

Openness Defense Fund

Financial Support for Litigation and Educational Programs coordinated by the Iowa Freedom of Information Council

What is the Fund?

The Defense Fund provides support for litigation and educational programs to better acquaint Iowans with the state laws on meetings of government agencies and on access to government records, Chapters 21 and 22 of the Iowa Code.

Who can utilize the Fund?

The Fund is available to the members of the Iowa Newspaper Association and the Iowa Broadcasters Association. It is targeted toward smaller broadcast stations and newspapers exasperated with egregious access violations in their communities, but it is also available to larger media operations.

How much money will the Fund give a litigant?

The Fund will support up to one-third or \$3,500 of the litigation costs, whichever is lesser. Winning plaintiffs are expected to reimburse the Fund when they receive their reimbursement of legal fees.

What factors will determine whether a request is granted?

The Iowa FOI Council will weigh the following factors when considering a request for support:

- Is the violation of the law serious and continuing despite efforts to bring the public agency or officials into compliance? (Applicants will be asked to document violations and to show what efforts have been made to resolve the issues short of litigation.)
- Is the case a clear violation and clearly “winnable”? (Cases likely not to be accepted for support include those that are in the gray areas of the law or that are more like local feuds than FOI issues.)

If the litigation is chosen for support, the Iowa Freedom of Information Council may condition the support upon which attorneys are involved in representing the plaintiff.

For more information:

Contact kathleen.richardson@drake.edu or call (515) 271-2295.

Information can also be obtained from the Iowa Newspaper Association at bmonroe@ianews.com or the Iowa Broadcasters Association at iowaiba@dwx.com.

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