

Policy Brief

Wisconsin Institute for Law & Liberty

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Lurching Towards Darkness:

An analysis of how the Evers administration handles open records requests

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A brief history of the open records law in Wisconsin

With the Badger State enacting its first open records laws in 1917, Wisconsin has a long history of embracing government transparency.ⁱ To paraphrase former Justice Brandeis, when it comes to government, “sunlight is the best disinfectant.”

Nowhere is that more true than state government, which spends \$8.5 billions of taxpayer money a year, has over 71,800 full-time employees, and a full-time legislature.ⁱⁱ

Throughout the last few decades, the state legislature has amended the open records laws, but the sentiment that transparency in government

Takeaways:

- Former Governor Walker created a legacy of transparency with two executive orders and winning an Opee from the non-partisan Wisconsin Freedom of Information Council.
- Study: We analyzed Governor Evers’ open records practices/procedures and how quickly his Administration responds to requests.
- Conclusion: Walker’s best practices are not being followed by the Evers administration in significant ways.
- Governor Evers’ office fails to adequately keep track of open records requests. This makes it impossible to determine a response time for requests.
- Evers’ tracking log has 118 requests – 1 out of 3 of all requests – that are either unfulfilled or not recorded correctly.
- The Office of Lt. Governor Mandela Barnes fails to respond to requests in a timely manner. Despite only receiving 13 requests, it takes his office 22 business days, on average, to respond to a request.
- Some state agencies are continuing the Walker legacy, though cracks are showing. Department of Transportation failed to respond to our request.

allows the people to hold their elected officials accountable continues to be an important principal in Wisconsin law. And government transparency remains a bipartisan issue – both for good and bad.

The Wisconsin Attorney General's office issues a best practices guide for open records requests for all government entities. Democrat Attorney General Kaul, along with his predecessor Republican Attorney General Schimel, recommends 10 business days as a generally reasonable timeline for responding to simple requests for a limited number of easily identifiable records.ⁱⁱⁱ

Neither the administrations of Schimel nor former Governor Scott Walker were perfect. Walker received backlash for supporting a provision that would have made it easier for Wisconsin legislators to withhold records from the public^{iv} and Attorney General Schimel instituted an office policy that rejected requests based on a 500-email threshold.^v

But Governor Walker issued two executive orders that required state agencies to use best practices when responding to open records requests from the public. In 2016, Walker's executive order¹ required state agencies to implement several new practices to improve customer service for open records requests, including:

1. Fulfilling any small and straightforward request within 10 business days of receipt whenever it is practicable to do so.
2. Send an acknowledgment of receipt of any request within one business day of receiving the request.
3. When asked for an update on the status of the request, respond within 5 business days.
4. Create a tracking system to track the agency's public records requests.
5. When a clarification of request is needed, make every effort to communicate with the requestor to understand the request and avoid unnecessary delays.
6. Publicize the agency's primary email for open records requests and provide the Department of Administration with the public record custodians responsible for fulfilling the agency's duties.
7. Update open records request policies regarding fees and clarify that the agency will not charge the cost to remove confidential information.
8. Require that any fees for staff time necessary to locate records are billed at the hourly rate of salary and benefits for the lowest-paid employee capable of performing the task and the requestor will not be billed unless the total cost is \$50 or more.
9. Require each agency to develop a dashboard that reports the agency's performance on open records requests.

In 2017, Walker issued another executive order² to further improve public access to government records, including:

1. Require each state agency to use the dashboard to publicly post metrics on the agency's open records requests, including the total number of requests received; total number of

¹ Wisconsin Office of the Governor, executive order #189, March 11, 2016

² Wisconsin Office of the Governor, executive order #235, March 9, 2017

requests completed and average time taken to fulfill the public records requests beginning with September 2017 data.

