



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

August 17, 2011

Mr. Kyong Lee  
Deputy General Counsel/Freedom of Information Officer  
Illinois Department of Healthcare and Family Services  
401 S. Clinton St., 7<sup>th</sup> Floor  
Chicago, Illinois 60607

Re: FOIA Pre-Authorization Request – 2011 PAC 16105

Dear Mr. Lee:

We have received the written notice from the Illinois Department and Healthcare and Family Services of its intention to deny disclosure of certain information under section 7(1)(f) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(f) (West 2010)).

Ms. Sheryl L. Fitzjarrald submitted a FOIA request on July 21, 2011, to the Department seeking copies of "all reports, notes, statements, and all internal and external emails, regarding" Docket No. 02-F-485: Fitzjarrald vs. Hipskind. In its written notice, the Department asserts that a portion of Ms. Fitzjarrald's July 21, 2011, FOIA request should be withheld under section 7(1)(f) of FOIA, which exempts from inspection and copying "[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body." The Department asserts that these records are "preliminary drafts, notes, recommendations, memoranda and other records that contain opinions, expressions, preliminary discussions, case worker notes, etc. exempt from release under 7(1)(f) of FOIA."

**DETERMINATION**

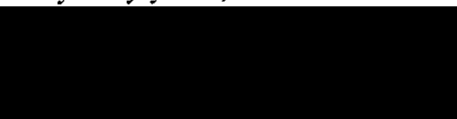
The Department's assertion of section 7(1)(f) to withhold the responsive records is **approved**. Based on the information provided, this office has determined that these records are pre-decisional documents containing opinions, recommendations, preliminary discussions, and notes. Further, the Department has indicated that these records have not been publicly cited by the head of the public body. Accordingly, the Department has met its initial burden of

Mr. Kyong Lee  
August 17, 2011  
Page 2

demonstrating that the withheld information is exempt from disclosure under section 7(1)(f) of FOIA.

If you have any questions or would like to discuss this matter, please contact this office at (877) 299-3642. This correspondence shall serve to close this matter.

Very truly yours,

A solid black rectangular redaction box covering the signature of Rebecca Riddick.

REBECCA RIDDICK  
Assistant Attorney General  
Public Access Bureau

16105 pre-auth 71f al prelim draft sa

cc: Ms. Sheryl L. Fitzjarrald  
Anderson & Fitzjarrald  
1701 Broadmoor Dr., Suite 140  
Champaign, Illinois 61821