



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 26, 2011

Ms. Debra J. Ford
Freedom of Information Officer
Village of Northbrook
1225 Cedar Lane
Northbrook, Illinois 60062

RE: FOIA Pre-Authorization Request- 2011 PAC 15559

Dear Ms. Ford:

We have received and reviewed the written notice from the Village of Northbrook of its intention to deny disclosure of certain information requested by [REDACTED] pursuant to section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c) (West 2010). [REDACTED] had requested copies of records relating to the death of her aunt on January 1, 2011. The Village seeks preauthorization to withhold the decedent's note to a different relative, a photograph of the note, and a draft of the note.

Section 7(1)(c) of FOIA exempts from inspection and copying "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." The exemption defines "unwarranted invasion of personal privacy" as the "disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information."


DETERMINATION

The Village's assertion of section 7(1)(c) to withhold the documents in question is **approved**. We agree with the Village that releasing these records would constitute an unwarranted invasion of personal privacy. The note written by the decedent in contemplation of her impending death is highly personal by its very nature and the recipient's right to privacy outweighs any legitimate public interest in disclosing this information.

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If you have any questions, please contact me at 312-814-2770. This correspondence shall serve to close the matter.

Very truly yours,



JOHN SCHMIDT
Senior Assistant Attorney General
Public Access Bureau

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