2. Require agencies to update the dashboard on a quarterly basis.

These executive orders transformed how Wisconsin's state agencies and offices followed the open records laws and resulted in favorable changes during Governor Walker's tenure. An analysis by the Wisconsin State Journal found a 30% improvement in response time between Walker's agencies between before and after the 2016 executive order.^{vi}

WILL has been at the forefront of protecting the open records laws and fighting to ensure that arbitrary practices come to an end, including forcing requestors to pay for records copying fees when they are available electronically.^{vii} WILL's advocacy for more transparency in government includes recognizing the value of the best practices required by Walker's executive orders.

Walker's legacy of best practices for transparency in state government is vital to uphold – and even improve upon. *Seven months in, are Governor Evers and his administration following in Walker's footsteps and encouraging best practices and transparency in state government?*

Methodology

The question we want to answer is how – and to what extent – the Evers Administration is following Walker's Executive Orders on government transparency. We can largely look at this by obtaining agencies' tracking document of open requests received and fulfilled. From this, we calculated the average number of business days that it took for the department or office to respond. But the public dashboard that Wisconsin state agencies used to report their open records metrics is no longer available.

According to state law, all local and state offices and officials must abide by state open records laws, which requires that they, "upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requestor of the authority's determination to deny the request in whole or in part and the reasons therefore." Wis. Stat. § 19.35(4)(a).

Since there is not a public dashboard with the information on each agency's open records requests, on July 8, 2019, we submitted the following open records request to 11 state agency department and offices:

1. *All reports and/or documents that track and record the open records requests received by [state agency or office], including both written and non-written requests, and the date of the district's final response to the requestor, since January 7, 2019 to the date this request is fulfilled.*
2. *All office policies and/or administrative rules regarding open records requests.*

3. All job descriptions for employees of the [state agency or office] that include the responsibility to respond to open records requests.

If the [state agency or office] does not track open record requests or create statistical reports on open records requests, fulfill the following request:

All open records requests, including both written and non-written requests, made to the [state agency or office] and the letter or email of the final response to the requestor by the [state agency or office], since January 7, 2019 to the date this request is fulfilled.

By August 27, 2019, nine of the eleven state agencies and offices responded to our open record requests: Department of Administration (DOA), Department of Agriculture, Trade and Consumer Protection (DATCP), the Office of Governor Evers, Department of Health Services (DHS), Department of Justice (DOJ), the Office of Lieutenant Governor Barnes, Department of Natural Resources (DNR), Department of Public Instruction (DPI), and Department of Revenue (DOR).

Unfortunately, we did not receive responses from the Department of Transportation and Department of Children and Families. We submitted the above open records request to both agencies on July 8, 2019. The Department of Transportation acknowledged our request on July 8, 2019 and provided a status update on August 5, 2019 that they were still working on compiling the records. The records were never received. Our last communication with the Department of Children and Families was on August 2, 2019 and the department indicated the records would be forthcoming. Despite over 40 business days passing, the records from either Department of Transportation or Department of Children and Families have not been received.³

For each of the nine agencies or offices we received records from, we calculated the response rate for open records requests completed within the same time period. To do this, we reviewed, compiled and analyzed more than 4,000 open record request log entries.

1. Reviewing each department or office's tracking system and/or policies for more transparency in state government

We reviewed all documentation provided to us from each office or department to see if any were instituting any of the following best practices:

1. Create a tracking system for open records requests received that shows in an organized manner.
2. Send and track an acknowledgment of receipt of any request.
3. Require each state agency to use a dashboard to publicly post metrics on the agency's open records requests, including the total number of requests received; total number of requests completed and average time taken to fulfill the public records requests.
4. Continue updating a public dashboard on the department or office's open record requests metrics.

³ As of September 6, 2019.

We also inquired as to whether the state departments were continuing to implement Walker's executive orders.⁴ One agency responded, DATCP, and said that the agency was following Walker's executive orders.⁵ However, our analysis of state agencies, including DATCP, show that not all aspects of Walker's executive orders are being followed.

2. Determining the average number of business days

To determine the average number of business days it took each department or office to comply, we used an Excel spreadsheet to record the date the request was made and the date of the last communication sent by the state agency or office. Requests were only counted if there was an initial request date and a date of response from the state agency or office. As such, we excluded any requests that failed to have an initial date and a final response date as well as any requests that the data was incorrect, i.e. the final date recorded was earlier than the date of request. This also includes any request that has not been completed, i.e. the agency or office did not record a response date. It is unclear if the data without a response date means the request is still open or whether it was closed and never logged.

