

Finding Allies

Get help in your fight for records

Excellence in Journalism
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Below are resources that can help you fight for public records, and all free!

1. Society of Professional Journalists Legal Defense Fund

<https://www.spj.org/ldf.asp>

If you need a little help suing, the LDF committee might be able to provide some funding. It won't pay for everything, but the national exposure is invaluable.

2. National Freedom of Information Coalition Knight FOI Litigation Fund

<https://www.nfoic.org/>

This nonprofit based out of the University of Florida provides funds for court costs toward public records litigation. Also, it coordinates the state coalitions for open government, which are active in about 40 states. Find out if you have a group in your state.

3. First Look Media Press Freedom Defense Fund

<https://www.pressfreedomdefensefund.org/>

First Look Media, which runs the Intercept, created its Press Freedom Defense Fund to help journalists and whistleblowers.

4. Reporters Committee for Freedom of the Press Legal Hotline

<https://www.rcfp.org/legal-hotline/>

This group provides a free legal hotline (email or phone) to answer questions, along with a legal guide for federal FOIA and all the state laws. They also are launching a [Local Legal Initiative](#) with attorneys in regions to help local journalists working for news organizations.

5. American Society of News Editors (News Leaders Association) Hotline

<https://www.asne.org/first-amendment-hotline>

ASNE, which merged this fall with the Associated Press Media Editors to become the News Leaders Association, employs attorney Kevin Goldberg to answer questions for members and local independent news organizations.

6. Student Press Law Center Hotline

<http://www.splc.org/>

A group every journalism student should know – and any professional covering education. Tons of guides and tips on access to educational records, a request letter generator (highly effective by my own experimental research), podcasts, and free legal help for students.

7. Media Law Resource Center

<http://www.medialaw.org/>

This center coordinates media law attorneys throughout the country and provides various legal guides, including a model policy on access to courthouses. Also has a list of its members online.

8. Brechner Institute for Freedom of Information

<http://brechner.org/>

This research center has served FOI since 1977 at the University of Florida. Executive director Frank LoMonte, previously from the Student Press Law Center, can provide great quotes for your stories about access denied.

9. FOIA Wiki

https://foia.wiki/wiki/Main_Page

This site, created by RCFP, has a ton of information about federal FOIA. Before you sue regarding federal FOIA, check this site out.

10. Freedom Info

<http://www.freedominfo.org/>

If you are running into problems obtaining records from other countries, check out this resource. A great rundown of right-to-know laws throughout the world.

11. State press associations

<https://www.namembers.com/>

State press associations often employ an attorney who will provide guidance to journalists. Check the Newspaper Managers Association for a link to yours.

12. State broadcaster associations

<https://www.nasbaonline.net/>

State broadcaster associations also tend to help on records fights. Check out your state's group via the National Alliance of State Broadcasters Associations.

13. The Art of Access: Strategies for Acquiring Public Records

<https://us.sagepub.com/en-us/nam/the-art-of-access/book257467>

When legal aid doesn't get you what you need, apply other tactics. A 200-page paperback book guide by David Cuillier and Charles N. Davis, second edition July 30, 2019. Buy online at Amazon, in print or Kindle. More information, contact Cuillier at cuillier@email.arizona.edu.



FREE EXPRESSION

LEGAL NETWORK

FELN is a nationwide coalition of law school clinics, academics, and practitioners focused on promoting and protecting free speech, free press, and the free flow of information to an informed and engaged citizenry. The Reporters Committee for Freedom of the Press provides day-to-day support for FELN and the Yale Media Freedom and Access Clinic leads FELN's steering committee along with RCFP.

Steering Committee Members

Buffalo Civil Liberties & Transparency Clinic
Cleveland-Marshall First Amendment, Media & Entertainment Law Practicum
Cornell First Amendment Clinic
Professor Heidi Kitrosser (University of Minnesota Law School)
Reporters Committee for Freedom of the Press
Yale Media Freedom & Information Access Clinic

Clinic Members

Albany Family Violence Litigation Clinic
Albany Health Law Clinic
Albany Immigration Law Clinic
American University Glushko-Samuels IP Law Clinic
ASU First Amendment Clinic
BU/MIT Technology Law Clinic
California Western New Media Rights
Case Western Reserve Intellectual Property Venture Clinic
Duke First Amendment Clinic
Harvard Cyberlaw Clinic
Michigan State University First Amendment Law Clinic
NYU Technology Law & Policy Clinic
UC-Berkeley Samuelson Law, Technology & Public Policy Clinic
UCI Intellectual Property, Arts, and Technology Clinic
UCLA Documentary Film Legal Clinic
UCLA Scott & Cyan Banister First Amendment Clinic
University of Virginia First Amendment Clinic
Vanderbilt First Amendment Clinic
Washington University First Amendment Clinic

For more information about FELN, visit FreeExpression.Law

Models for Managing FOI Disputes

By Daxton “Chip” Stewart, J.D., Ph.D.

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Multiple Processes

Government Agency

Connecticut FOI Commission
Hawaii Office of Information Practices
Illinois Public Access Counselor
New Jersey Government Records Council
Pennsylvania Office of Open Records

Abilities include

Hears appeals, makes binding rulings, mediation, ombuds
Handles appeals, offers opinions, takes calls, training
Informal and binding opinions, mediation, investigation
Handles inquiries, makes advisory opinions, mediation
Handles appeals, binding rulings, mediation

Administrative Facilitation

Ombuds Model

Alaska Office of the Ombudsman
Arizona Ombudsman-Citizens’ Aide
Federal Office of Gov’t Information Services
Maryland Public Access Ombudsman
Utah Government Records Ombudsman
Washington AG Open Government Ombuds

Abilities include

Not FOI-specific but handles inquiries, investigates
Investigate, make recommendations, resolve disputes
Dispute resolution, agency oversight, education
Handles complaints, investigates, offers mediation
Handles inquiries from gov’t & public, offers mediation
Handles inquiries from gov’t & public, informal opinions

Mediation Model

Florida Open Gov’t Mediation Program
Georgia Open Gov’t Mediation Program
Oregon Public Records Advocate
Tennessee Open Records Counsel

Abilities include

Attorney general handles inquiries, mediates disputes
Attorney general handles inquiries, mediates disputes
Offers mediation of disputes, training, policy advice
Offers advisory opinions, mediation, training

Other Examples

Indiana Public Access Counselor
Iowa Public Information Board
New York Committee on Open Government
Maryland Open Meetings Compliance Board
Virginia FOI Advisory Council

Abilities Include

Issue advisory opinions, informal inquiries, training
Hears appeals, complaints, issues advisory & formal ops
Issue advisory opinions, telephone assistance, training
Hears complaints about violations, issues opinions
Hears inquiries, gives advice, formal & informal opinions

Administrative Adjudication

Examples

Kentucky Attorney General
Massachusetts Supervisor of Records
Nebraska Attorney General
Rhode Island Attorney General
Texas Attorney General

Abilities include

Handles appeals from citizens & gov’t, binding opinions
Handles appeals from citizens & gov’t
Hears appeals from citizens, can order compliance
Investigates complaints against gov’t for violations
Appeals from gov’t, issues rulings & advisory opinions