**Section 2701.21 Appeal of Denial of Access to Public Records**

a) If the Freedom of Information Officer denies a request for public records, the requester may appeal the denial to the Public Counsel. An appeal is made by sending a written notice of appeal to:

Public Counsel

ATTENTION: FOIA Appeal

Office of Public Counsel

State of Illinois Center

100 West Randolph Street

Suite 11-300

Chicago, Illinois 60601

b) The notice of appeal shall include a copy of the original request, a copy of the denial, and a statement of the reasons for granting the appeal. In responding to the appeal, the Public Counsel will follow the procedures and the time schedules that are set out in the FOIA. If the Public Counsel rules that the request has been approved, in whole or in part, the Public Counsel will state the copying, certification, and postal fees, if any, that the OPC will charge. (The fee schedule is provided in Appendix B to Part 2701.) The documents will be made available after the fees, if any, are paid. If payment is not received within sixty days of the date that the OPC served notice on the requester that fees must be paid, the OPC shall consider the request withdrawn. If an appeal is denied, the Public Counsel will explain the basis for the denial and will tell the requester how to obtain judicial review of the denial.