



National Freedom of
Information Coalition

<http://nfoic.org/>



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Knight Foundation Helps State Groups Take Up Freedom of Information Lawsuits

Media companies involved in fewer FOI legal actions

Columbia, Mo. (Jan. 4, 2010) – The John S. and James L. Knight Foundation has approved a new \$2 million, three-year grant to the National Freedom of Information Coalition to launch the Knight FOI Fund and support state open government groups.

The Knight FOI Fund will provide up-front costs such as court costs, filing and deposition fees, if attorneys are willing to take on a pro-bono basis cases that otherwise would go unfilled.

“Media companies have for generations taken on the lion’s share of the legal work surrounding freedom of information,” said Eric Newton, Knight Foundation Vice President for Journalism Programs. “But as media economics restructure, new approaches are needed. The National Freedom of Information Coalition is in a position to seed and lead new approaches.”

In the past decade, the coalition has grown into a network of state freedom of information advocates. Groups operate in nearly every state. Its members include citizen-driven nonprofit freedom of information organizations, academic and First Amendment centers, journalistic societies and attorneys. Its mission is to foster open government at the state and local level.

The NFOIC is housed in the Donald W. Reynolds Journalism Institute at the Missouri School of Journalism.

In the coming year, the NFOIC will launch:

- The Knight FOI Fund, a litigation effort that will provide support for the up-front costs of bringing freedom of information lawsuits to court.
- A round of challenge grants to help state coalitions raise more local money.
- A newly designed web site that will help revitalize the state FOI movement.

“Many efforts to improve and preserve freedom of information and keep government open to the public would have been impossible in the past without the support of Knight Foundation,” said Frank Gibson, executive director of the [Tennessee Coalition for Open Government](#) and president of the NFOIC board of directors. “This grant will help NFOIC and our state coalition partners expand that work at the state and local level.”

The economic crisis and the evolution of the news media have resulted in declining levels of FOI advocacy, according to the results of a survey of media attorneys conducted this year on behalf of the NFOIC by the [Media Law Resource Center](#).

The study showed that while litigation is slowing as a result of the shifting media economy, the worst may be yet to come, as the level and intensity of FOI work on behalf of the news media slows—not only in terms of litigation—but also in terms of FOI requests made and informal appeals of denials.

The results were alarming: 53 percent of respondents said that the frequency of open government violations has increased in the past two to five years, while less than a third said that reporters in their jurisdiction have increased the number of FOI requests they are making.

When it comes to the resources devoted to seeking legal compliance with open government laws, the survey clearly illuminates the erosion of the media economy. More than half the respondents (53 percent) said that resources have decreased. Thirty five percent reported that resources have decreased substantially.

That decrease in resources translates to fewer legal interventions. Some 42 percent of respondents reported that the number of instances in which their firm had intervened in an open government matter for media clients had decreased over the past two to five years.

Without local media serving as the enforcement arm for sunshine laws, open government advocates believe more government officials will deny public access to public information.

For more information on the program and the FOI litigation issue, as well as the results of the MLRC survey, please visit <http://www.nfoic.org/knight-foi-defense-fund>.

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The John S. and James L. Knight Foundation advances journalism in the digital age and invests in the vitality of communities where the Knight brothers owned newspapers. Since 1950, the Foundation has granted more than \$400 million to advance quality journalism and freedom of expression. Knight Foundation focuses on projects that promote community engagement and lead to transformational change. For more, visit <http://www.knightfoundation.org/>. Last fall, the Knight Commission on the Information Needs of Communities in a Democracy released its national report. It concluded that information is as vital to the healthy functioning of communities as clear air, safe streets and good schools. For details, see <http://www.knightcomm.org/>.

The National Freedom of Information Coalition is a national network of state freedom of information advocates, citizen-driven nonprofit freedom of information organizations, academic and First Amendment centers, journalistic societies and attorneys. A unit of the [Missouri School of Journalism](#), the NFOIC is an affiliate of the [Donald W. Reynolds Journalism Institute](#). Its mission is to foster government transparency at the state and local level. NFOIC is based at the [University of Missouri](#), home to the nation’s oldest [Freedom of Information Center](#). For more, visit <http://www.nfoic.org/>.