Using the complete data from each agency or office, we calculated the number of business days between the two dates using Excel. We rounded up if the average number of business days included a decimal higher than or equal to .5 (and similarly, rounded down if the decimal was below .5).

3. Limitations

There are two limitations worth acknowledging. First, Governor Evers has only been in office for a short period of time and therefore some may argue deserves a grace period. It's true that it does take time to get staff hired and settled. Yet, the continuation of Walker's executive orders, especially in his own office, does not require time as the policies were already in place. In addition, one could argue that transparency is even more important in a new Administration. Since Evers has taken office, albeit seven months ago, he has: proposed one of the most liberal budgets in years, worked with Republican lawmakers to pass a budget that spent \$83.5 billion taxpayer money, and been involved in several legal disputes with the legislature including the firing of Walker appointees during his extraordinary session.

Second, our analysis treats every request equally. We appreciate that some requests take considerable more time than others. But this is why we compared agencies to Walker's years. In addition, this is somewhat beside the point as to whether Evers' agencies are following Walker's executive orders which mandates more of a process (as opposed to a result). Moreover, as we describe in our recommendations, agencies and offices should make clear what requests are burdensome.

⁴ Email sent DOA, DOR, DNR, DHS and DATCP on August 26, 2019 inquiring about the implementation of former Governor Walker's executive orders relating to open records requests.

⁵ Email received from Jane Landretti, DATCP on August 27, 2019

Results

Based on our study, we conclude that Governor Evers' office is not implementing significant portions of Walker's best practices on government transparency. While some state agencies are still following the best practices, there are major cracks forming. The Evers' Administration is moving Wisconsin backwards on transparency. We recommend the Evers Administration – or legislature if need be – take action immediately.

1. Governor Evers' open records tracking system is disorganized and inconsistent, making it nearly impossible for taxpayers to form any conclusions about their open records response time.

Governor Evers' office does not have a tracking system for open records requests that allows the public to understand what information is being requested and makes it nearly impossible to determine if the Governor's office is responding in a timely fashion.⁶ In fact, the existing system was so difficult to understand that we were unable to complete an analysis of the office's open records response time.

The Governor's Excel spreadsheet we received was filled with issues, including:

1. The open records requests received by the Governor's office were not organized or consistently recorded. This means that there is no master list of all open records received and responded to.

Specifically, the Governor's spreadsheet included three tabs of data. Two of the tabs were identified as "H1". One tab was titled "Closed H1 2019" and the other titled "H1 2019 Requests." While it is unclear what "H1" means, we expected that one tab would be a master of all requests received in H1 2019 and the other to be the master list of requests completed in H1 2019. This was not the case.

When comparing the two "H1" tabs, we found that the information did not always match. While the majority of the records seemed to be duplicative, unique record requests that did not have a "match" were found on both tabs. Additionally, there wasn't sufficient information to be completely certain that records were duplications of the same request.

2. The Governor's office is not tracking important details about open records requests that they receive. In most cases, the date of acknowledgment was not recorded for the requests. Furthermore, helpful information like the staff member responding to the request or notes whether the request was denied, amended or fulfilled, was not reported.

⁶ The Governor Evers' tracking system is available upon request of the report.

3. The Governor's office is not consistently recording information within their document. Several record requests recorded were inserted in a way that didn't match with the existing columns and rows created in their spreadsheet. It seems that in a few cases, the Governor's office is using an internal tracking system to account for the requests. However, this was not recorded for most of the requests received in the last six months. Additionally, the existing spreadsheet does not use terminology consistently (for example: "date filled" versus "date of disposition" versus "date of response").

This tracking system raises serious concerns about whether Governor Evers considers transparency in state government an important policy worthy of investment. It is disappointing that the best practices that were instituted by Walker have not lived on, especially when the resources were already in place for the Evers' team.

