

Option Summary - ID:141

FOI13700 – Freedom of Information Commission
11000 – General Fund

Agency Information

Title: Resources for FOIC

Purpose: Funding for Staff Attorney 2 Established Position

1-206(b)(1); 1-206(b)(5); 1-205a

The FOIC was forced to lay off two attorneys in May 2016 due to severe budget cuts, one position was managerial, while the second was a Staff Attorney 2. The salaries savings was transferred to cover necessary OE operating expenses. The Managerial unfilled position has not been considered in the personal services baseline since then, as the PS and OE line items were merged in a prior year's budget.

Currently, the Commission seeks funding to the existing position, at a Staff Attorney 2 rate.

With the passage of legislation permitting public agencies to conduct remote proceedings (P.A. 21-2, Section 49), the Commission anticipates additional questions and complaints that will need to be adjudicated. It is also anticipated that additional legislation will be passed in the upcoming legislative to add more requirements and provisions related to the conduct of remote meetings, further necessitating this position.

The FOIC has a significant backlog of contested cases (which, pursuant to sec. 1-206(b)(1), must be decided by the FOIC within a one-year timespan). The complexity and scope of such contested cases has markedly increased over the past few years, along with the volume of in camera record submissions (in some instances, amounting to thousands of pages), each page of which must be reviewed and analyzed by legal staff prior to then drafting and rendering a detailed decision in a contested case (the Commission will provide examples and documentation relative to this, when appropriate).

In addition, the Commission's jurisdiction expanded during the 2018 legislative session, due to the passage of Public Act 18-95, codified as sec. 1-206(b)(5) which permits public agencies to seek relief from the Commission from vexatious or frivolous requesters. Therefore, the need for funding to fill one attorney position, at a much lower cost than in prior years, is critical.

Note: This is funding for a vacant position not a new position.

The FOIC requests that this Technical Adjustment be transmitted to the Legislature pursuant to sec. 1-205a.

Type: Technical

Expenditures	Agency FY 2023
12524–Freedom of Information Commission	\$99,513
Total	\$99,513

Revenue	Agency FY 2023
Total	\$0

Positions	Agency FY 2023
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Agency Technical Adjustments Submission

FOI13700 -- Freedom of Information Commission

Signed (Agency Head)	Title	Date
<i>Colleen M. Murphy</i>	<i>Exec Dir & Gen'l Counsel</i>	<i>9/21/21</i>

Expenditure Data

Fund	Adjustment Title	FY 2023 Amount
11000 - General Fund		
	Resources for FOIC	\$99,513
Fund Total		\$99,513