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A Streamlined Approach to Records Requests

Logikcull

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Meet the Experts

This white paper includes information and quotes provided by several industry experts. The main contributors to this document have been referenced below.

Coachella Valley Water District (CVWD)

Sylvia Bermudez is Clerk of the Board with the Coachella Valley Water District (CVWD) in Palm Desert, California, which oversees the annual weekend-long Coachella Valley Music and Arts Festival. CVWD — an organization of just under 600 people — offers domestic drinking water, aquifer replenishment, canal irrigation and non-potable water services. Sylvia works as custodian of the agency's 22 million digital and physically warehoused records and with the board of directors to ensure legal compliance for public meetings.

Tempe Tri-District Legal Services

Jordan Ellel is General Counsel for the Tempe Tri-District Legal Services in Arizona, representing 55 schools, 5,500 employees and 40,000 students across three districts. He advises on education-related legal issues, including public records, employment, student discipline, contracts, procurement, policy advice and open meeting law.

Introduction: The FOIA Flood

As public records requests continue to increase annually, organizations are pressured to respond swiftly and efficiently within a regulatory framework that demands high standards. Americans, seeking transparency into the operations of federal, state, and local governments, need accessible and obtainable public records for both personal and public-interest projects. However, these records are often dispersed across various government agencies, departments, and educational institutions, leading to delays that impede progress.

Evolving Requirements & Expectations

Every American has the right to information about the activities of government organizations, which are obligated to provide it. Individuals, the media, and businesses submit Freedom of Information Act (FOIA) requests to agencies for various reasons. Yet, many organizations struggle with the sheer volume of requests due to limited resources, outdated processes, or inadequate technology, often resulting in delayed responses.

Transparency & Accountability

Upon receiving FOIA requests, agencies must locate and review documents to determine the extent of disclosure. This process may involve redacting personally identifiable information (PII), protected health information (PHI), and other data exempt from disclosure under FOIA. However, without modern technology to efficiently sort and filter documents, agencies lack a standardized and repeatable process, making records requests both time-consuming and frustrating for all parties involved. There is a clear need for solutions that reduce the cost and time associated with public records requests.

“FOIA” is a federal statute that spells out the requirements to produce records for branches of the Federal government and agencies (like the U.S. Department of Education), but does not affect state or local governments and agencies. These entities are governed by state public records laws, which often provide different requirements and protections from FOIA. For purposes of this white paper, the differences aren’t significant, so the term “FOIA” is being used to describe both the Federal statute as well as similar state public records laws.

Challenges of Managing Public Records Requests

Public agencies receive multiple types of public records and data requests depending on their functions. But there are significant challenges that unite all FOIA-compliant organizations regardless of the role they fulfill and the people they serve:

- Increasing volume and complexity
- Time-consuming processes
- Risk of inconsistency and error
- Technology gaps

Tackling these hurdles is the key to a more efficient public record request process that ultimately improves public service.

Increasing Volume & Complexity

Public agencies face both increasing volume and complexity of public records and data requests.

Coachella Valley Water District (CVWD) receives up to 20 requests daily for as-built maps from developers, local governments, and individuals who want to build on or make changes to the surrounding land. *"Those are the easy ones",* says Sylvia Bermudez, Clerk of Board for the Coachella Valley Water District.

When confidential data comes into the picture, requests get trickier: Water usage inquiries, for example, often involve undisclosable data.

Meanwhile, Tempe Tri-District Legal Services General Counsel Jordan Ellet frequently receives procurement- and contractor payment-related requests, some of which claim to be non-commercial. Commercial requests allow Jordan more flexibility in responding. Other requests, like student records, are strictly governed by federal law.

The Public Records Act (PRA) requires agencies to maintain public records and produce them when requested by the public. "For a while, I was processing 12,000 emails", says Sylvia.

The review and elimination process is just the first phase. The second is sifting through information to determine its disclosability. Then there's the redacting phase. Larger requests can include vast numbers of emails, voicemails, text messages, and even sticky notes, all of which require review and redaction.

