FOIA Appeal Form—To Appeal a Denial of Records

Request No.: __________ Date Received: __________ Check if received via: □ Email □ Fax □ Other Electronic Method
Date of This Notice: __________ Date delivered to junk/spam folder: __________

Name
Phone

Firm/Organization
Fax

Street
Email

City
State
Zip

(Please Print or Type)

Date discovered in junk/spam folder: __________

Request for: □ Copy □ Certified copy □ Record inspection □ Subscription to record issued on regular basis
Delivery Method: □ Will pick up □ Will make own copies onsite □ Mail to address above □ Email to address above
□ Deliver on digital media provided by BCCMHA: __________

Record(s) You Requested: (Listed here or see attached copy of original request)

________________________________________

Reason(s) for Appeal:
The appeal must identify the reason(s) for the denial. You may use this form or attach additional sheets:

________________________________________

________________________________________

Requestor’s Signature: __________ Date: __________

BCCMHA Response:
BCCMHA must provide a response within 10 business days after receiving this appeal, including a determination or taking one 10-day extension.

BCCMHA Extension: We are extending the date to respond to your FOIA fee appeal for no more than 10 business days, until __________ (month, day, year). Only one extension may be taken per FOIA appeal.
Unusual circumstances warranting extension: __________

If you have any questions regarding this extension, contact: __________

BCCMHA Determination:
□ Denial Reversed □ Denial Upheld □ Denial Reversed In Part and Upheld in Part
The following previously denied records will be released:

________________________________________

________________________________________

Notice of Requestor’s Right to Seek Judicial Review
You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal the denial to BCCMHA or to commence an action in the Circuit Court to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure. If, after judicial review, the Court determines that BCCMHA has not complied with MCL 15.235 in making this denial and orders disclosure of all or a portion of a public record, you have the right to receive attorneys’ fees and damages as provided in MCL 15.240. (See back of this form for additional information on your rights.)

Signature of FOIA Coordinator: __________ Date: __________

(Form created by MTA, MAMA and CS&T, PC, June 2015) 10-19-2015