



Iowa Public Information Board

Providing a free, efficient way for Iowans to receive information and resolve complaints related to chapters 21 and 22, Iowa's open meetings and public records laws.

Annual Report

From the Executive Director –

There continue to be changes at IPIB to increase efficiencies in operations, be more responsive to the public and to improve timeliness in complaint review and resolution. With the retirement of a long-time employee, IPIB reclassified the position to an attorney, so now all three employees are licensed Iowa attorneys. This change will allow any staff member to provide information to the public, conduct trainings, review complaints, draft advisory opinions, and conduct contested case proceedings. In addition, all three attorneys have completed a 40-hour mediation training to better enable IPIB to work with parties to resolve matters as required under Iowa Code section 23.9.

Last year, IPIB upgraded to a fully electronic case management system. Since then, IPIB has been tracking the types of complaints and the amount of time internally it takes to open and review complaints once received. IPIB has set goals to have every complaint reviewed and opened within seven calendar days. Since tracking started, IPIB has achieved between 80 and 90 percent in meeting this goal.

IPIB began livestreaming all of its board and committee meetings January 2024. These meetings are archived on IPIB's YouTube channel and available for the public to view at any time.

In 2025, we expect Formal Complaints, questions, and training requests will continue to increase. We will continue to work to provide advisory opinions, FAQs, and eventually some training videos on our website focused on open meetings and public records requirements. IPIB is a small agency, but will continue to focus on greater outreach and transparency to meet the mission of IPIB established since its inception: to be the trusted resource in ensuring transparency by Iowa's governmental bodies.

Erika Eckley, J.D., M.P.A.
Executive Director

2024 at a Glance:

134

**Formal
Complaints**

12

**Advisory
Opinions**

18

**Training
Sessions**

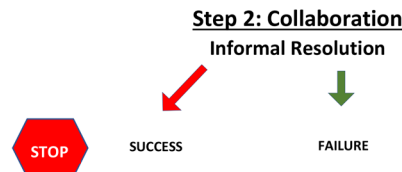
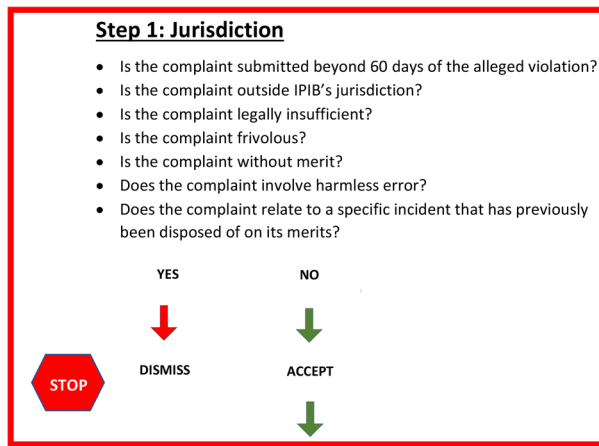
12

**Board
Meetings**

Complaints and Other Activities

IPIB received 134 Formal Complaints in 2024. This was similar to the number filed in 2023, which was 137 Formal Complaints. The Complaints involved governmental bodies of all kinds and covered slightly more public records issues than open meetings. Of the Formal Complaints filed in 2024, there were 35 Formal Complaints still open which IPIB is continuing to investigate and work through our informal resolution process. In 2024, a complaint would take an average of 91 days to complete. For cases that required completion of an informal resolution or a probable cause review by the IPIB, cases averaged 215-220 days for resolution.

In November 2024, as part of the Executive Order 10 administrative rulemaking review and drafting process, the IPIB adopted a pilot project regarding the processing of Formal Complaints. This new process is outlined in the chart on this page. This new process better aligns with the requirements outlined in Iowa Code chapter 23. During the pilot process, IPIB staff have been able to make an acceptance or dismissal decision within two board meetings (~60 days) 100% of the time. The pilot process has also focused more time on resolving disputes and when needed, focusing the IPIB's time on more complicated matters and outcomes when resolution cannot be met. It is expected that if the pilot is implemented permanently, complaints with IPIB can be reviewed and resolved faster.

