FOIA Appeal Form—To Appeal an Excess Fee

Request No.: __________ Date Received: __________ Check if received via: ☐ Email ☐ Fax ☐ Other Electronic Method
Date of This Notice: ________________ Date delivered to junk/spam folder: ________________
(Please Print or Type) Date discovered in junk/spam folder: ________________

Name __________________________ Phone __________________________
Firm/Organization __________________________ Fax __________________________
Street __________________________ Email __________________________
City __________________________ State __________________________ Zip __________________________

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 specifically identify how the required fee(s) exceed the amount permitted. 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: ☐ Fee Waived ☐ Fee Reduced ☐ Fee Upheld
Written basis for BCCMHA determination: __________________________

Notice of Requestor's Right to Seek Judicial Review
You are entitled under Section 10a of the Michigan Freedom of Information Act, MCL 15.240a, to appeal a FOIA fee that you believe exceeds the amount permitted under BCCMHA's written Procedures and Guidelines to BCCMHA or to commence an action in the Circuit Court for a fee reduction within 45 days after receiving the notice of the required fee or a determination of an appeal to BCCMHA. If a civil action is commenced in court, BCCMHA is not obligated to process the request until the Court resolves the fee dispute. If the Court determines that BCCMHA required a fee that exceeded the permitted amount, the Court shall reduce the fee to a permissible amount. (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) 7-9-2015