Time-Consuming Process

Traditional methods for dealing with public records requests are notoriously inefficient.

For those inquiries involving confidential data, "you have to run a varied report, go through, review, and redact — a very manual labor-intensive process that used to take me hours," Sylvia notes. She admits to working nights and weekends to satisfy some requests.

Parents recently won expanded rights to their children's records, significantly increasing the workload for Jordan and his assistant. While they can access centrally-controlled traditional educational records, they must contact teachers for other documents. (Teachers are the only ones legally able to release certain information about their students.)

Jordan says one organization constantly requests high school curricular materials.

That's a more complicated task than it might seem. A school might tell Jordan: We offer 75 different courses. Which courses do you want, and what do you mean by curricular materials? "They end up asking us to go through a lot of PowerPoints", says Jordan.

Risk of Inconsistency & Error

The variability in handling requests can also lead to inconsistencies, potential errors, and legal risks. "It's been haphazard - especially across three districts that operate differently, with different systems, servers, and individuals in charge", says Jordan.

Even though all three districts have had consistent legal counsel for two decades, FOIA requests remain a daunting challenge.

While one district sent multiple PDF emails with searchable and redactable terms, another sent personal storage table (PST) files — a Microsoft-focused format — for each search term. The third district dropped non-redactable individual emails in a shared drive to sort through one by one. In this case, Jordan had to withhold specific documents because one might contain a single attachment with some confidential, non-redactable legal advice. "So I just withhold the whole document and say, all right, you're not getting any of this because I don't have a way to redact the confidential part," says Jordan.

Failure to redact confidential data in public records requests — on top of disparate processes across multiple entities — ultimately leads to inconsistency errors with serious legal ramifications.

Technology Gaps

Many public agencies also need more appropriate technology to manage and process requests efficiently. Short of physically printing, redacting, and copying everything, Jordan and his assistant simply didn't have the resources to manage all the requests without a technology-driven solution. "We're too small an operation for that," he says.

“ One of the requests forced me to pull my hair out and say: We need to find a better solution. It was such a large request that eventually I had to send to an outside law firm. I knew there were programs that can organize large quantities of data, and I didn't have access to them. ”

- Jordan Ellel, General Counsel, Tempe Tri-District Legal Services

Case Study # 1:

Beating Education Sector Record Request Woes

Tempe Tri-District Legal Service's office is a small but mighty team: Jordan and a single legal assistant. "We're a really streamlined operation — just the two of us in-house," he says.

While often spreading larger projects like major transactional work and lawsuits to outside counsel, they are the only two doing the bulk of the work daily — including dealing with public records requests.

"Day to day, I like to think of myself as a disorganized firefighter," Jordan says. "I jump from task to task and just put out fires."

Plans made in the morning remain incomplete by the evening because he's perpetually jumping between emergencies.

The Drawbacks of Manually Processing Requests

Inefficient manual processes often amplify existing problems — not just inconsistencies between the three districts that Jordan represents. "Even in the same district, two different people would get the request and look at it differently or ask different questions," Jordan explains. "We were all over the place."

Less-than-ideal processes make dealing with ever-higher volumes of more complex requests increasingly tricky. Jordan eventually instructed a more well-resourced firm to handle a particularly onerous request, ultimately leading him to look for a better solution.

"I knew there were programs that could organize large quantities of data, and I didn't have access to them," he explains.

Instructing the outside firm was a quick-fix option for dealing with that request. But Jordan needed something better for the long run.

A Streamlined Transition with Better Technology

Jordan's office has portals for records requests, which it encourages everyone to use.

"There's a lot of scrutiny, and I don't see it decreasing anytime soon," he says. "The portal is great because it makes our lives easy, but it makes their lives easier, too."

Each district has a public record specialist who reviews and sends requests to Jordan to determine whether or not they can produce the records in question. Commercial requests typically require additional steps.

Jordan must then categorize whether the request is related to students, vendors, or IT to help determine search terms. Requesters create searchable email files (including PST and GML — the Google Mail file) that Jordan's office uploads to Logikcull by Reveal.

