

Frequently Asked Freedom of Information (FOIA) Questions

- **What is a FOIA Request?**

A Freedom of Information Act request is a “written request that describes a public record sufficiently to enable the public body to find the public record.” [MCL 15.243\(1\)](#).

- **How do I submit a FOIA request?**

FOIA requests can be sent by email or mail to:

Email: FOIA@michiganidc.gov

Michigan Indigent Defense Commission
Attn. FOIA Coordinator
200 N. Washington Square, 3rd FL
Lansing, MI 48913

Requests should include a name, phone number, and mailing address.

- **Who is subject to FOIA and where do I send a FOIA request?**

There are over 10,000 public bodies in the State of Michigan subject to FOIA. The FOIA provides that a “public body” means any of the following:

(i) A state officer, employee, agency, department, division, bureau, board, commission, council, authority, or other body in the executive branch of the state government, but does not include the governor or lieutenant governor, the executive office of the governor or lieutenant governor, or employees thereof.

(ii) An agency, board, commission, or council in the legislative branch of the state government.

(iii) A county, city, township, village, intercounty, intercity, or regional governing body, council, school district, special district, or municipal corporation, or a board, department, commission, council, or agency thereof.

(iv) Any other body which is created by state or local authority or which is primarily funded by or through state or local authority.

(v) The judiciary, including the office of the county clerk and employees thereof when acting in the capacity of clerk to the circuit court, is not included in the definition of public body. [MCL 15.232\(d\)](#).

If you wish to request records held by a particular public body, your request should be sent to that specific public body.

- **Do I need a special form to make a FOIA request?**

The FOIA does not require a request in any specific form. It only requires a “written request,” which is defined as a “writing that asks for information, and includes a writing transmitted by facsimile, electronic mail, or other electronic means.” [MCL 15.232\(i\)](#). Further, however, the “written request” must also describe “a public record sufficiently to enable the public body to find the public record.” [MCL 15.233\(1\)](#).

- **Where can I access the FOIA statute, and what if I have specific questions?**

The Attorney General has a [FOIA pamphlet](#) . The FOIA statute can be accessed at the Michigan Legislature’s website: www.legislature.mi.gov.

If you have specific questions on how the statute may apply to your situation, you need to consult a private attorney.

- **How long does the public body have to respond to my FOIA request?**

Upon legal date of receipt of a FOIA request, the public body has five (5) business days to respond. If needed, however, the public body may also send a written notice extending the time to respond by an additional 10 business days.

- **Can a public body charge for a FOIA response and, if so, how much?**

A public body may charge a fee for the cost of the search, examination, review, copying, separation of exempt from nonexempt information, and mailing costs. A fee can only be charged for the cost of search, examination, review, and the separation of exempt from nonexempt information if the failure to charge a fee for that request would result in unreasonably high costs to the public body, and the public body specifically identifies the nature of these unreasonably high costs. See [MCL 15.234](#).