






## 1. In the past five years in your state has:

	Increased Substantially	Increased slightly	Stayed about the same	Decreased slightly	Decreased substantially	No opinion / Do not know	Rating Average	Response Count
... the number of open government violations?	11.1% (4)	<b>33.3% (12)</b>	30.6% (11)	5.6% (2)	0.0% (0)	19.4% (7)	3.62	36
... government officials' understanding and compliance with open government requests?	5.6% (2)	19.4% (7)	16.7% (6)	<b>25.0% (9)</b>	16.7% (6)	16.7% (6)	2.67	36
<b>answered question</b>								<b>36</b>
<b>skipped question</b>								<b>0</b>

**2. If you have seen a POSITIVE change in government officials' understanding of and compliance with open government requests, to what do you primarily attribute the change? (Check all that apply. Skip this question and proceed to question #3 if the change you saw was negative.)**

		Response Percent	Response Count
Increased awareness		80.0%	8
Increased interest in transparency		20.0%	2
Increased activism from citizens		50.0%	5
Increased assertiveness by media		70.0%	7
Other (please specify)		50.0%	5
		<b>answered question</b>	<b>10</b>
		<b>skipped question</b>	<b>26</b>

**3. If you have seen a NEGATIVE change in government official's understanding of and compliance with open government requests, to what do you primarily attribute the change? (Check all that apply. Skip this question if you answered question #2.)**

		Response Percent	Response Count
Decreased interest		25.0%	4
Decreased interest in transparency		50.0%	8
Less activism from citizens		12.5%	2
<b>Less assertiveness by media</b>		<b>68.8%</b>	<b>11</b>
Other (please specify)		25.0%	4
		<b>answered question</b>	<b>16</b>
		<b>skipped question</b>	<b>20</b>

**4. Can you describe a circumstance from your area that illustrates how the open government landscape has changed?**

	Response Count
	20
<b>answered question</b>	<b>20</b>
<b>skipped question</b>	<b>16</b>



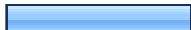
**5. In the past five years in your state has:**

	Increased Substantially	Increased slightly	Stayed about the same	Decreased slightly	Decreased substantially	No opinion / Do not know	Rating Average	Response Count
... the number of open government lawsuits filed by newspapers or other news organizations?	6.7% (2)	13.3% (4)	20.0% (6)	<b>36.7% (11)</b>	23.3% (7)	0.0% (0)	2.43	30
							<b>answered question</b>	<b>30</b>
							<b>skipped question</b>	<b>6</b>

**6. If you have seen an INCREASE in the number of open government lawsuits filed in your state by newspapers or other news organizations, to what do you primarily attribute the change? (Check all that apply. Skip this question and proceed to question #6 if the change you saw was a decrease.)**

	Response Percent	Response Count
Frequent violations	0.0%	0
Increased interest in transparency	40.0%	4
More assertive news organizations	40.0%	4
<b>Other (please specify)</b>	<b>50.0%</b>	<b>5</b>
		<b>answered question</b>
		<b>10</b>
		<b>skipped question</b>
		<b>26</b>

**7. If you have seen a DECREASE in the number of open government lawsuits filed in your state by newspapers or other news organizations, to what do you primarily attribute the change? (Check all that apply. Skip this question if you answered question #5.)**

		Response Percent	Response Count
Lack of resources		84.2%	16
Decreased interest in open government / transparency		0.0%	0
Lack of media resolve / commitment		36.8%	7
Other (please specify)		15.8%	3
		<b>answered question</b>	<b>19</b>
		<b>skipped question</b>	<b>17</b>

### 8. In the past five years in your state has:

	Increased Substantially	Increased slightly	Stayed about the same	Decreased slightly	Decreased substantially	No opinion / Do not know	Rating Average	Response Count
... the number of open government lawsuits filed by individuals or other organizations besides news organizations?	15.6% (5)	25.0% (8)	<b>28.1% (9)</b>	9.4% (3)	0.0% (0)	21.9% (7)	3.60	32
<b>answered question</b>								<b>32</b>
<b>skipped question</b>								<b>4</b>


