral.gov>

Utah

Utah Government Records Access and Management Act ([Utah code Title 63G Chapter 2](#))

- Any person can request records without stating a purpose
 - No restrictions for use of recordsDocuments created by public bodies in Utah are open for inspection to any member of the public.
- **Relevant Exemptions:** Private information about individuals and government employees
- **Response Time:** 10 business days

Utah Open and Public Meetings Act ([Utah Code Title 52 Chapter 4](#))

- A meeting is a gathering of a quorum of the members of a public body, including electronic methods, with the intention of discussing or deciding on public policy.

Resources

- **Utah Legal Services:** <https://www.utahlegalservices.org/>
- **ACLU Utah:** <https://www.acluutah.org/en/legal-resources>
- **BYU Law:** communitylegalclinic@law.byu.edu
- **Utah Law:** probono@law.utah.edu

State Attorney General

350 North State Street Suite 230
Salt Lake City, UT 84114-2320
uag@agutah.gov
(800) 244-4636
<https://attorneygeneral.utah.gov>

Vermont

Vermont Public Records Law ([Vermont Statute Title 1, Chapter 5.315](#))

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Public records includes** all documents, no matter the physical form that are “produced or acquired in the course of public agency business.”
- **Response Time:** Denials must be issued within 2 days

Vermont Open Meetings Law ([Vermont Statute Title 1, Chapter 5.310](#))

- A meeting is any gathering of a quorum of the members of a public body for the purposes of deliberating or deciding on public business.
- **Closed Meetings:** Contract negotiations; Employee matters; and disciplinary records of public employees and students.

Resources

- **Legal Aid:** <https://www.vtlegalaid.org/about-vla/get-involved/volunteer-attorney>
- **Langrock:** <https://langrock.com/giving-back/>
- **Vermont Law:** Beth Locker - BLOCKER@vermontlaw.edu

State Attorney General

109 State Street
Montpelier, VT 05609-1001
ago.info@vermont.gov
(802) 828-3171
<http://ago.vermont.gov>

Virginia

Virginia Freedom of Information Act (§§ [2.2-3700 – 2.2-3714](#))

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Public records includes** all documents, no matter their physical form, that are “prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business.”
- **Relevant Exemptions:** Personnel matters and working papers.
- **Response Time:** 5 business days

Virginia Open Meetings Law (§§ [2.2-3700 – 2.2-3714](#))

- A **meeting** is any gathering, whether in person or through the use of electronic communication, of at least three members of a public body or a quorum if it is less than three members whether or not a vote is taken.
- **Closed Meetings:** Some personnel matters and student disciplinary matters, etc.

Resources

- **VA Legal Aid:** <https://www.valegalaid.org/>
- **Greater Richmond Bar Foundation:** <https://form.jotform.com/GRBF/nonprofit-help>
- **Blue Ridge Legal Services:** <https://brls.org/pro-bono-programs/>
- **UVA Law:** probono@law.virginia.edu
- **George Mason Law:**
<https://libguides.law.gmu.edu/public-legal-assistance/free-legal-help>

State Attorney General

202 North Ninth Street
Richmond, VA 23219
(804) 786-2071
<https://www.oag.state.va.us>

Washington

Washington Public Records Act ([Chapter 42.56 RCW](#))

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Defines records** as “any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.”
- **Relevant Exceptions:** Personal student or patient information and employee files.
- **Response Time:** 5 days

Washington Open Public Meetings Act ([Chapter 42.30 RCW](#))

- A meeting is a gathering in which any action is taken.
- **Closed Meeting:** Personnel matters.

Resources

- **Washington Law H:** <https://www.washingtonlawhelp.org/find-legal-help/directory/>
- **The Alliance for Equal Justice:**
<https://allianceforequaljustice.org/for-the-alliance/statewide-pro-bono-council/>
- **University of Washington Law:** Carolyn Kennedy - ckenn2@uw.edu

State Attorney General

1125 Washington Street SE, PO Box 40100
Olympia, WA 98504-0100
(360) 753-6200
<http://www.atg.wa.gov>

West Virginia

West Virginia Freedom of Information Act ([W.Va. Code §29B-1-1](#) et seq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- **Defines records** as “any writing containing information relating to the conduct of the public’s business, prepared, owned and retained by a public body”.
- **Relevant Exemptions:** Information violating personal privacy and some exam data.
- **Response Time:** 5 business days

West Virginia Open Governmental Proceedings Act ([W.Va. Code §6-9A-1](#) et seq.)

- A meeting is any gathering of a quorum of the members of a public body in order to deliberate and decide on public policy.
- **Closed Meetings:** Personnel, discipline, suspension or expulsion of a student.

Resources

- **Legal Aid:** <https://legalaidwv.org/>
- **ACLU West Virginia:** mail@acluwv.org
- **Free Legal Answers:** <https://wv.freelegalanswers.org/OtherHelp>
- **University of West Virginia Law:** cliniclaw@mail.wvu.edu

State Attorney General

State Capitol Complex, Bldg. 1, Room E-26
Charleston, WV 25305
(304) 558-2021
<http://ago.wv.gov>

Wisconsin

Wisconsin Open Records Law ([Wisconsin Statute 19.21](#) et seq.)

