

SAMPLE FOIA 5 DAY EXTENSION LETTER

Date

Requester's Name
Address

Dear [***Requester***]:

Thank you for writing to [***Name of Public Body***] with your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.

On [***insert date received by public body***], you requested the following documents:
[***insert a description of the information requested or restate the request***].

Under the Freedom of Information Act, a public body may extend the time to respond to a FOIA request by up to 5 business days for a limited number of reasons. 5 ILCS 140/3(e). We are extending the time to respond to your request by [***insert number of days up to 5 business days***] for the following reason(s) [***Note: public bodies should provide specific facts to support all of the reasons asserted for the extension***]:

- ___ We store the requested records in whole or in part at another location(s).
- ___ Responding to the request requires that we collect a substantial number of specified records.
- ___ The request is couched in categorical terms and requires that we conduct an extensive search for the records responsive to it.
- ___ In order to determine whether the requested records are exempt under Section 7 of FOIA or must be redacted in part before they are disclosed, we must have the documents reviewed by [***insert names or titles of the appropriate personnel with the necessary competence to review the documents***].
- ___ We cannot comply with the request for records within the 5 business day time limit without unduly burdening or interfering with our operations.
- ___ Before we can determine whether to provide the documents in response to your FOIA request, we must consult with [***insert name of other public body***] which has a substantial interest in the determination of how to respond to this request because [***insert reason that other public body is involved***].
- ___ Before we can determine whether to provide the documents in response to your FOIA request, we must consult with [***identify two or more components of the public body***] to determine how to respond to this request because [***insert reason that various components of the public body must consult on this request***].

The public body asserts the following facts in support of the above reasons for an extension of time:

(please add lines for explanation)

We will respond to your request by [***insert date response is due***].

Sincerely,

[***Name of FOIA Officer and Contact Information***]