Working with his legal assistant, Jordan creates tags in addition to default tags — including a "Jordan review" tag in case he needs to step in later — for searchable terms. They then look through a few sample documents to "get a feel for" which ones are responsive and not responsive before his assistant conducts the bulk of the search and redaction process.

Manually, the process took weeks and sometimes months.

Now, depending on the scope of requests, Jordan and his assistant can deal with them in days. Within 24 to 48 hours, Jordan's assistant typically finds approximately a dozen requests tagged as reviewable. They make a final call on responsiveness and create PDFs to download and send back to requesters.

A More Efficient, Consistent Process with Lighter Workload

The transition from the previous process to a technology-driven one was easy for the Tempe office. "It's night and day," Jordan emphasizes. "I never want to go back to how we used to do it."

A young public records analyst quickly adopted the new technology in one of the three districts. The other two districts are slower, sometimes due to fewer requests. But Jordan was keen to push uploads of larger requests into Logikcull by Reveal at every opportunity: "Even if it's 20 emails, I'm telling you, it's more efficient," he tells district staff, to help them get comfortable with adoption. In fact, Jordan only had to call his office's tech support once when getting stuck in a filter and losing a document. "But I got help, and they're always there," he says.

Case Study # 2:

Local Government Done Logically

Coachella Valley is no stranger to the increasing volume of public records requests under the PRA. Similarly to Jordan, Sylvia has a plan and schedule each morning that goes out the window after one hour.

“ *You never know what comes up: being served with a subpoena, a summons, a PRA comes in, or a special board meeting. It always fluctuates.* **”**

- Sylvia Bermudez, Clerk of Board - Coachella Valley Water District

Dealing with Disjointed, Manual Systems

When Sylvia began working with CVWD in 2016, she immediately saw the disorganized process of dealing with public records requests. After receiving requests, CVWD would forward them to engineering, finance or HR, expecting each department to deal with them — but the requests were often “never looked at again,” Sylvia explains. “That made me very uncomfortable, so I centralized the requests.”

Additionally, Sylvia found that the staff weren’t typically identifying or documenting PRA requests, which meant the annual PRA count numbered just 30. “I said: No, that can’t be accurate. Sure enough, it wasn’t.”

Currently, CVWD receives up to 500 PRA requests yearly — and those are just the simple day-to-day utility requests. At least a dozen of the most time-consuming requests each year are never seen again after they are distributed to other departments.

So Sylvia created a spreadsheet to track, log and number each request, department and assigned staff member — along with a deadline date.

“ *Staff completed three times as many PRAs in the same amount of time that used to take them to complete a handful.* **”**

- Sylvia Bermudez, Clerk of Board - Coachella Valley Water District

Quix Fixes & Overwhelming Emails

Sylvia began to email specific departments under the new regime, but they would often result in email chains of around 15 emails in length. When multiple departments — like environment, engineering and facilities — were involved in a single request, Sylvia would juggle dozens of emails.

"It was very time-consuming, labor-intensive and inconsistent," she says. Like Jordan in Tempe, Arizona, she found that different departments provided information in different ways. Sylvia streamlined the process with some template responses — depending on whether the documentation was redactable and disclosable — to help create consistency. But she still often dealt with thousands of emails, picking through them to determine attorney-client privilege and the responsiveness of each.

Unlike the Tempe Tri-District Legal Services office, Sylvia has a team that can print and manually redact records when needed. But is this the best use of a workforce — having them pore over thousands of documents with black markers?

Manage Records with Digital Tools & Online Portal

While the solutions Sylvia put in place were workable in the short term, they weren't viable over a more extended period.

CVWD needed a platform that enabled users to upload all requested information and reduce what took many nights and weekends down to minutes within a working day.

"I'm happy to say that now I can upload a PST file with up to 7,000 emails, and in a matter of minutes, I can go through the entire process and go about my day," Sylvia reports.

Records requests are submitted via an online portal — "much more convenient and very user-friendly," she says. It's similar to the manual process she organized. Still, each department has a liaison who receives email notifications for new requests, reviews the requests, provides notes, uploads documents, or indicates no records.

