

Texas Public Information Act

Best Practices for Requestors/FOI Foundation of Texas Suggestions

Do it in writing

A Texas Public Information Act request doesn't have to follow any certain format, though there are letter templates available at <http://foift.org/resources/letter-templates/>. Your request simply must be in writing to trigger the act. No "magic words" are necessary. Keep in mind that, depending on your source and what kind of rapport you've developed, it may be more expedient to simply verbally ask for the information you desire. Assess the situation.

Be Specific

Use precise language to request information. That helps the government employee locate the information more quickly. It also may save you time in going through documents and money when it comes to document costs. So-called fishing expeditions are not advised.

Allow redacting, if you can

By stating specifically in your written request that you don't need certain information in the given documents, you may get the records faster. (This may be data that you know may lead to an attorney general ruling request and that you do not need for your reporting.)

Consider Breaking up a Request

If you have a fairly large volume of documents you are seeking, consider making more than one open records request, perhaps covering smaller time frames or smaller subgroups of the information you want. This way, when the first batch of information is filled you get it, rather than waiting on the entire body of information in the request to be compiled. Note that all requests received in one business day may be counted as a single request for cost purposes.

Response Time

In Texas, the governmental entity is supposed to supply the requested information promptly, and without delay. If the entity is going to request to withhold information, it has up to 10 business days to make that initial request to the Texas Attorney General's Office. Once the AG's office gets the ruling request, it has up to 45 business days to make a decision.

What if I'm denied information?

Generally, a governmental entity cannot outright deny records in Texas. It must seek an AG ruling – essentially getting permission to do so – unless it has a previous determination from the AG or there has been a blanket ruling on withholding such information, such as Social Security numbers or personal bank account information.

Clarifications

Be aware that a government official may ask you to clarify your request to narrow it. You may choose to do so to help facilitate the production of documents, but be aware that in Texas it resets the deadline clock.