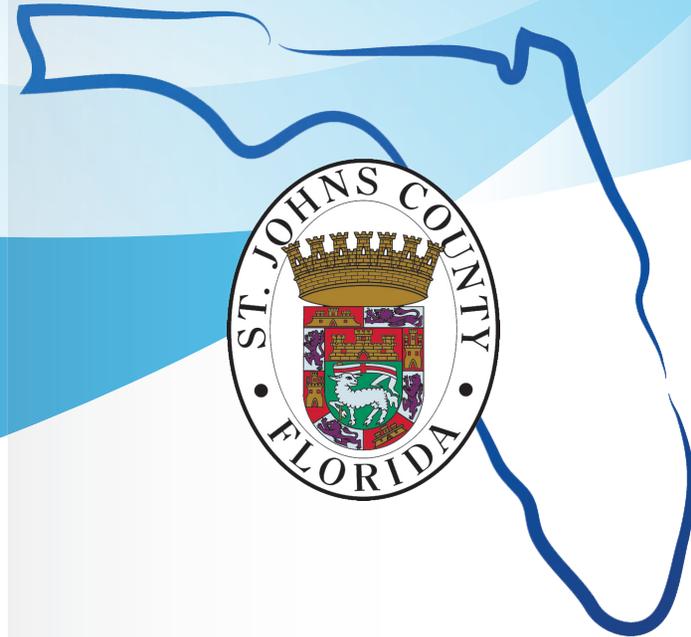


# A POCKET GUIDE TO **FLORIDA'S PUBLIC RECORDS ACT**

The following Open Government online resources are available at **[www.myfloridalegal.com](http://www.myfloridalegal.com)**:

- *Frequently Asked Questions*
- *Government in the Sunshine Manual*
- *Sunshine Law*
- *Sunshine Law Court Cases*
- *Training*
- *Citizen Guide to Public Records and the Sunshine Law in Florida*

For more information on the St. Johns County Public Records Program, please visit [www.sjcfl.us](http://www.sjcfl.us), email [publicrecords@sjcfl.us](mailto:publicrecords@sjcfl.us), or call 904.209.0805.



# FREQUENTLY ASKED QUESTIONS

## Public Records Requests

### **What are public records?**

Public records are all documents, papers, letters, emails, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

### **Can I request public records verbally?**

Nothing in the public records law requires that a request for public records be in writing or in person. A custodian of public records must honor a request for records, whether it is made in person, over the telephone, or in writing, provided the required fees are paid.

### **Is an agency required to give out information from public records?**

No. Florida law provides citizens a right of access to inspect and copy existing public records. It does not mandate that the custodian give out information from the records.

### **How much can an agency charge for providing public records?**

The public records law provides that the custodian shall furnish a copy of public records upon payment of the fee prescribed by law. If no fee is prescribed, an agency is allowed to charge up to 15 cents per one-sided copy for copies that are 14" x 8.5" or less. A charge of up to \$1 per copy may be assessed for a certified copy of a public record. If the nature and volume of the records to be copied requires extensive use of information technology resources or extensive clerical or supervisory assistance, or both, the agency may charge a reasonable service charge based on the actual cost incurred.

### **Is an agency required to create records to respond to requests?**

No. There is no law requiring that an agency create new records to accommodate a request for information.

### **Do I have to tell why I want them?**

Nothing in the public records law requires the requestor to disclose the reason for the request.

### **Does an agency have to explain why it denies access to public records?**

A custodian of a public record who claims a record or part of a record is exempt from inspection must state the basis for that exemption, including the statutory citation. Additionally, when asked, the custodian must state in writing the reasons for concluding the record is exempt.

### **What is an exemption?**

An exemption is a provision of general law that states that a record or portion of a record is not subject to the public access requirements of the public records law.