Sylvia's office then reviews the information to ensure it's disclosable and redacts information as necessary, including audiovisual elements. Before implementing Logikcull by Reveal, she would simply reject a request for audiovisual records containing confidential personal information, but now her team can provide these.

Solutions for **Modern Records Management**

Organizations aiming to manage their public records and requests with more effective solutions than short-term quick fixes must follow four critical steps:

- Choose the right platform
- Streamline existing processes
- Ensure compliance and security
- Train staff to adopt and use the technology

By assessing competency and challenges in these areas, public agencies can ensure they make the right call on public records management and can comply with FOIA as efficiently as possible. The last three steps also represent capabilities. The latest software and technology enable organizations to streamline, secure and adopt new records management processes with unprecedented speed and ease.

Select the Right Platform

As dramatic as it sounds, the right technology can be the difference between fulfilling a critical function in society and failing at serving one's constituents.

Public agencies aiming to manage public records requests more effectively need strong document management capabilities, preferably in an online portal — which, as attested to by both CVWD and Tempe Tri-District Legal Services, have been invaluable.

Organizations also need the following features in public records software:

- **Automatic document organization and filtering**, including deduplicating and integrating email chains
- **Quick production processes** that enable records officers and specialists to download and send documents in response to requests quickly
- **Detailed search capabilities** within public records databases, using the details of a public records query — such as by topic/search term, sender/recipient/custodian, agency, or date range
- **Built-in redaction tools** to ensure agencies avoid legal risk and maintain the confidentiality of privileged information (including personally identifiable information, pre-decisional deliberations and attorney/work product) before producing requested records for requesters
- **Data source integration** to reduce transition costs and eliminate the need for third-party management while speeding up the adoption of a solution that automatically integrates with Google Drive, Microsoft 365, Slack, and other common platforms

Organizations that choose the right platform to manage public records ensure they serve the public as best they can.

Streamline Existing Processes

New technology should always make existing processes more efficient. For public agencies, this means re-engineering workflows to improve their ability to handle public records requests. How can they do this?

- **Effective request monitoring:** CVWD already benefits from the consistency and efficiency of quickly checking the history and timeline of individual records requests from receipt to closure — all in one place. Sylvia particularly values the ability to confirm with requesters exactly when they received and read emails she and her team have sent via the software — even if they claim they haven't. She does not need to double-check spreadsheets, emails, and notes.

- **Less outsourcing:** "We would typically have sent requests part of anticipated or existing litigation — via the [eDiscovery process](#) — to outside legal teams," Sylvia explains. The cost of external law firm reviews is a necessary evil for organizations lacking comparative resources. Still, CVWD no longer necessarily needs to factor this in, having deployed the right technology. Her new solution decreases costs and allows CVWD to deal with litigation more directly.
- **Reallocation of staff:** For Sylvia and her team, consistency in service is paramount. Requesters should be treated the same, with requests handled equally efficiently in every case. Not only does Logikcull by Reveal save public agencies money, but it also saves staff time. Sylvia can redirect their energy from time-consuming, rote tasks to more critical ones. "It's opened up their ability to work on other things," she says.
- **Hands-off involvement:** Jordan didn't anticipate using Logikcull by Reveal to collect documents for external investigation, but outside counsel can now directly access what they need without his communication. All he needs to do is add them as users to relevant projects, providing attorneys with on-demand access. "It eliminates the need to create additional, shared records that must be maintained and managed," Sylvia adds. "They can just log in and access all the information, and I don't have to worry about additional emails and creating more records to manage."

Good public records requests management software helps organizations avoid the pitfalls of implementing what is new because it's new — rather than what it can concretely do for current processes.

Ensure Compliance & Security

All software solutions should be at the forefront of industry standards in cybersecurity and comply with applicable data privacy and data security laws governing electronic public records.

Strong cybersecurity can help ensure data protection and regulatory compliance in managing public records and requests. But legal compliance is another huge factor in effective public records management, mainly due to software's users.

