

Updated Public Records Law

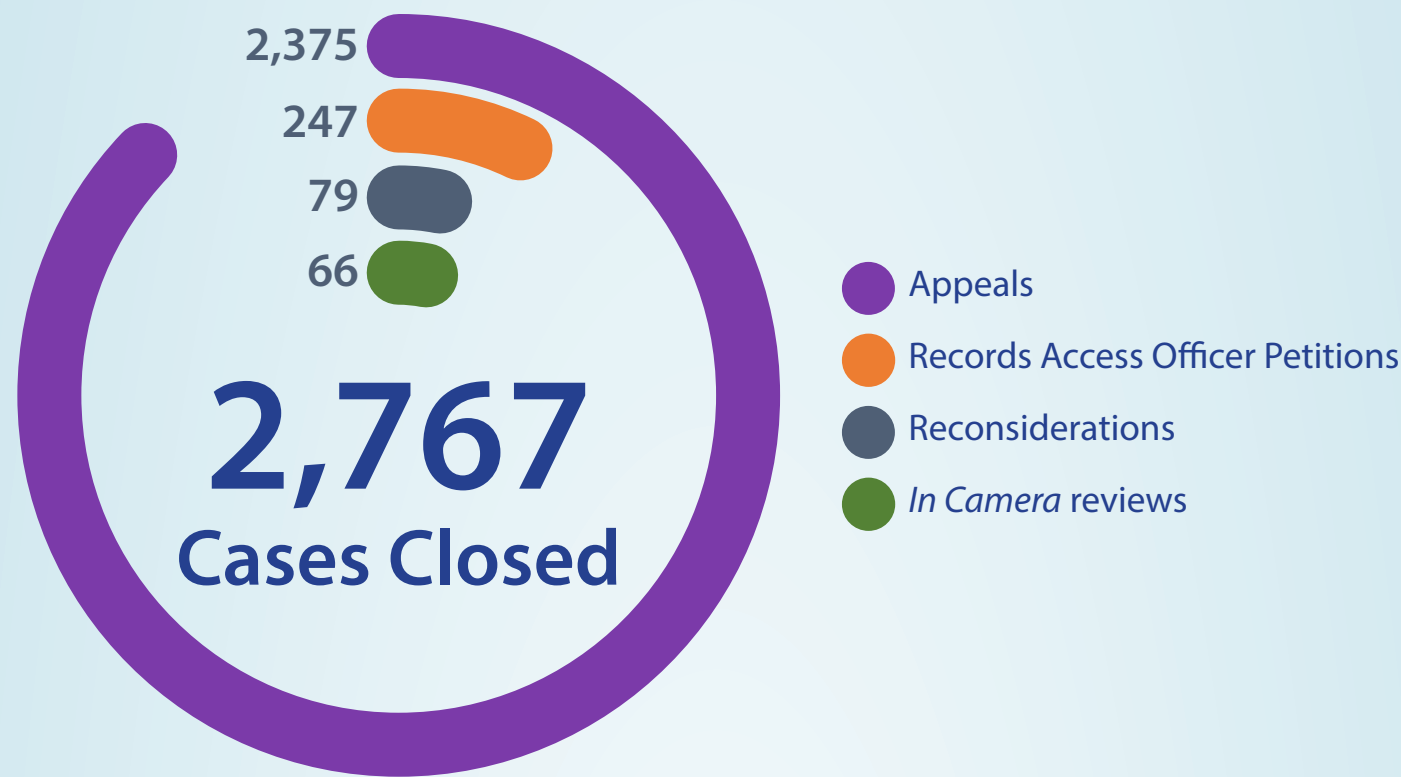
By the Numbers

The updates to the Massachusetts Public Records Law (Law) have now been in effect for a little over four years. Changes to the Law include: specified time periods for the Supervisor of Records (Supervisor) to issue determinations on public records appeals, limits on fees permitted to be charged by government Records Access Officers (RAOs) and requirements for state agencies to track and report public records request information. Take a look below at how the updated Law has had an impact in its first few years:

