

IPIB Monthly Column

April 15, 2020

Q&A from the Iowa Public Information Board

By Margaret E. Johnson, Executive Director

Question: How am I able to view public records if the government body's office is closed to the public?

Answer: Normally, Iowa Code sections 22.2(1) and 22.3(1) require a government body to allow in-person access for a member of the public to view a public record. Iowa Code section 22.4 establishes the normal office hours for such access. However, on April 10, 2020, the Governor of the State of Iowa issued a proclamation that temporarily modified such access as follows:

IN-PERSON OPEN RECORDS EXAMINATION

SECTION FORTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health and at the request of the Iowa League of Cities on behalf of numerous local governmental bodies, I temporarily suspend the regulatory provisions of Iowa Code §§ 22.2(1) and 22.3(1) imposing a requirement for the in-person examination or copying of public records, to the extent those records can be examined and copies provided by mail or electronic means. Suspension of these provisions does not apply to searches of all indexes, general and specific, of the public records related or relating to documents, instruments and muniments of title, for the purpose of performing title searches, real property searches, or creating real property abstracts.

SECTION FORTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health and at the request of the Iowa League of Cities on behalf of numerous local governmental bodies, I temporarily suspend the regulatory provisions of Iowa Code § 22.4 to the extent those provisions require a lawful custodian of records to maintain office hours to receive in-person record requests, so long as the custodian has posted clear direction for making requests in writing, by telephone, or by electronic means in a prominent place that is easily accessible to the public.

Contact the government body by mail, telephone, or email to request copies of the records you seek. The record custodian may also have other ways to access the records you want. Some records may also be available on a website maintained by the government body. Once this suspension is lifted, in-person access and hours will resume.

Board Members

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Did You Know that the Iowa Public Information Board staff is available to assist you with questions or problems involving open meetings and public records in Iowa? During the month of March 2020, 90 contacts were made with the Iowa Public Information Board office.

TYPE	March 2020
Formal complaints	12
Advisory opinions	1
Declaratory orders	0
Informal complaints	6
Informal requests	58
Miscellaneous	13
TOTAL:	90

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 IPIB website. In 2020, 225 identifiable people contacted the IPIB. Of these, 75 were private citizens, 112 were government officials or employees, and 38 were members of the media. In 2020, 73% of the incoming contacts were resolved the first day, 11% were resolved in one to five days, and 16% were resolved in six or more days. Opinions, rulings, FAQs, reports, and training documents are available on the IPIB website – www.ipib.iowa.gov.