



Cecil County Executive Office

Cecil County, Maryland
200 Chesapeake Blvd., Suite 2100
Elkton, Maryland 21921

PUBLIC INFORMATION REQUEST INSTRUCTIONS

A Maryland Public Information Act (MPIA) request grants the right to review available records that are disclosable and to obtain copies of those records. The MPIA does not require the County to answer informational questions or to create a record to satisfy a request. In some instances, the County will be able to respond to your request immediately. For requests that require searching for public records, it may take longer to respond to your inquiry. Your request to access public information will be handled in a timely manner; if it will take more than ten (10) working days to produce responsive records, then notice will be provided to you in writing or by email within ten (10) working days of receipt of your request telling you how much time it will take to produce the record, the reason for the delay, and an estimate of the range of fees that might be involved in producing the record. Please note, however, that the State of Maryland allows up to thirty (30) days to actually provide the documents that respond to your request. Please also note that, if a fee is charged, the MPIA allows the County to charge a “reasonable fee” for copies of records. The County may also charge a reasonable fee for searching for a public record. This charge may include the time required for locating and reviewing the record.

The MPIA permits the County to assess a charge for the search, preparation and reproduction of a public record to be made available for inspection. Costs and fees will be based on each staff member’s salary and actual time attributable to the County’s response, including attorney review costs. In accordance with the MPIA, copies of the records will be provided to the applicant upon payment of an additional fee of \$0.25 per page. In situations where a request is not voluminous, in the exercise of the sole and exclusive discretion of the County Attorney, on behalf of the County, the standard \$0.25 per page copying fee may, but is not required to be, waived. Such a waiver should not be construed as having any precedential effect, and the applicant should note that such a waiver will, if granted, be without prejudice to the County’s right to impose charges for reproduction of records in the future, to be determined on a case-by-case basis. The applicant will be notified in advance of the disposition of a waiver request and copying cost before copies are made. Requests that involve email transmissions or electronic archives require the County to engage in a computer search and restoration and analysis process through the Cecil County Department of Information Technology. Such a request may result in the disclosure of a significant number of duplicate documents, as sent to multiple addressees. As with paper documents, all email transmissions and electronic archives must be reviewed in order to determine which records may properly be disclosed, which are subject to privilege and withholding under one or more of the exception to disclosure set forth in the MPIA, and which are positively required to be withheld from disclosure pursuant to the MPIA. The County will cause an e-discovery search and analysis to be performed upon request; if the applicant chooses to do so, then the County will develop an estimate of the administrative cost which will be incurred in order to comply with the request.

Upon receipt of your request, the County will perform a preliminary assessment to determine if the County is the appropriate custodian of the records. The County will also review the request for completeness. To offer the most efficient customer service, the County might require payment for any work performed to search, prepare and copying process. You may hand-deliver or mail the payment once your request is approved and quote provided as to cost. Please make your money order or check payable to “Cecil County, Maryland” and send to the appropriate department. The County does not accept cash through the mail, credit cards, or PayPal. Requests can be received only when the County is open. If the County does not receive your payment within ten (10) calendar days from the date of our reply, it will presume that you are no longer interested in pursuing your request and close the file accordingly. To obtain the documents, you must submit a new request. Persons who disagree with any response to a PIA request may seek review of the decision in accordance with *Md. Code Ann., General Provisions Article, § 4-1A-05 et seq.* Comments or questions may be directed to: tstrong@cecilcountymd.gov

Exceptions to disclosure of certain records are set forth in the MPIA. In particular:

1. Certain records produced in response to a request may consist of confidential communications and memoranda between County officials and legal counsel, and thus are subject to the attorney-client privilege and protected from disclosure as a privileged or confidential record.
2. Certain records produced in response to a request may constitute intra-agency memoranda and thus are protected from disclosure as contrary to the public interest.
3. Certain records produced in response to a request may constitute confidential business and financial information and thus are protected from disclosure as contrary to the public interest.
4. Based upon the results of any review of the County’s electronically maintained records, one or more of such records may also be subject to protection from disclosure under the MPIA.

Please note that the applicant is entitled to an administrative and/or judicial review of decisions to deny access. See, *Md. Code Ann., General Provisions Article, § 4-1A-05 et seq.* Notice of any such determination will be provided to the applicant as and if such a determination is made.