PUBLIC RECORDS REQUEST FORM

Date _____

Name _____

Organization or Company (if applicable) _____

E-mail _____   Phone _____

City _____ State _____ ZIP Code _____

Summary of Request

_____
_____
_____
_____
_____
_____

Additional Comments

_____
_____
_____

_____   _____
Signature   *Date*

Please complete this form and send to: East Longmeadow Town Clerk, 60 Center Square, East Longmeadow, MA 01028
OR e-mail to: clerks@eastlongmeadowma.gov.

Please note that fees may apply to your public records request.
See back of form for more information regarding the Public Records Law.

MASSCHUSETTS PUBLIC RECORDS LAW

Overview
The Massachusetts Public Records Law (Public Records Law) and its Regulations provide that each person has a right of access to public information. This right of access includes the right to inspect, copy or have copies of records provided upon the payment of a reasonable fee.   The Public Records Law broadly define "public records" to include "all books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee" of any Massachusetts governmental entity.

The Request
There are no strict rules that govern the manner in which requests for public information should be made. Requests may be made in person or in writing. Written requests may be made in person, by mail, facsimile or email.   An RAO must provide information on her custodian's website with respect to requests for public records.

A requester must provide the RAO with a reasonable description of the desired information.

The Response
The RAO must respond to requests without unreasonable delay and within ten business days. The RAO may offer to provide records; provide a fee estimate, where applicable; or deny access to records in a manner consistent with G. L. c. 66, § 10(a-b).

A denial must detail the specific basis for withholding the requested materials. The denial must include a citation to one of the statutory or common law exemptions upon which the RAO relies, and must explain why the exemption applies.

A denial must also advise the requester of the right to seek redress through the administrative process provided by the Supervisor of Records (Supervisor) as well as the judicial remedy available in superior court.

The mandatory disclosure provision of the Public Records Law only applies to information that is in the custody of the governmental entity at the time the request is received. Consequently, there is no obligation to create a record for a requester or to honor prospective requests. It should be noted, however, that the Regulations do not prohibit an RAO from responding to such requests.

Information contained in a database is presumed to exist at the time of the request. Provision of an extract of requested data does not constitute creation of a public record. An RAO may not deny a request for data contained in such a database on the theory that extraction results in creating a new record. To do so would deny access to information that does exist at the time of the request, though not in a form easily accessible by the requester.

Fees
An RAO may charge a reasonable fee to recover the costs of complying with a public records request. An RAO is encouraged, but not required, to waive fees where disclosure is in the public interest.

The Supervisor does not have the authority to order a waiver of reasonable fees. An RAO assessing a fee must do so in accordance with any applicable statutory provisions, the Regulations or an enabling provision.

*For more information, the complete **Guide to the Massachusetts Public Records Law** can be found at.https://www.sec.state.ma.us/pre/prepdf/guide.pdf*