

Attachment A

DRAFT

June __, 2008

David Humphreys
Director of External Affairs
Maryland Department of General Services
301 West Preston Street
Baltimore, Maryland 21201-2305

Re: "Move the Courthouse Steering Committee" request for waiver of MPIA
production charges

Dear Mr. Humphreys,

It has come to the attention of the Mayor and Council that a Rockville citizens' group known as "Move the Courthouse Steering Committee" (the "Steering Committee") has made a request pursuant to the Maryland Public Information Act to inspect certain documents pertaining to the new Montgomery District Courthouse proposed for Rockville. It has also come to our attention that you have estimated production costs to be a minimum of \$1,800, for which you require payment (along with the execution of an agreement to pay additional costs) before production of the requested documents can begin.

The law allows, with certain limitations, governmental entities to charge for costs incurred (including employee time) in responding to document requests. As a local government, we understand that responding to such requests cost taxpayers dollars and appreciate the desire to recoup those costs. However, we also recognize the value to a vibrant democracy of an informed and involved electorate, and that imposing significant production charges, even if warranted, can, in certain circumstances, thwart public discourse and informed involvement on significant public issues

Section 10- 621(e) of the State Government Article authorizes the custodian of public records to waive and/or reduce production and copying charges. The Steering Committee has made such a waiver request. Pursuant to §10- 621(e) you should consider the ability of the requesting party to pay and whether the waiver would be in the public interest. The Steering Committee is a volunteer organization that is seeking information on a matter of extreme interest among the elected officials and citizenry of the City of Rockville. The Steering Committee has indicated that it has limited financial resources. The documents being sought are for a public purpose rather than a narrow personal or commercial interest, and the disclosure of the requested information is likely to contribute to a better public understanding of the government operations and processes involved in the decision on the location of the new district courthouse in Rockville.

The City of Rockville Mayor and Council believes that granting the Steering Committee's waiver request is in the public interest, and supports that request.

Sincerely,

Susan R. Hoffmann, Mayor

Cc: Councilmember John Britton
Councilmember Piotr Gajewski
Councilmember Phyllis Marcuccio
Councilmember Anne Robbins
The Honorable Kumar P. Barve, District 17 Delegation
The Honorable Jennie M. Forehand, District 17 Delegation
The Honorable Luiz Simmons, District 17 Delegation
The Honorable James Gilchrist, District 17 Delegation
Alvin C. Collins, Secretary Maryland Department of General Services
Scott Ullery, City Manager