



# Adjudication Materials on Agency Websites

Committee on Administration and Management

## FACT SHEET

### SUMMARY

At its June 2017 Plenary Session, the ACUS Assembly formally adopted Recommendation 2017-1, Adjudication Materials on Agency Websites.

The recommendation was based on a research report of the same name prepared by ACUS Attorney Advisor Dan Sheffner. (Adjudication Materials on Agency Websites (April 10, 2017).)

This recommendation aims to help agencies improve transparency while reducing administrative costs and burdens.

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### OVERVIEW

The recommendation offers a series of best practices designed to encourage agencies to increase access to adjudication materials, such as orders, opinions, motions, and briefs, on their websites. Specific recommendations include suggestions that agencies:

- provide access to adjudication decisions and other materials beyond those covered by the proactive disclosure provisions of the Freedom of Information Act (FOIA);
- group materials from the same proceedings together, for example, by providing a separate docket page for each adjudication; and
- display links to the online adjudication sections of websites in easily accessible locations.

While agencies are subject to unique programming, stakeholder, and financial constraints, adoption of Recommendation 2017-1 may save time and money by ensuring that commonly requested documents are easily accessible.

### IMPACT

Recommendation 2017-1 gives agencies guidance on how to make adjudication materials readily available to the public.

Improving transparency furthers the spirit of the FOIA Improvement Act of 2016, which encourages expansive proactive disclosure of federal records.

By sharing information in this way, agencies reduce the costs and administrative burdens associated with fulfilling individual requests for information under FOIA.