- Any person can request records, except for incarcerated or involuntarily committed people, without stating a purpose
- No restrictions for use of records
- **Defines record** as any document, regardless of physical form, that “has been created or is being kept by” an agency.
- No time limit for response specified
- **Relevant Exemptions:** Public library circulation records are confidential.

Wisconsin Open Meetings Law ([Wisconsin Statute 19.81](#) et seq.)

- A meeting is any gathering of the members of a public body with the intention of conducting public business; any gathering of at least half of the members of the public body is a clear indication of an intention to conduct public business.
- **Closed Meetings:** Certain negative or disciplinary personnel matters; personnel employment, promotion, compensation or performance evaluations; and to consider financial, medical, social or personal histories or disciplinary data of specific persons that would likely have a substantial adverse affect upon the reputation of the person.

Resources

- **Legal Assistance:** <https://wilawlibrary.gov/topics/assist.php>
- **Wisconsin Free Legal Answers:** <https://wi.freelegalanswers.org/>
- **Legal Aid Resources:** <https://wejf.org/news/legal-resources/>
- **University of Wisconsin Law:** Lindsay Slaker - lsaker@wisc.edu

State Attorney General

17 W Main Street, PO Box 7857
Madison, WI 53703-7857
(608) 266-1221
<https://www.doj.state.wi.us>

Wyoming

Wyoming Sunshine Law ([Wyo. Stat. § 16-4-201](#) et seq.)

- Any person can request records without stating a purpose
 - No restrictions for use of records
- The **definition of records** includes all documents, no matter their physical form, that have been created or received by government agencies in the course of public business.
- **Relevant Exemptions:** Testing materials; labor negotiations; and school board and university student disciplinary records.
- No response time is specified

Wyoming Public Meeting Law ([Wyo. Stat. § 16-4-401](#) et seq.)

- A meeting is a gathering of a quorum the members of a public body, which was called by the public body with the intention of discussing public business.
- **Closed Meetings:** Meetings regarding anonymous gifts to public agencies.

Resources

- **Legal Aid:** <https://www.lawyoming.org/>
- **Wyoming State Bar:**
<https://www.wyomingbar.org/for-the-public/hire-a-lawyer/modest-means-program/>
- **Free Legal Answers:** <https://wyoming.freelegalanswers.org/>
- **University of Wyoming Law:** Danielle Cover - dcover1@uwyo.edu

State Attorney General

2320 Capitol Avenue
Cheyenne, WY 82002
(307) 777-7841
<http://ag.wyo.gov>

TERRITORIES

American Samoa

No Samoan legislative laws found.

Resources

- **American Samoa Legal Aid:** <https://aslegalaid.org/>
- **Law Help:** <https://www.lawhelp.org/as/find-legal-help>

Attorney General

P.O. Box 7
Utulei, American Samoa
Ph #: (684) 633-4163
email: ag@la.as.gov

Guam

Sunshine Act ([5 GCA Chapter 10](#))

- Public records includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency in any format, including electronic format; and any out-of-court settlement records.

Executive Order-Based Open Meeting Law

Resources

- **Guam Bar Association:**
<https://www.guambar.org/resources-tools/lawyer-referral-service-lrs>

Attorney General

590 S. Marine Corps Dr., Suite 901
Tamuning, Guam 96913
Litigation Fax: (671) 472-2493
civillitigation@oagguam.org

Northern Mariana Islands

Northern Mariana Islands FOIA ([HB3-309](#))

- **“Record”** means any “item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.”
- **Response Time:** 10 days

Resources

- **Micronesian Legal Services Corporation:** www.micronesianlegal.org/

Attorney General

<https://www.cnmioag.org/contact-us/>

Puerto Rico

Soto vs. Secretary of Justice (PR Supreme Court 1982)

- Puerto Rico Supreme Court has recognized access to public information as a constitutional right.

Transparency and Expedited Procedure for Access to Public Information (Law 141-2019)

- Information and documentation produced by the government is presumed to be public and equally accessible to all persons;

Resources

- **CLPR:** <https://en.coalicionlegalpr.com/proceso-para-abogados>
- **PR Legal Services:** <https://www.lsc.gov/grants/our-grantees/puerto-rico-legal-services-inc-program-profile>
- **Ayuda Legal:** <https://ayudalegalpr.org/en/find-legal-help/directory>

Attorney General

Torre Chardón, Suite 1201
350 Carlos Chardón Street
San Juan, PR 00918
Main: (787) 766-5656
Main Fax: (787) 771-4043

U.S. Virgin Islands

Government Agency Meetings Open to Public ([V.I. Code tit. 1, § 254 \(2019\)](#))

- **Closed Meetings:** Information of personal nature which is invasion of personal privacy.

Resources

- **Virgin Islands Bar Association:** <https://www.usvibar.org/page/ProBono>
- **Legal Services:** <https://lsvilaw.org/probono/>

Attorney General

3438 Kronprindsens
Gade GERS Building, 2nd Floor,
St. Thomas Virgin Islands 00802
(340) 774-5666 [St.Thomas]
(340) 773-0295 [St.Croix]
info@usvidoj.com