Arkansas FOIA Public Records Request: Sample Template

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Not legal advice. This sample is for general information only. It is not legal advice, does not create an attorney-client relationship, and may not fit your situation. The Arkansas Freedom of Information Act (Ark. Code Ann. § 25-19-101 et seq.) changes over time; check the current Arkansas Freedom of Information Handbook from the Arkansas Attorney General, or consult a licensed Arkansas attorney, before relying on it. You are responsible for your own requests.

Before you send it

- The Arkansas FOIA gives access to "any citizen of the State of Arkansas." (§ 25-19-105(a)(1)(A))
- You do not have to say why you want the records. The Handbook says a requester's purpose or motive is irrelevant.
- A request can be made in person, by phone or by mail, but a written request (email is fine) gives you a record.
- Be "sufficiently specific" so the custodian can find the records "with reasonable effort." (§ 25-19-105(a)(2)(C)) Name the subject, the date range and the kinds of records.
- The custodian does not have to create a new record or compile information. (§ 25-19-105(d)(2)(C)) Ask for records that exist.
- Keep it short and polite. Don't argue or make accusations in a request.
- Replace every highlighted item in brackets, and delete any line that doesn't apply.

Sample request

To: [Name of records custodian or FOIA contact], [Agency name], [email or mailing address]

Subject: Arkansas FOIA Request: [short description of the records]

Date: [date]

Dear [Name],

Under the Arkansas Freedom of Information Act, Ark. Code Ann. § 25-19-101 et seq., I request copies of the following public records concerning [subject, project, property or address], dated [start date] through [end date]:

1. [Category 1, for example: inspection reports, inspector notes and photographs]
2. [Category 2, for example: permits, approvals and conditions of approval]
3. [Category 3, for example: emails and letters between the City and (company or consultant) about the subject]

This request includes records in any form, including paper, email, attachments, photographs, text messages and electronic files, and records kept by any department or official.

If any responsive records are held by a consultant, contractor or other party on the agency's behalf, please arrange access to them or tell me who holds them.

If any record or part of a record is withheld, please identify the record and the specific legal exemption, and release any part that can reasonably be separated, as the Act provides.

Electronic copies by email are preferred. If fees will exceed $25, please send an itemized estimate before copying.

If the records are in active use or storage, please let me know the date and time within three working days when they will be available.

Thank you for your help.

[Your name]

[Mailing address]

[Phone] · [Email]

I am a citizen of the State of Arkansas.

After you send it

- Save a copy of your request and every reply.
- Records not in active use or storage must be provided immediately; otherwise the custodian must set a date and time within three working days. (§ 25-19-105(a)(6), (e))
- If the response seems incomplete, reply politely and list exactly what you did not receive, and ask the agency to confirm whether those records exist.
- Questions about the law: Arkansas Attorney General's Office, (501) 682-2007, arkansasag.gov. The Arkansas FOIA Handbook is free online.
- If you believe a request has been wrongly denied, the law allows an appeal to circuit court (§ 25-19-107). Consider talking to an attorney first.