WILL contacted the Governor's office asking for clarification on their tracking spreadsheet and methodology but received no response.⁷

2. About one out of three open records requests to Evers' office have not been closed, which is either human error or a shocking number of pending requests. Regardless, this is troubling to transparency.

As explained above, Evers' tracking document is disorganized and difficult to navigate. Since we were unable to do an analysis for the average response time by the Governor's office, we looked instead at the total requests that were missing data. We counted that the Governor's office has as many as 320 requests recorded in their tracking sheet. Of these 320 requests recorded by the Governor's office, 108 have missing data, e.g. date of response by the Governor's office.

This means that *one out of every 3 requests* is either not complete or the data was not properly recorded for the request. This is a shocking number considering that the Governor's office identified three full time staff whose duties include responding to open records requests.

State agencies tend to receive more requests and overall have significantly less records with missing data. For example, the Department of Natural Resources received 1,745 requests in the past six months, but only 82 of these requests have missing data. That is less than 5% of the total requests from the agency. The Department of Justice has 38 requests with missing data out of 394, which is about 9% of the total requests.

The most egregious of the agencies is the Department of Health Services (DHS), with 487 total requests and 112 with incomplete or missing data (23% of the total requests). DHS is a department of sixteen different offices, all of which must respond to open records requests. And compared to the much smaller Governor Evers' office, DHS has fewer incomplete or missing records than the Governor's office.

⁷ Email to Ryan Nilsestuen and Erin Deeley sent on August 8, 2019.

3. The Evers Administration has, presumably, shutdown the Walker Administration’s Dashboard website which posted performance for all state agencies on complying with open records requests, among other information.

Walker’s executive orders required all state agencies to create a public dashboard of information regarding open records requests metrics, including information on whether the agency’s trend on responding more efficiently to open records requests were met.

A website was created for most of the state agencies to report their open records requests metrics on a quarterly basis.^{viii} Walker’s emphasis on transparency through his executive orders earned him an award for “Political Openness” by the Wisconsin Freedom of Information Council in 2018.^{ix}

The public dashboard website is an example of providing full transparency to the public on open records requests and Walker’s administration emphasis on showing improvements in responding, on average, to the 10 business day recommendation by the Attorney General. Below is an example of the information that was available on the public dashboard.

Total number of public records requests received

Metric Definition

Total number of public records requests received within the reporting period.

Current	Previous	Trend
178	158	↑

Reporting Cycle: Quarterly (April 1, 2018 - June 30, 2018)

Additional Details: [Executive Order #235](#) requires agencies to post public records metrics. Requests may be received verbally or in writing and are logged by the agency when received. This is the first quarter reporting this metric.

Total number of public records requests completed

Metric Definition

Total number of public records requests completed within the reporting period.

Current	Previous	Trend
179	170	↑

Reporting Cycle: Quarterly (April 1, 2018 - June 30, 2018)

Additional Details: [Executive Order #235](#) requires agencies to post public records metrics. Completed or closed means no further action is required by the agency. Requests completed during this reporting cycle may have been initiated during a previous quarter.

However, by February 2019, Governor Evers’ administration took the website down, which means that we are only able to access the archived pages to review data.^x This is a missed opportunity for the Evers’ administration to continue to provide transparency for his administration and is a major blow to the transparency practices established by Walker.

4. The Office of the Lieutenant Governor is failing to respond to requests in a timely manner.

The Lieutenant Governor’s office was able to provide us with an organized tracking system for all open records requests received within the six month period. However, the Lieutenant Governor and his staff of two who are dedicated to open records request are failing to respond to open records requests in a timely manner.⁸

For the past six months, the Lieutenant Governor’s office received only 13 open records requests. But it took the office, on average, 22 business days to respond to the requests. This is over a month to wait to receive records from the office.

For example, to complete WILL’s request for this report, it took the Lieutenant Governor’s office 25 business days⁹ to email the following records: a tracking spreadsheet and two job descriptions (COS Position and Scheduling and Operations Director).