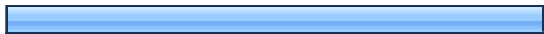

### 9. In the past five years in your state has:

	Increased substantially	Increased slightly	Stayed about the same	Decreased slightly	Decreased substantially	No opinion / Do not know	Rating Average	Response Count
... the number of open records requests made by professional journalists or news organizations?	21.9% (7)	<b>28.1% (9)</b>	21.9% (7)	6.3% (2)	3.1% (1)	18.8% (6)	3.73	32
... the number of open records requests made by private citizens or other non-media organizations?	17.2% (5)	<b>37.9% (11)</b>	17.2% (5)	0.0% (0)	0.0% (0)	27.6% (8)	4.00	29
<b>answered question</b>								<b>32</b>
<b>skipped question</b>								<b>4</b>

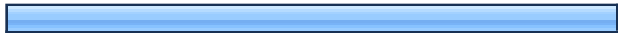


**10. In the last five years has:**

	Increased	Stayed the same	Decreased	No opinion / Do not know	Rating Average	Response Count
... citizen and media demands for more government openness, transparency and accountability?	<b>43.8% (14)</b>	37.5% (12)	9.4% (3)	9.4% (3)	2.38	32
<b>answered question</b>						<b>32</b>
<b>skipped question</b>						<b>4</b>

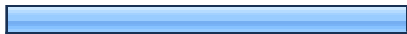


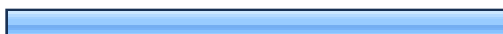
**11. Does your organization have an FOI hotline that provides information, advice or legal assistance to citizens, journalists or other information seekers?**

		Response Percent	Response Count
Yes		36.7%	11
No		46.7%	14
No opinion / Do not know		16.7%	5
<b>answered question</b>			<b>30</b>
<b>skipped question</b>			<b>6</b>

**12. If you answered "no" to question #11, are you aware of a FOI hotline operated by anyone else in your state?**

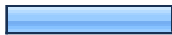
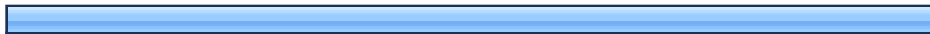

		Response Percent	Response Count
Yes		53.3%	8
No		33.3%	5
No opinion / Do not know		13.3%	2
<b>answered question</b>			<b>15</b>
<b>skipped question</b>			<b>21</b>

**13. Who operates the FOI hotline in your state. (Check all that apply.)**

		Response Percent	Response Count
My organization		34.8%	8
Another FOI group		39.1%	9
A bar association		0.0%	0
AG's office or other government entity		17.4%	4
<b>Other (please specify)</b>		<b>43.5%</b>	<b>10</b>
<b>answered question</b>			<b>23</b>
<b>skipped question</b>			<b>13</b>



**14. What best describes the maximum level of legal assistance offered by your state's hotline in most circumstances?  
(Please choose only one):**

		Response Percent	Response Count
Direct representation in the form of counsel.		14.3%	3
<b>Advice, guidance and information regarding access rights under the law.</b>		<b>81.0%</b>	<b>17</b>
Referrals for legal counsel.		4.8%	1
Other (please specify)		0.0%	0
		<b>answered question</b>	<b>21</b>
		<b>skipped question</b>	<b>15</b>

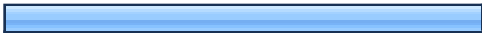


**15. How are hotline queries and responses handled? (Check all that apply.)**

		Response Percent	Response Count
Email		76.2%	16
Website		33.3%	7
<b>Telephone</b>		<b>85.7%</b>	<b>18</b>
Other (please specify)		14.3%	3
<b>answered question</b>			<b>21</b>
<b>skipped question</b>			<b>15</b>

**16. Regardless of who operates the hotline, or the method of contact:**

	Excellent	Good	Fair	Subpar	Poor	N/A	Rating Average	Response Count
... how would you rate the FOI hotline's effectiveness?	<b>45.8% (11)</b>	33.3% (8)	12.5% (3)	0.0% (0)	0.0% (0)	8.3% (2)	4.36	24
<b>answered question</b>								<b>24</b>
<b>skipped question</b>								<b>12</b>

### 17. Is your coalition experiencing a decline in support because of financial problems with the media?

		Response Percent	Response Count
Yes		41.7%	10
No		20.8%	5
No opinion / Do not know		37.5%	9
		<b>answered question</b>	<b>24</b>
		<b>skipped question</b>	<b>12</b>

**18. If YES, how are the media's financial problems having an effect on your organization. (Check all that apply.)**

		Response Percent	Response Count
Decreased funding to spend on open government issues		100.0%	11
Decreased willingness to advocate vigorously		45.5%	5
Decreased willingness to sue		72.7%	8
Fewer journalists on staff making open records requests		36.4%	4
Fewer journalists on staff in general		63.6%	7
Less participation in your organization's efforts		45.5%	5
		<b>answered question</b>	<b>11</b>
		<b>skipped question</b>	<b>25</b>


