



STATE OF ILLINOIS  
EXECUTIVE OFFICE OF THE GOVERNOR

**BRUCE RAUNER**  
**Governor**

**To:** All State Agency General Counsels and FOIA Officers  
**From:** Jason Barclay, General Counsel, Office of the Governor  
**Re:** Updated Guidelines for FOIA Reporting to the Office of the Governor  
**Date:** February 21, 2015

**FOIA Reporting Procedure**

This memorandum serves as an update to our memo of January 22, 2015 related to monthly reporting to the Office of the Governor. As noted in that memo, monthly reports to your agency's legal liaison in the Office of the Governor should include a description of any notable FOIA requests, particularly those that might relate to journalistic investigations or result in public attention. Monthly reports also should describe any FOIA requests where the agency's denial has been appealed to the Public Access Counselor or is the subject of litigation.

However, in order to develop a more thorough understanding of the particular FOIA requests that are received by each agency, FOIA officers from each agency should prepare a spreadsheet of all outstanding FOIA requests to be sent to the Governor's Office FOIA Officer on a weekly basis. This spreadsheet should contain the following information:

1. Identification number assigned to the request by your agency;
2. Name of the requestor and contact information;
3. Date of receipt of the request;
4. Due date for response;
5. Revised due date if an extension has been sent;

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6. Description of the information requested;
7. Contact information within the agency for those individuals who are preparing the response;
8. Any additional comments; and
9. For FOIA requests to which your agency has responded during the previous week, the date of response.

These spreadsheets should be sent each Friday to the following individuals: (i) the Governor's Office FOIA Officer, Donovan Borvan ([donovan.borvan@illinois.gov](mailto:donovan.borvan@illinois.gov)); and (ii) Joe Wright ([joseph.wright@illinois.gov](mailto:joseph.wright@illinois.gov)). In the event that your agency does not have any outstanding FOIA requests, please send an email on Friday of each week to the above individuals, notifying them that there are no outstanding FOIA requests for your agency.

In addition, to the extent you determine that your agency has received a "red flag" FOIA request concerning sensitive or potentially high-profile information, please take the following steps in order to flag and respond to the request:

1. Your agency should immediately notify the above individuals of such a request upon receipt, ideally by forwarding the requesting email along with a brief comment as to why the request is being flagged as sensitive.
2. After notification of the Governor's Office, your agency should identify the documents required in responding to the FOIA request, as well as prepare any necessary redactions, analyze and decide upon the applicability of any exemptions, and draft any necessary correspondence to the requestor. The agency legal team should review and weigh in on the draft response prior to sending the response to be reviewed by the Governor's Office.
2. Once all necessary records have been gathered, relevant redactions have been made, and the response letter has been drafted, please send these documents to the following individuals: (i) your agency's Governor's Office legal liaison; (ii) the Governor's Office FOIA Officer, Donovan Borvan ([donovan.borvan@illinois.gov](mailto:donovan.borvan@illinois.gov)); (iii) Joe Wright ([joseph.wright@illinois.gov](mailto:joseph.wright@illinois.gov)); and (iv) your agency's contact on the Governor's Office communications team.

The e-mail should include a descriptive subject. In the body of the e-mail, please provide the following information: (a) a short description of the request and why the request is being flagged as sensitive; (b) the name and organization (if applicable) of the requester; (c) the date that the request was received; (d) the date that the response is due; and (e) any sensitive disclosures, proposed assertions of exemptions that may be controversial, or additional background context about the requestor or subject matter of the request that you think would be helpful for the Governor's Office to know prior to the release of your response.

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Please send these documents to the foregoing individuals at least 48 hours before the request is due whenever practicable (although we recognize that this timeline may not always be possible).

3. Once the Governor's Office has reviewed the documents, the Governor's Office FOIA Officer will follow up with any questions or comments. **Please await final sign-off from the Governor's Office FOIA Officer before sending out a response.**

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We welcome your input on how these FOIA reporting guidelines can be improved. Please direct any comments to Donovan Borvan at the contact information noted above.

We remain grateful for your service to the people of Illinois and look forward to our continued work together.