

# Question: What should I do when I can fulfill part of the record request in a few days, but collecting the rest will take longer?

*Editor's Note: This is a monthly column prepared by the Iowa Public Information Board to update Iowans on the IPIB's activities and provide information on some of the issues routinely addressed by the board.*

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**ANSWER:** Sometimes a request for records can be lengthy and list some records that are easily found and produced, while others make take longer to collect. If you are the lawful custodian and responsible for releasing the records, you may wonder if you should wait until you have compiled all the requested records.

If you are uncertain, contact the record requestor. Explain that some records are ready, while others may take longer. Ask the requestor if the records should be produced as they are available.

Chapter 22 is silent as to the time for response to a records request. The time to locate a record can vary considerably depending on the specificity of the request, the number of potentially responsive documents, the age of the

documents, the location of the documents, and whether documents are stored electronically. The large number of variable factors affecting response time makes it very difficult, and probably unwise, to establish any hard and fast objective standards. The law was adopted more than forty years ago. Today's electronic records environment adds to the complexity of this issue.

The only specific response time standard established by the statute addresses good-faith reasonable delay incurred in order to determine whether a document is confidential. Iowa Code subsection 22.8(4)(d) addresses what is considered a good faith reasonable delay when there is a question as to confidentiality.

## BEST PRACTICES:

Communication between lawful custodians and records requestors is always to be encouraged. Communication and cooperation reduce disagreements over responsiveness to records requests including issues of timing, redaction, and completeness. It is recommended that the custodian contact the requestor in the event of a potential delay and discuss possible ways to process the request in a timely manner.

## IPIB Facts and Figures

During the month of October 2016, 73 contacts were made with the Iowa Public Information Board office.

<u>TYPE</u>	<u>OCTOBER 2016</u>	<u>2016 YEAR-TO-DATE</u>
Formal complaints	9	98
Advisory opinions	0	12
Declaratory orders	0	1
Informal complaints	8	73
Informal requests	53	561
Miscellaneous	3	11
<b>TOTAL:</b>	<b>73</b>	<b>756</b>

## Who can contact the IPIB and how long does it take?

Any person can contact the IPIB for assistance by telephone (515-725-1781), by email, or on the website. So far, in 2016, 756 identifiable people have contacted the IPIB. Of these, 44% were private citizens, 44% were government officials or employees, and 12% were members of the media.

In the month of October 2016, 69% of the incoming contacts were resolved the same day, 15% were resolved in one to five days, and 16% were resolved in six or more days.