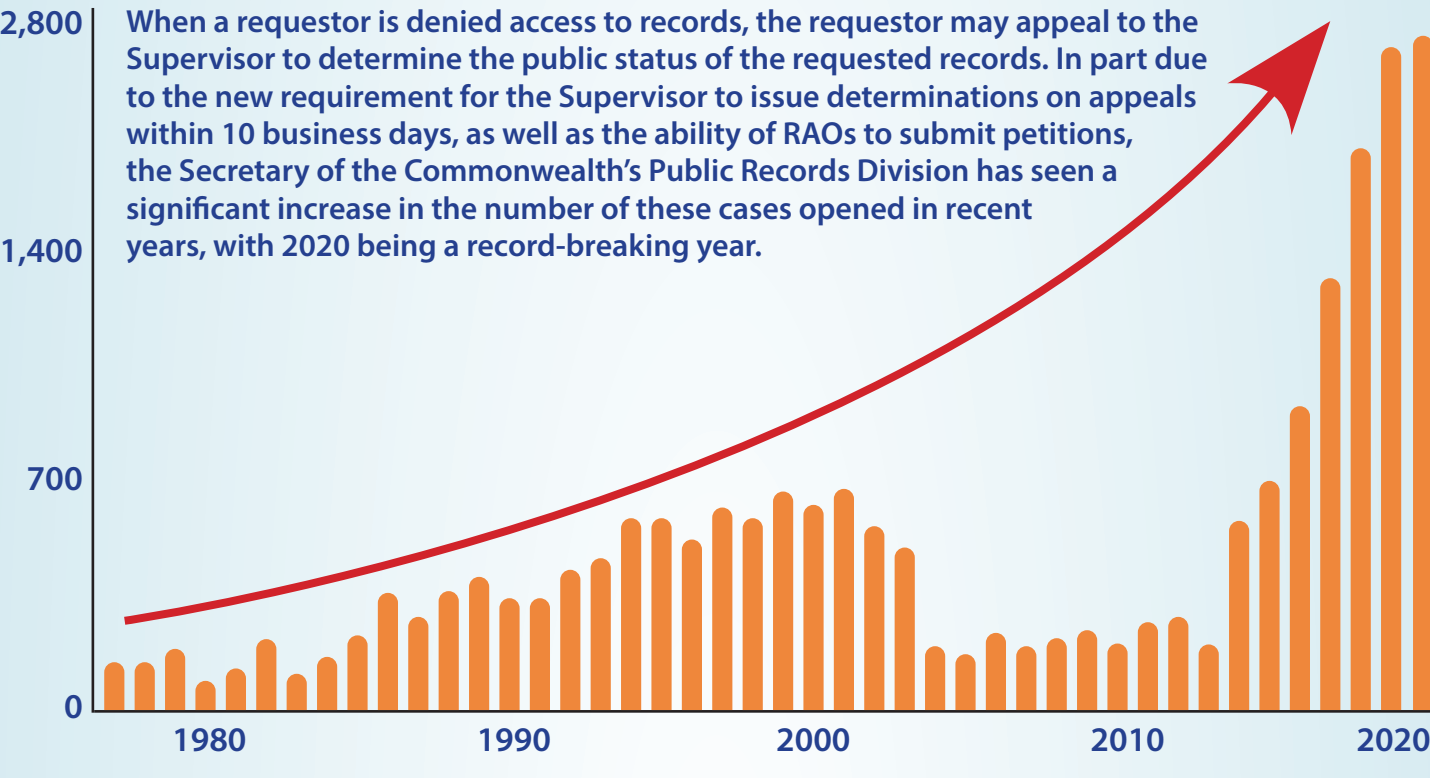


2020 Breakdown

2020 saw a record number of cases opened by the Public Records Division. These cases include 1) petitions from RAOs to charge additional fees, be granted extra time to respond to requests or be relieved of their obligation to respond; 2) requests for reconsideration of the Supervisor's orders; 3) in camera reviews of the requested records by the Supervisor; and 4) determinations by the Supervisor relating to appeals from requestors alleging certain violations of the Law.