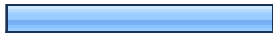



### 19. In the past five years, has the membership of your coalition:

		Response Percent	Response Count
Increased substantially		0.0%	0
Increased slightly		18.2%	4
<b>Stayed about the same</b>		<b>36.4%</b>	<b>8</b>
Decreased slightly		13.6%	3
Decreased substantially		0.0%	0
No opinion / Do not know		31.8%	7
<b>answered question</b>			<b>22</b>
<b>skipped question</b>			<b>14</b>










### 20. In your opinion:







	Very Useful	Somewhat useful	Not very useful	Do not know / No opinion	Rating Average	Response Count
... a war chest that provided financial assistance to would-be litigants for meritorious FOI or open meeting lawsuits would be?	<b>80.8% (21)</b>	7.7% (2)	3.8% (1)	7.7% (2)	2.83	26
<b>answered question</b>						<b>26</b>
<b>skipped question</b>						<b>10</b>

**21. Please choose the choice below that best describes your level of familiarity with the Knight FOI Fund, administered by NFOIC to help pay for court costs, filing fees and other expenses associated with lawsuits over nondisclosure or meeting access. (Choose only one. Select "Other" if none of the choices provided are accurate or adequately descriptive.)**






		Response Percent	Response Count
The Knight Fund allowed our coalition or someone in our state to bring a case that might not have otherwise been possible.		3.8%	1
Our coalition or someone in our has state applied for a Knight Fund grant, but was unsuccessful.		0.0%	0
I am familiar with the Knight Fund. I have never used or recommended it, but I might in the future.		23.1%	6
I am familiar with the Knight Fund. I have never had an occasion to use or recommend it, and I do not anticipate doing so.		11.5%	3
<b>I was not aware that the Knight Fund or anything like it existed.</b>		<b>57.7%</b>	<b>15</b>
Other (please specify)		3.8%	1
		<b>answered question</b>	<b>26</b>
		<b>skipped question</b>	<b>10</b>

## 22. In which state is your coalition or member organization located?





		Response Percent	Response Count
AL		3.8%	1
AK		3.8%	1
AZ		3.8%	1
AR		7.7%	2
CA		7.7%	2
CO		3.8%	1
CT		0.0%	0
DE		0.0%	0
DC		0.0%	0
FL		3.8%	1
GA		0.0%	0
HI		3.8%	1
ID		0.0%	0
IL		0.0%	0
IN		3.8%	1
IA		0.0%	0

KS		0.0%	0
KY		3.8%	1
LA		7.7%	2
ME		0.0%	0
MD		0.0%	0
MA		0.0%	0
MI		3.8%	1
MN		0.0%	0
MS		0.0%	0
MO		3.8%	1
MT		0.0%	0
NE		0.0%	0
NV		0.0%	0
NH		0.0%	0
NJ		0.0%	0
NM		3.8%	1
NY		0.0%	0
NC		3.8%	1
ND		0.0%	0






OH		3.8%	1
OK		3.8%	1
OR		0.0%	0
PA		<b>11.5%</b>	<b>3</b>
RI		0.0%	0
SC		0.0%	0
SD		0.0%	0
TN		7.7%	2
TX		0.0%	0
UT		0.0%	0
VT		0.0%	0
VA		0.0%	0
WA		3.8%	1
WV		0.0%	0
WI		0.0%	0
WY		0.0%	0
<b>answered question</b>			<b>26</b>
<b>skipped question</b>			<b>10</b>

**23. What is your title? Please select the most relevant option.**

		Response Percent	Response Count
State coalition member		4.0%	1
State coalition board member		20.0%	5
State coalition Director / Executive Director		0.0%	0
<b>MLRC Defense Counsel Section</b>		<b>64.0%</b>	<b>16</b>
Other (please specify)		12.0%	3
		<b>answered question</b>	<b>25</b>
		<b>skipped question</b>	<b>11</b>

**24. May we please have your contact information in the event we would like to follow up? This information will only be used for internal purposes.**

		Response Percent	Response Count
Name:		100.0%	20
Coalition/Organization:		85.0%	17
Email Address:		100.0%	20
Phone Number:		95.0%	19
		<b>answered question</b>	<b>20</b>
		<b>skipped question</b>	<b>16</b>