"The consistency [from using Logikcull by Reveal] helps prevent errors," Sylvia says. "I'm sure that what I'm sending is redacted — that I've caught everything. If it's a customer account number, I know it is redacted throughout all documents I've tagged to be responsive."

This security brings peace of mind that may not be calculable in dollars. Jordan now rarely asks himself whether he retains consistency between document disclosures.

“ Nothing looks less professional than producing the same document twice in different ways. **”**

- Jordan Ellel, General Counsel, Tempe Tri-District Legal Services

Train Staff to Adopt & Use the Technology

While most people hesitate to adopt new software and platforms (often because they fear the learning curve), training staff and managing change is critical.

Public records officers are busy enough without getting bogged down by endless tutorials and webinars on using new management software. Software should be easy for employees to pick up — regardless of technical ability and skill level. “This was so user-friendly”, says Sylvia.

Just a few demos and tests yielded positive results thanks to ease of use and convenience. Sylvia found multitasking and the ability of the system to catch duplicate uploads particular wins for the team.

Changing How You See Public Records Requests

Before public agencies choose a platform to solve their public records requests challenges, they need organizational buy-in. Once they establish the need for a solution, key stakeholders — those who will decide to purchase and pay for solutions — must be sold on the idea of the new technology. For Jordan in Tempe, this was easy.

"Getting it in front of my public records people — the ones who cover the majority of the cost — got immediate buy-in," Jordan explains. "One specialist looked at the system and said: I'd kill for this."

She cited the ease of uploads and not needing to review countless individual emails as the primary reasons she would no longer be able to work without it.

At CVWD, Sylvia found her general manager very supportive of adopting the new technology — especially when leaving the office and seeing Sylvia working into the evening on sensitive requests that couldn't involve all staff.

Once decision-makers are on board, it's all smooth sailing.

"I think of the amount of time Logikcull has saved me, and the ROI on this platform is 100% there."

- Sylvia Bermudez, Clerk of Board CVWD

"100% ROI"

Consistency is key, especially when requesters tied to long-running litigation return six months later to request — and expect exactly the same information.

"I don't have to stress that I inadvertently forgot to redact customer data information on this one email that I caught on the other 100 emails," Sylvia says.

Good public records requests management software saves time, money and plenty of headaches — critical for government agencies.

50,000 Record Requests: From Unfathomable to Doable

"It's completely changed how we look at public records requests," Jordan says.

While he doesn't look forward to getting public records requests any more than he used to without the solution, he's certainly less concerned.

"50k records requests was a number that was unfathomable in the past without Logikcull by Reveal. Now, it's doable. We'll continue with Logikcull as long as I'm in this position and I'm sure beyond that.**"**

- Jordan Ellel, General Counsel, Tempe Tri-District Legal Services

"It's not a day's work but a manageable process". In-house counsel lacks the time, resources, and spending power for outside counsel to deal with records requests manually — especially for sectors like public education. "It's an essential part of what we do," Jordan emphasizes.

Future Trends in Records Management



Artificial Intelligence

Could herald new, game-changing applications for organizations to automate records classification, redaction and retrieval.



Public Agencies using Cloud Platforms

to enhance scalability and secure records management.



Data Analytics & Reporting

offer agencies powerful insights into request patterns and resource allocation.

Conclusion: Real FOIA Freedom

Public records requests numbers are going nowhere but up — with complexity to match. Along with traditional paper and electronic documents, emails, text messages and voice messages are now all subject to disclosure. Audiovisual redaction will become even more critical as technology improves.

Public agencies and governmental organizations have never been more scrutinized about their conduct and spending. Software that helps them efficiently manage public records requests is critical to their success.

Organizations can modernize their records management practices to:

- Save time and money
- Redact with ease, including with audiovisual media
- Increase workflow efficiency and consistency
- Decrease legal risk and errors
- Ensure compliance
- Improve intraorganizational sharing and communication

Organizations can now bid the manual approach to respond to records requests farewell — for good.

For additional information regarding this use case, please check out the [Information Request](#) page on our website or go to revealdata.com and click on Use Cases and then Information Requests.