The Lieutenant Governor’s office has a legal duty to respond to record requests “as soon as practicable and without delay.” His office is failing to do this.

5. For some state agencies, Governor Walker’s legacy of transparency lives on. But cracks in the foundation are forming.

The five state agencies that responded to our request were able to provide existing tracking sheets for the department’s open record requests. This includes Department of Administration (DOA), Department of Agriculture, Trade and Consumer Protection (DATCP), Department of Health Services (DHS), Department of Natural Resources (DNR), and Department of Revenue (DOR). We focus on these five state agencies because they were subject to Walker’s executive orders, while Department of Public Instruction and Department of Justice were not.

All departments’ tracking documents provided clearly identifiable information for date of request received, from whom, and the date of the last communication. This allowed us to determine that all five of the agencies are continuing to respond, on average, within less than ten business days.

DATCP	
Total requests (from 1/7/19 – 7/9/19)	524
Completed requests	510
Average business days to respond to completed requests	9

⁸ The Lieutenant Governor’s office provided WILL with two job descriptions that included responding to open records requests.

⁹ WILL sent the request to the Lieutenant Governor’s office on July 8, 2019 and received the records on August 9, 2019.

DOA	
Total requests (from 1/7/19 – 7/9/19)	354
Completed requests	325
Average business days to respond to completed requests	9
DHS	
Total requests (from 1/7/19 – 7/9/19)	487
Completed requests	375
Average business days to respond to completed requests	9

DOR	
Total requests (from 1/7/19 – 7/9/19)	118
Completed requests	115
Average business days to respond to completed requests	9
DNR	
Total requests (from 1/7/19 – 7/9/19)	1745
Completed requests	1663
Average business days to respond to completed requests	8

In 2017, the Wisconsin State Journal did a similar analysis of Walker’s administration and the average response time for agencies. Some of the agencies, with the exception of Department of Revenue and Department of Natural Resources, have improved since the analysis by Matthew DeFour in 2017.¹⁰

But our review of Evers’ administration¹¹ found that not all of the practices identified in Walker’s executive orders are being followed by state agencies today. Consider:

1. Fulfilling any small and straightforward request within 10 business days of receipt whenever it is practicable to do so.

While most state agencies we analyzed are meeting this metric, the Department of Public Instruction and the Lieutenant Governor’s office is failing to meet this requirement. We were also unable to determine if Governor Evers’ office is doing so. Additionally, based on our own requests for this project, neither the Department of Children and Families or Department of Transportation completed our request, even after 40 business days has passed.

2. Send an acknowledgment of receipt of any request within one business day of receiving the request.

Walker’s executive order required agencies to acknowledge the receipt of a request within one business day. We found that DATCP, DHS, and DNR sometimes record an acknowledgement date in their tracking sheets. Neither DOA nor the DOR are recording the date of acknowledgement.

3. Create a tracking system to track the agency’s public records requests.

All of the offices and departments we reached out to had a tracking system in place that could be easily shared with us. In most cases, the tracking systems were easy to understand. However, the tracking sheet by Governor Evers’ office was disorganized and unclear.

¹⁰ DOR and DNR responded on average of 7 work days from March 11, 2016 to 2017, see endnote v.

¹¹ Governor’s office, Lieutenant Governor’s Office, DATCP, DOA, DHS, DNR, DOR, DOJ and DPI.

4. Publicize the agency's primary email for open records requests and provide the Department of Administration with the public record custodians responsible for fulfilling the agency's duties.

Most of the state agencies have a website with information on how to request information through the open records laws, which includes contact information, including DOA, DATCP, DHS, DOJ, DNR, and DOR.

The Governor's office has an online form to submit open records requests but no contact information to speak with someone directly. It is unclear whether the online form on the Governor's website also includes open records requests to the Lieutenant Governor's office.

5. Update open records request policies regarding fees including and clarify that the agency will not charge the cost to remove confidential information.

