Freedom of Information Act (FOIA): the original Open Government law
U.S. FOIA reform 2007

• Dispute resolution
• Customer service
• Executive responsibility
OGIS’s Role as FOIA Ombudsman

• Review FOIA compliance, policy and procedures

• Provide mediation services to resolve disputes
FOIA Public Liaison’s role

• Work with OGIS to gather facts and facilitate resolution
• Continue to prevent and resolve disputes from within
FOIA Disputes

• Until recently, an adversarial approach
• Lack of good communications
FOIA and ADR

• FOIA disputes are information problems
• ADR provides a framework to gather and share information in a neutral fashion
ADR and the FOIA Process:

• Gather information
• Explore interests behind positions
• Brainstorm options
• Evaluate options
• Build on options to reach agreement
• Consider next steps
OGIS’s “Mediation Services”

- Ombuds services
- Facilitation
- Formal Mediation
Dispute Resolution Skills Training for FOIA Professionals

• Equip FOIA professionals to resolve disputes
• Familiarize them with OGIS
• Improve working relationships
FOIA Dispute Resolution Process

1. Conduct fact finding
2. Identify issues
3. Brainstorm options
4. Facilitate resolution
5. Reflect on lessons learned
COAR

Curiosity
Open Questions
Active Listening
Reframing
Measuring OGIS’s Impact

• The trouble with metrics
• Defining success
• Measuring culture change
Questions

• How can we measure our success?
• What other services might we offer?
• Will ADR professionals add FOIA to their portfolios?
• What keeps DR folks from working with FOIA folks?
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