

# AG's office has smoothed path for citizens' inquiries

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Written by

**BEAU BIDEN**

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The Delaware Department of Justice receives the most attention for our work protecting the most vulnerable Delawareans -- stopping child predators, rescuing seniors from abusive situations or helping domestic violence survivors rebuild their lives.

We spend a lot of time focused on prosecuting criminals and seeking justice for victims, but we also have an important role in upholding Delaware's Freedom of Information Act.

Our responsibility to ensure Delaware's open government laws are followed is an important one and we take it seriously.

Delaware's government sunshine laws guarantee citizens have the right to inspect government records, get copies of those records at a reasonable cost, have notice in advance of meetings where public business will be conducted and know what items of business are on a meeting's agenda.

Information is essential when it comes to protecting our families, guarding our finances, knowing our rights as victims of crime, or understanding how the law can make communities better.

Equipped with knowledge, citizens can reduce their risk of becoming a victim of crime or fraud, and can learn how to get help if they are mistreated.

Since we took office in 2007, we have looked for ways to make it easier for citizens to get information about their government, and last year we took an important step in that process.

If a Delawarean files a FOIA request with a local governmental body and feels it was improperly denied, he or she can appeal to the Civil Division in the Attorney General's Office.

We also advise state agencies on legal matters, including Freedom of Information requests from the public.

Unfortunately, until last year, our legal advisory role meant we could not weigh in if a member of the public wanted to appeal a request that was turned down by a state agency.

Since DOJ deputy attorneys general served as the agencies' lawyers, we had a legal conflict of interest under Delaware law.

There was no way for us to represent the public, and citizens were forced to take their appeals directly to Superior Court.

This is the first Sunshine Week since we worked with Senate President Pro Tem Anthony DeLuca, Speaker of the House Robert Gilligan, Senator Karen Peterson and the rest of the General Assembly to correct that flaw and strengthen our Freedom of Information Act, fulfilling a commitment I made.

We can now intervene on behalf of citizens in FOIA disputes with state agencies, making information easier and less costly to obtain.

Under the new process, an appeal of a state agency's decision can be filed with the Chief Deputy Attorney General, instead of Superior Court.

The public is no longer forced to go directly to court with an appeal. In fact, the first appeal filed with our office under the new law came from the News Journal, and the information was provided.

The public will not win every appeal, but now there is way for Delawareans to make their case without having to file in court.

In the Department of Justice, we are focused every day on protecting Delawareans from harm by enforcing the law and being your advocate.

Ensuring you have the information you need to protect yourself and improve your community is one of many ways we accomplish that mission.

**Beau Biden is attorney general of Delaware.**