**Page 1, Q2. If you have seen a POSITIVE change in government officials' understanding of and compliance with open government requests, to what do you primarily attribute the change? (Check all that apply. Skip this question and proceed to question #3 if the change you saw was negative.)**

1	increased availability of penalties/attorneys fees from litigation	Aug 11, 2011 4:51 PM
2	Change in our law providing for more access and greater accountability	Aug 11, 2011 1:17 PM
3	recent New Mexico appellate opinions favoring an expansive interpretation of the state's Inspection of Public Records Act	Aug 11, 2011 11:23 AM
4	changes in legislation	Aug 10, 2011 4:21 PM
5	New legislation	Aug 9, 2011 3:19 PM

**Page 1, Q3. If you have seen a NEGATIVE change in government official's understanding of and compliance with open government requests, to what do you primarily attribute the change? (Check all that apply. Skip this question if you answered question #2.)**

**Page 1, Q3. If you have seen a NEGATIVE change in government official's understanding of and compliance with open government requests, to what do you primarily attribute the change? (Check all that apply. Skip this question if you answered question #2.)**

2	Governor is against transparency	Aug 10, 2011 9:10 AM
3	or - belief that media doesn't have resources to cover	Aug 9, 2011 5:49 PM
4	alleged "privacy" concerns	Aug 9, 2011 4:25 PM

**Page 1, Q4. Can you describe a circumstance from your area that illustrates how the open government landscape has changed?**

1	We see more public bodies using high fees to try to discourage use of FOIA.	Aug 15, 2011 8:00 AM
2	our former attorney general made sunshine law violations a priority. the current attorney general is less interested in pursuing such violations.	Aug 14, 2011 4:27 PM
3	The administration of one major metropolitan school system, under stress and in the news for a variety of legitimate reasons, has taken a conscious and deliberate position of resisting all public records requests. Local media, hamstrung by budget cuts, has not been in a position to fight them on every issue. As a result, full news coverage of a vital local institution has been noticeable decreased and managed by the school system.	Aug 14, 2011 4:03 PM
4	burden has switch putting the risk of non-compliance on the government agency	Aug 11, 2011 1:17 PM
5	State and local governments are rushing to create "sunshine portals" on which public records can be viewed via the Internet. The state's new governor pledged on her first day in office to limit the circumstances in which "executive privilege" would be invoked as a ground for withholding public records.	Aug 11, 2011 11:23 AM
6	No.	Aug 10, 2011 11:42 PM
7	The courts have allowed private entitites that perform public functions (and which are funded by public dollars) operate free from the Public Records Act.	Aug 10, 2011 12:06 PM
8	Pennsylvania has a relatively new open records law. While the law provides for far greater access than the old law, most agencies aggressively seek to block access and to interpret the law as narrowly as possible.	Aug 10, 2011 11:38 AM
9	We have increased efforts by government agencies and related entities to avoid the mandate of of open records and meetings. This is increasing as government tries to use non profit or private entities to perform gov't functions. The political swing to the roght has also encouraged government to disregard or fight real transparency.	Aug 10, 2011 10:39 AM

**Page 1, Q4. Can you describe a circumstance from your area that illustrates how the open government landscape has changed?**

