

## **FOIL catches up with email.**

By Carrie E. Flynn, Esq.

The Governor recently signed, effective November 24, 2006, a new law that allows the public to make requests for public documents under the Freedom of Information Law (“FOIL”) in electronic format instead of paper format.<sup>1</sup> In other words, requests for information will now be allowed to be made via e-mail and be subject to the same notice and time requirements as if the requests were made in writing through the mail.

The new law also requires the agency from which the documents are being requested to respond in the manner in which the request was made (i.e. e-mail requests must be responded to by e-mail). To further relieve confusion as to the form and content of these requests, the new law also requires the Committee on Open Government, which oversees the provisions and enforcement of the FOIL, to develop a form to be used by persons requesting a public record. This form will also be made available on the Committee’s website on October 24, 2006.

(<http://www.dos.state.ny.us/coog/coogwww.html>)

*The opinions expressed in this bulletin are intended for general guidance only. They are not intended as recommendations for specific situations. As always, readers should consult a qualified attorney for specific legal guidance. © 2006 Hinman Straub P.C. All Rights Reserved*

---

<sup>1</sup> This regulation will only apply to those entities that have the means to receive and provide e-mail.