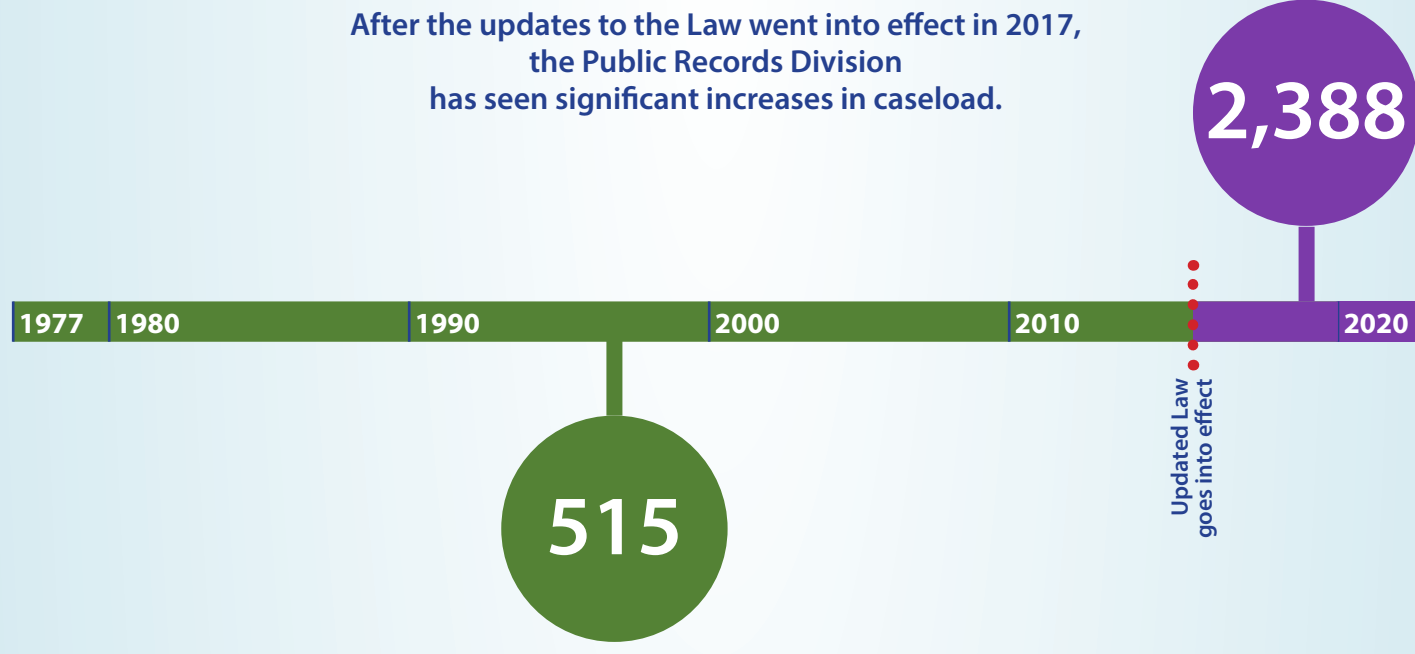


Cases Opened Each Year Since 1978



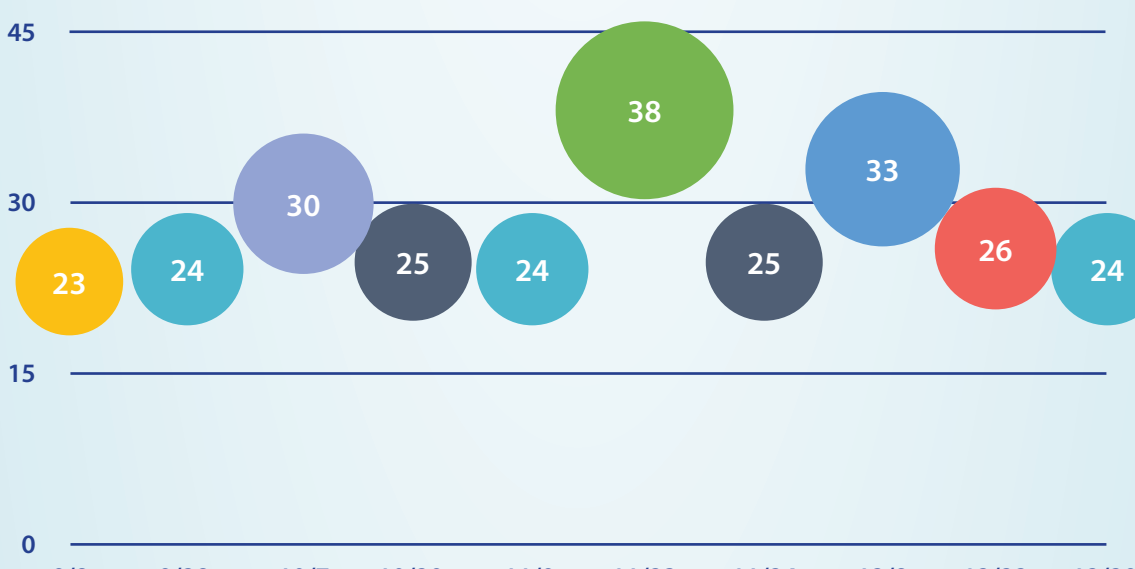
Average number of Cases Opened Before 2017 Update and After Update

After the updates to the Law went into effect in 2017, the Public Records Division has seen significant increases in caseload.



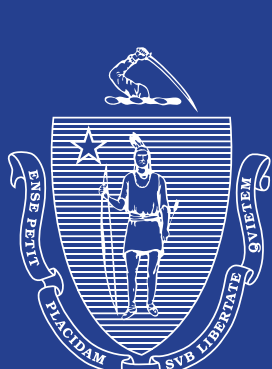
Busiest Days

Under the updated law, without exception, the Supervisor is required to close each public records appeal within 10 business days of receipt. Given the increase in cases, the Supervisor issued a significant number of decisions many days in 2020.



Busiest Year

Despite its challenges, the year 2020 saw a record number of cases opened. While the pace of closing cases slowed slightly in the Spring, the Public Records Division saw a steady increase in cases closed towards the end of the year.



All of the determinations issued by the Supervisor are public and available on the Secretary of the Commonwealth's website at: www.sec.state.ma.us/pre.

For more information on the Public Records Law, please read the *Guide to the Massachusetts Public Records Law* available at: www.sec.state.ma.us/pre/prepdf/guide.pdf.

For any questions about the Public Records Law, please contact the Secretary of the Commonwealth's Public Records Division at 617-727-2832 or pre@sec.state.ma.us.