10	Effective bench/bar/gov't/media open forum dialogues are engaged 2-3x/yr to attempt to address potential or actual challenges of this nature in noncontroversial manner, reinforcing open government obligations.	Aug 10, 2011 10:20 AM
11	Governor Jindal has repeatedly killed bills that would have made his office subkect to public records law	Aug 10, 2011 9:10 AM
12	Alaska has a "prevailing party" attorney fee rule (the "English rule," rather than the "American rule" that requires each party to pay its own costs and fees in the absence of a specific fee-shifting statute. It requires a losing party to pay a portion of the prevailing party's fees. For years, a judicial exception to this rule allowed public interest litigants to recover full fees, rather than partial fees, and sheltered losing public interest litigants from having to pay anything. The legislature got rid of the public interest exception, and a few years ago, the Supreme Court rejected challenges to this law. Since then, there has been very little in the way of legal challenges regarding access to public meetings and records by the press or citizens generally (with one or two notable exceptions). I think this is because it is now a risky proposition, as Alaska has become, so far as I know, the only state in the union where public interest litigants seeking access through the courts to meetings and records know they will have to pay the government (or other interested parties) if they lose.	Aug 10, 2011 12:24 AM
13	More fights about getting information that used to be routinely provided, including names of police officers involved in shootings, mug shots, 911 tapes.	Aug 9, 2011 5:49 PM
14	public employee birth days and employee identification numbers made confidential by court based on alleged concern for identity theft despite lack of any evidence of any identity theft arising from public access to this information. Now very difficult to positively identify one public employee from another.	Aug 9, 2011 4:25 PM
15	Media clients either don't have the resources or aren't using them to challenge non compliance with open records laws.	Aug 9, 2011 4:20 PM
16	Recently elected "Tea Party" activists, including some state constitutional officers, who have little regard for or understanding of FOIA. Recent stories about one of them openly violating the law. State's newspapers have been less willing to fund FOI litigation due to financial pressures.	Aug 9, 2011 3:35 PM
17	Attorney General held serial meetings to discuss financial situation of Jefferson County, AL.	Aug 9, 2011 3:32 PM
18	Our news media clients continue to contact us regarding clear violations of Colorado's open meetings law, but they are no longer financially able to pursue litigation in such cases. This inability to enforce the statute has led, in certain situations, to local government agencies affirmatively refusing to comply with the statute explicitly on the grounds that the local newspaper is not going to sue the agency regarding the matter.	Aug 9, 2011 3:24 PM
19	There is a much better understanding on both the part of the media and public bodies about issues concerning access to electronic records.	Aug 9, 2011 3:19 PM
20	New legislation has created a presumption of access	Aug 9, 2011 3:19 PM

**Page 2, Q6. If you have seen an INCREASE in the number of open government lawsuits filed in your state by newspapers or other news organizations, to what do you primarily attribute the change? (Check all that apply. Skip this question and proceed to question #6 if the change you saw was a decrease.)**

1	new statute with simpler processes	Aug 15, 2011 7:50 AM
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**Page 2, Q6. If you have seen an INCREASE in the number of open government lawsuits filed in your state by newspapers or other news organizations, to what do you primarily attribute the change? (Check all that apply. Skip this question and proceed to question #6 if the change you saw was a decrease.)**

2	caused by a change in our law that creates a greater means of transparency and a shift in the burden from requestor to agency	Aug 11, 2011 1:19 PM
3	Use of serial meetings	Aug 11, 2011 9:33 AM
4	The press is involved in more open government lawsuits now than in the past, although in Pennsylvania this is largely because a new law has gone into effect and that law permits the government to appeal from adverse decisions from our office of open records.	Aug 10, 2011 11:41 AM
5	New legislation	Aug 9, 2011 3:20 PM

**Page 2, Q7. If you have seen a DECREASE in the number of open government lawsuits filed in your state by newspapers or other news organizations, to what do you primarily attribute the change? (Check all that apply. Skip this question if you answered question #5.)**

1	better u/s of open gov't laws by all	Aug 10, 2011 10:22 AM
2	See answer to #4	Aug 10, 2011 12:26 AM
3	money	Aug 9, 2011 4:26 PM

**Page 3, Q13. Who operates the FOI hotline in your state. (Check all that apply.)**

1	As general counsel for the Michigan Press Association, Butzel Long runs the hotline.	Aug 15, 2011 8:02 AM
2	PA Newspapers Assoc	Aug 15, 2011 7:50 AM
3	a hotline for citizens is in the works by mo. sunshine coalition	Aug 14, 2011 4:30 PM
4	Pa Newspaper Assn	Aug 11, 2011 1:21 PM
5	Alabama Press Association	Aug 11, 2011 9:34 AM

**Page 3, Q13. Who operates the FOI hotline in your state. (Check all that apply.)**

6	Pennsylvania Freedom of Information Coalition has a forum for assistance on its website	Aug 10, 2011 11:42 AM
7	The Kentucky Press Association contract with my Law Firm to operate a hot line	Aug 10, 2011 10:44 AM
8	We provide such assistance to our media and other clients as requested	Aug 10, 2011 10:24 AM
9	I'm it, for all practical purposes.	Aug 10, 2011 12:28 AM
10	Several organizations in Florida	Aug 9, 2011 4:22 PM

**Page 3, Q15. How are hotline queries and responses handled? (Check all that apply.)**

1	a few still by fax	Aug 14, 2011 4:30 PM
2	Most of queries I get are by phone. Note this is not a formal "hotline," but I have been doing this for over 30 years.	Aug 10, 2011 12:28 AM
3	all of the above	Aug 9, 2011 4:22 PM