Most of the state agencies' policies specifically note the limitations on fees for locating a record (including that the lowest paid employee will search for records and can only charge for that search if more than \$50). The agencies that explain this in detail in their open records policies are DATCP, DHS, DOA, and DOR. DNR's policy does not specifically explain the limitations on charging fees for locating the records.

Only DHS recorded information on fees charged for the request in its tracking system. While other agencies sometimes mentioned fees in the summary or notes of their tracking document, it was difficult to determine how often other agencies were charging fees.

Both the Lieutenant Governor and Governor's offices directed us to the Department of Justice's best practices guide when requesting information on their open records request policies.^{xi} However, there was no public posting regarding open record requests fees and policies on their websites. This is concerning considering that both offices are failing at instituting best practices when responding to open records requests.

6. Require each agency to develop a dashboard that reports the agency's performance on open records requests, report these metrics on a central dashboard and update them quarterly.

The public dashboard website is no longer publicly available.

6. There are mixed results for the non-cabinet agencies. Under the new State Superintendent of Public Instruction Taylor, DPI's practices have several warning flags. The DOJ's office continues to uphold a legacy of transparency.

In 2017, WILL did a sunshine report on school districts and select state agencies, including the Department of Public Instruction (DPI), over a nearly two year period.^{xii} WILL found that DPI was responding to open records requests within 12.5 business days from August 2015 to May 2017. Despite not being directly impacted by Walker's executive orders, the Department of Public



Instruction – perplexingly under then State Superintendent Evers – seemed to be instituting many of the best practices including a tracking sheet.

DPI (2015- 2017)	
Total requests (August 2015 – May 2017)	114
Average business days to respond to completed requests	12.5

DPI (2019)	
Total requests (from 1/7/19 – 7/9/19)	116
Completed requests	108
Average business days to respond to completed requests	15

However, the lack of emphasis on transparency by Governor Ever’s office has a ripple effect. We found that the Department of Public Instruction has slipped from responding, on average, within 12.5 business days, to responding for the last six months within 15 business days.

DPI should strive to institute best practices when responding to open records requests, including meeting Attorney General Kaul’s recommendation of responding within 10 business days.

WILL successfully sued DPI in February 2019 for the failure to produce records in a timely manner and the judge ordered DPI to turn over the records.^{xiii} WILL submitted a request on August 29, 2018 and the Department didn’t respond for nearly three months, until November 13, 2018. While WILL was fighting to get the records, the DPI sent them to all school districts and “embargoed” them from everyone, including their own school board. A Dane County judge agreed with WILL that DPI failed to follow the open records law and ordered the DPI to turn over the records, which it did.

State Superintendent Taylor should be concerned by these practices and the trend that her department is failing to implement best practices for open records requests.

On the other hand, the Department of Justice’s Office of Open Government continues to use best practices. Established in 2015 by then Attorney General Schimel, the Office of Open Government continues to respond in a timely manner, on average 7 business days, and posts all of its metrics relating to open records requests.^{xiv} This includes publicly available information of commonly requested correspondence, monthly metrics on the average response time, and a list of open requests topics that may be of particular public interest.

Recommendations

Governor Evers has not directed his agencies to follow best practices for open records requests and we can only conclude that the executive orders by Walker are no longer being implemented by state agencies.¹²

¹² For example, there is no longer a performance dashboard publicly available at each agency to receive the agency’s open records requests stats.

Furthermore, Governor Evers has not issued executive orders relating to open records requests and best practices, despite witnessing these positive changes as Superintendent of Public Instruction during Governor Walker's tenure.^{xv}

It is unclear why Governor Evers has chosen to not prioritize transparency in state government or follow best practices set forth by former Governor Walker. From his own office to other state agencies, there is a concerning trend that transparency is not a priority. Governor Evers must right the ship and continue the legacy of transparency in Wisconsin's state capitol.

Absent that, we recommend that the state legislature – which controls the purse strings for state government – explore oversight hearings as to why the Evers Administration is taking Wisconsin backwards on transparency.

Wisconsin's emphasis on open records and government transparency represents three tenants: easily accessible records, organized systems, and as much transparency as possible. These tenants were memorialized in Walker's executive orders for state agencies.

