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**Determination Letters Issued by Illinois Attorney General's Public Access
Counselor Now Available to Public Through Searchable Index**

The Citizen Advocacy Center in cooperation with the Illinois Attorney General's Public Access Counselor has created a [PAC Determination Letter Index](#) that is available at [CAC's website](#). Determination letters are non-binding opinions issued by the PAC's Office to resolve complaints about alleged violations of Freedom of Information Act and Open Meetings Act by government bodies that are filed by members of the public and the media. While the PAC's office has received thousands of request for reviews of alleged violations, only binding opinions are available to the public at <http://foia.ilattorneygeneral.net/bindingopinions.aspx>. Determination letters, which are issued far more frequently, are not immediately available. The difference between binding and non-binding opinions is that a binding opinion is reviewable and will receive deference by a circuit court; but a judge is not required to pay heed to a non-binding opinion in an ensuing lawsuit.

CAC has thus far received over 400 determination letters. Over 100 of those letters are now available and the [index](#) will be updated on an ongoing basis as additional letters are analyzed.

"Determination letters have tremendous value because the legal analysis for determination letters and binding opinions is substantively identical, and so they reveal how the Attorney General's Office interprets open government statutes," explained CAC Executive Director Maryam Judar. "Prior to this [index](#), to access a determination letter, an individual would need to know what she or he is looking for and submit a FOIA request to the Attorney General's Office."

The [index](#) reports several aspects of each determination letter, including the public body type and specific public body name that is implicated, the violation(s) alleged, the specific provision in the FOIA or OMA or outside statute cited, the outcome, and the legal rationale behind the outcome. A link to the original letter is also provided. This [index](#) is an important tool that will assist journalists in reporting on government entities' application of open government laws and writing FOIA requests, and citizens seeking to become more civically involved to produce positive outcomes on issues ranging from budget accountability to social justice.

"The [PAC Determination Letter Index](#) levels the playing field between the requester and the public body," said Judar. Equipping FOIA requesters with an easy way to access

determination letters can help them to craft better FOIA requests and target the right public body for their specific request. Likewise, a community member who suspects their public body violated OMA might find similar circumstances described in the [index](#) that will help them better evaluate the situation.”

Funding for this project was provided by the Robert R. McCormick Foundation and the Chicago Headline Club.

The Citizen Advocacy Center is a 501 (c)(3) organization with a mission to build democracy by strengthening the citizenry’s capacities, resources, and institutions for self-governance. CAC is committed to improving access to government-held information and helping citizens to use civic tools such as the Freedom of Information Act and the Open Meetings Act. CAC’s holistic approach also includes community organizing, coalition building, legal advocacy, civic education, and litigation to make government more accountable, accessible, and transparent. For more information about CAC please visit www.CitizenAdvocacyCenter.Org

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