

# **Gogebic County Freedom of Information Act (FOIA) Summary**

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

Requests for public documents may be submitted by:

1. Filing out the FOIA Request for Public Record form available on the Gogebic County website at [www.gogebiccountymi.gov](http://www.gogebiccountymi.gov) and following the instruction thereon.
2. Sending a request in writing via mail or email to: FOIA Coordinator, Gogebic County Clerk, 200 N Moore Street, Bessemer MI 49911, or
3. Filing out a FOIA Request for Public Record form in person at the Gogebic County Clerk's Office, 200 N Moore Street, Bessemer, MI 49911, or
4. Filing out a FOIA Request for Public Record form and faxing it to (906) 663-4660.
5. Filing out a FOIA Request for Public Record form and emailing it to: [gpelissero@gogebiccountymi.gov](mailto:gpelissero@gogebiccountymi.gov) Subject: FOIA

Once your FOIA Request for Public Record form is received, the Gogebic County Clerk will determine whether public documents which are responsive to the request exist.

We do not accept verbal requests. All FOIA request must be made in writing.

## **When will I receive a response?**

You will receive a response to your request within 5 business days.

## **What will the cost be?**

If the requested documents are available on the Gogebic County website, a link will be provided to you free of charge.

If the responsive documents are less than 10 double sided pages or take less than 15 minutes to prepare, the documents will be provided free of charge to your attention.

If the requested documents are more than 10 double sided pages or take more than 15 minutes to prepare, the Gogebic County Clerk will charge for the response. The charges will include copy costs, copy labor costs, retrieval costs, redaction and/or separation costs and mailing costs.

All labor will be charged at the hourly wage of the lowest paid employee who is able to prepare the response plus fringe benefits up to 50% of their wage. The labor will be charged in 15 minute increments, which will be rounded down.

A detailed itemized bill will be provided to your attention. Upon payment of the itemized bill, a copy of the FOIA response will be provided to you.

Reduced fees for Indigence and qualifying nonprofit organizations will be provided as required by law.

### **Does my request require a deposit?**

If the estimated cost of a response exceeds \$50.00, a 50% deposit is required prior to a response being prepared.

You will receive a cost estimate prepared by the Gogebic County Clerk in response to your request.

If the Gogebic County Clerk receives a request from an individual that has not paid for a previously granted request, the Gogebic County Clerk will require a 100% deposit as provided by law.

### **What will the response contain?**

If no responsive public documents exist, the Gogebic County Clerk will provide an affidavit of non-existence.

Large files cannot be e-mailed.

The response will contain a complete copy of all public records that are responsive to the request.

All non-public records will be removed from all responses.

Documents will be redacted to remove personal information including home addresses, phone numbers, dates of births and social security numbers. FOIA responses that are redacted or separated will include a detailed explanation of the reasons for the redaction and/or separation with the response.

Other items will be redacted from responses as provided by law.

FOIA responses that are redacted or separated will include a detailed explanation of the reasons for the redaction and/or separation with the response.

If you are requesting photographs and/or videos, they will be provided in a digital format unless otherwise requested.

### **Can I appeal the response?**

#### *Response Content-*

If you receive an affidavit of non-existence or redacted records in response to your request, you may file an appeal by sending a letter entitled "FOIA Appeal" to the Gogebic County Clerk at 200 N Moore Street, Bessemer, MI 49911.

You also have the right to file an action in the Circuit Court of Gogebic County to compel disclosure without first filing an appeal with the public body. You must file the action in the Circuit Court within 180 days of the date of the response.

#### *Response Fee-*

If the FOIA fee exceeds the amount permitted by law or Gogebic County procedures, you may file an appeal of fees with the Clerk. Within 10 days of receipt of a notice of appeal of fees, the Clerk will uphold the fee, reduce the fee or waive the fee. If the Clerk fails to respond to the appeal or issues a response to the appeal, an action may be filed in Gogebic County Circuit Court against the Gogebic County Clerk for a fee reduction. This action must be filed within 45 days of receiving the determination of the appeal.

A detailed explanation of the FOIA Procedures can be found at [www.gogebiccountymi.gov](http://www.gogebiccountymi.gov)

A copy of the FOIA Request Form can be found at [www.gogebiccountymi.gov](http://www.gogebiccountymi.gov)

A copy of the FOIA Policy can be found at [www.gogebiccountymi.gov](http://www.gogebiccountymi.gov)

A copy of an Affidavit of Indigence can be found at [www.gogebiccountymi.gov](http://www.gogebiccountymi.gov)