The legislature could consider changing state law to require all government entities required to comply with open records laws to institute a tracking system. As WILL's report in 2017 found that some school districts, like Madison Metropolitan, fail to have a centralized tracking system. These tracking systems should be organized and easily understood to provide as much transparency as possible to the government entities open records response rate.

Furthermore, we found that information relating to fees was not often tracked nor easily accessible in most state agency tracking documents. With the Wisconsin courts making important determinations on fees and when it is appropriate to charge, it would add an important measure of transparency by requiring tracking documents to include information on fees.

ⁱ Linda de la Mora, "The Wisconsin Public Records Law." *Marquette Law Review*, Volume 67, Issue 1 Fall 1983,

<https://scholarship.law.marquette.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1913&context=mulr>

ⁱⁱ 2019-21 Wisconsin State Budget, Comparative Summary of Provisions 2019 Act 9, Legislative Fiscal Bureau, August 2019,

http://docs.legis.wisconsin.gov/misc/lfb/budget/2019_21_biennial_budget/202_comparative_summary_of_provisions_2019_act_9_august_2019_entire_document.pdf

ⁱⁱⁱ Wisconsin Public Records Law Compliance Guide, Wisconsin Department of Justice, 2019, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>

^{iv} Patrick Marley and Mary Spicuzza, Scott Walker's office pushed for language to gut open records law, July 29, 2015, *Milwaukee Journal Sentinel*, <http://archive.jsonline.com/news/statepolitics/brad-schimmel-kicks-off-open-government-summit-b99546843z1-319422891.html>

^v Arn Pearson, Your Right to Know: lawsuit puts end to abusive practice, *The Cap Times*, July 4, 2019, https://madison.com/ct/opinion/column/your-right-to-know-lawsuit-put-end-to-abusive-practice/article_49597092-97a2-5734-8373-d7fe4eeb4d2e.html

^{vi} Matthew DeFour, State Agencies responding more quickly to record requests since last year, Wisconsin State

Journal, March 12, 2017, https://madison.com/wsj/news/local/govt-and-politics/state-agencies-responding-more-quickly-to-records-requests-since-last/article_0cbcf330-098e-5329-ac21-247b274430cc.html

^{vii} Wisconsin State Journal. Editorial: Hand over public records electronically. May 9, 2018, https://madison.com/wsj/opinion/column/editorial-hand-over-public-records-electronically/article_68062efe-74bc-52ed-8fd7-d731dacece52.html

^{viii} Agency Performance Dashboard, archived, <https://web.archive.org/web/20180730153732/https://performance.wi.gov/>. Agencies listed on the public dashboard include: DOA, DATCP, DCF, Commissioner of Insurance, Department of Corrections, Wisconsin Economic Development Corporation, Department of Financial Institutions, Governor's office, Department of Health Services, Wisconsin Housing and Economic Development Authority, Department of Natural Resources, Public Service Commission, Department of Revenue, Department of Safety and Professional Services, Department of Tourism, Department of Veteran Affairs, and Department of Workforce Development.

^{ix} Wisconsin Freedom of Information Council, March 7, 2018 press release, <http://wisfoic.org/wisconsin-freedom-of-information-council-names-opee-winners-2/>

^x See <https://web.archive.org/web/20190227013526/https://performance.wi.gov/>

^{xi} Department of Justice, 2019 Open Records Resource, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>

^{xii} "Let there be light." Sobic, August 2017, <http://www.will-law.org/wp-content/uploads/2017/11/sunshine-report-2017.pdf>

^{xiii} WILL Sues DPI For Embargoed Records, February 8, 2019, <http://www.will-law.org/will-sues-dpi-for-embargoed-essa-documents/>

^{xiv} Wisconsin Department of Justice, Office of Open Government, <https://www.doj.state.wi.us/office-open-government/office-open-government>

^{xv} 2019 Executive Orders by Governor Tony Evers, Wisconsin State Legislature, https://docs.legis.wisconsin.gov/code/executive_orders/2019_tony_evers