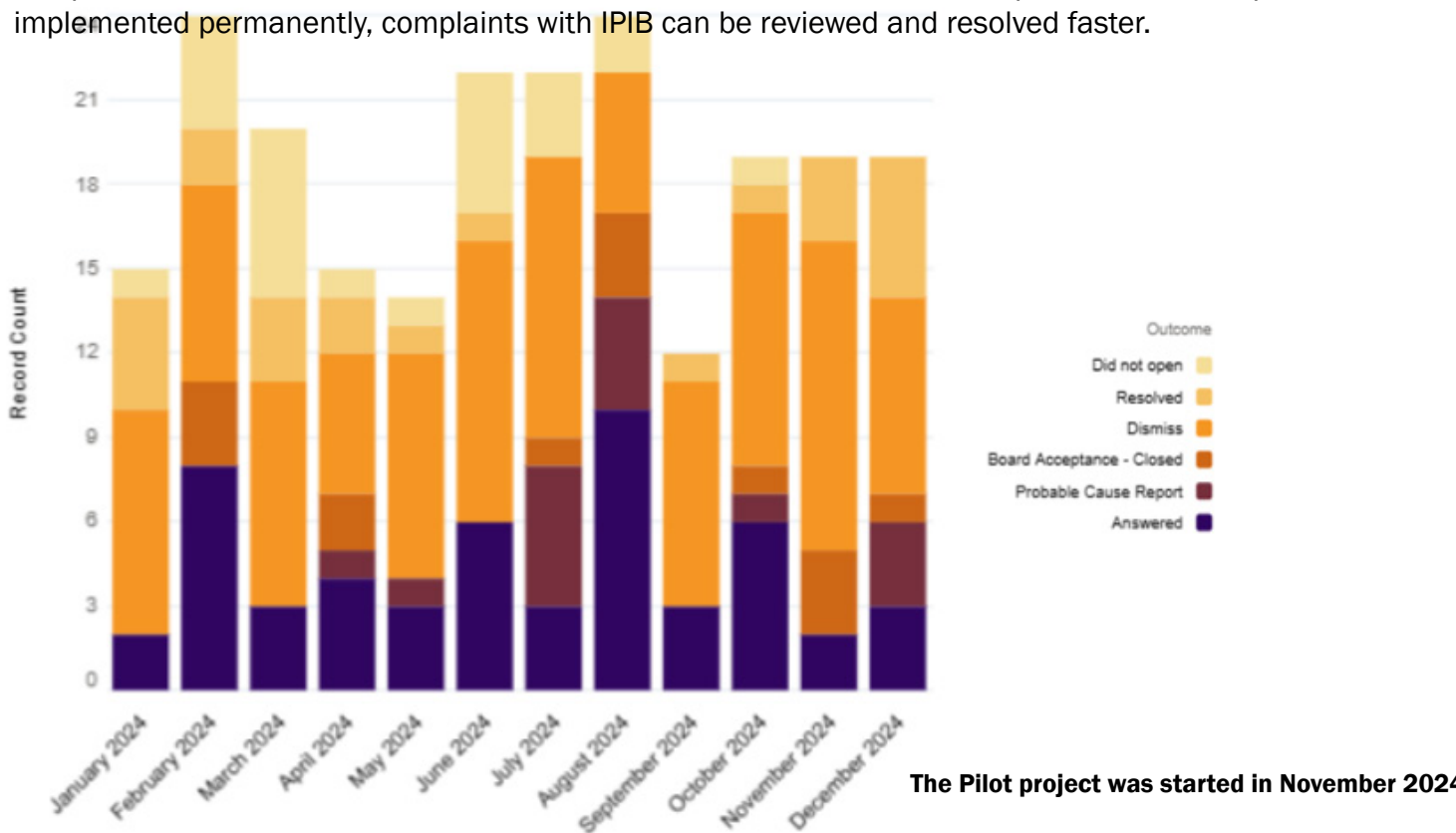


Step 3: Formal Investigation

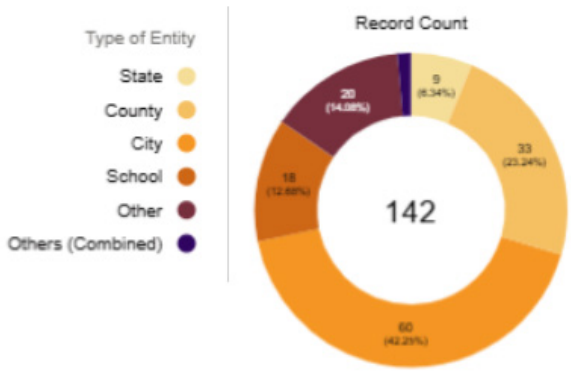
Note: Burden of Proof may shift to the Governmental Body during this stage.

Formal Investigation Result Options:

- Redirect for further investigation
- Dismiss for lack of probable cause or jurisdiction
- Dismiss as an exercise of administrative discretion
- Determine that probable cause exists and direct resolution
- Determine that probable cause exists and initiate a contested case



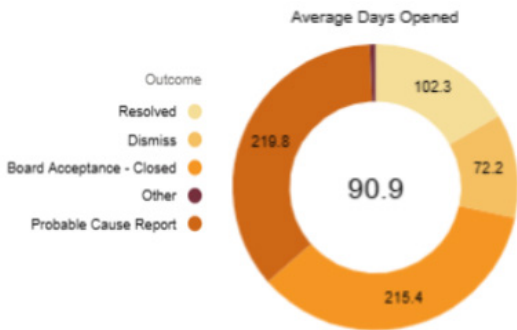
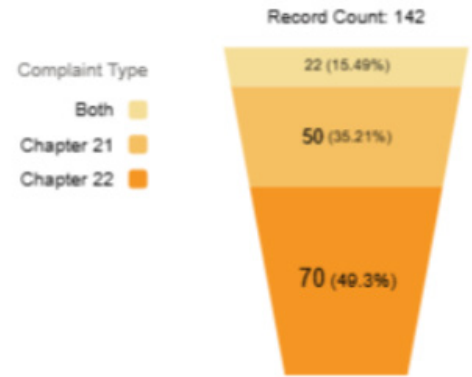
The Pilot project was started in November 2024.



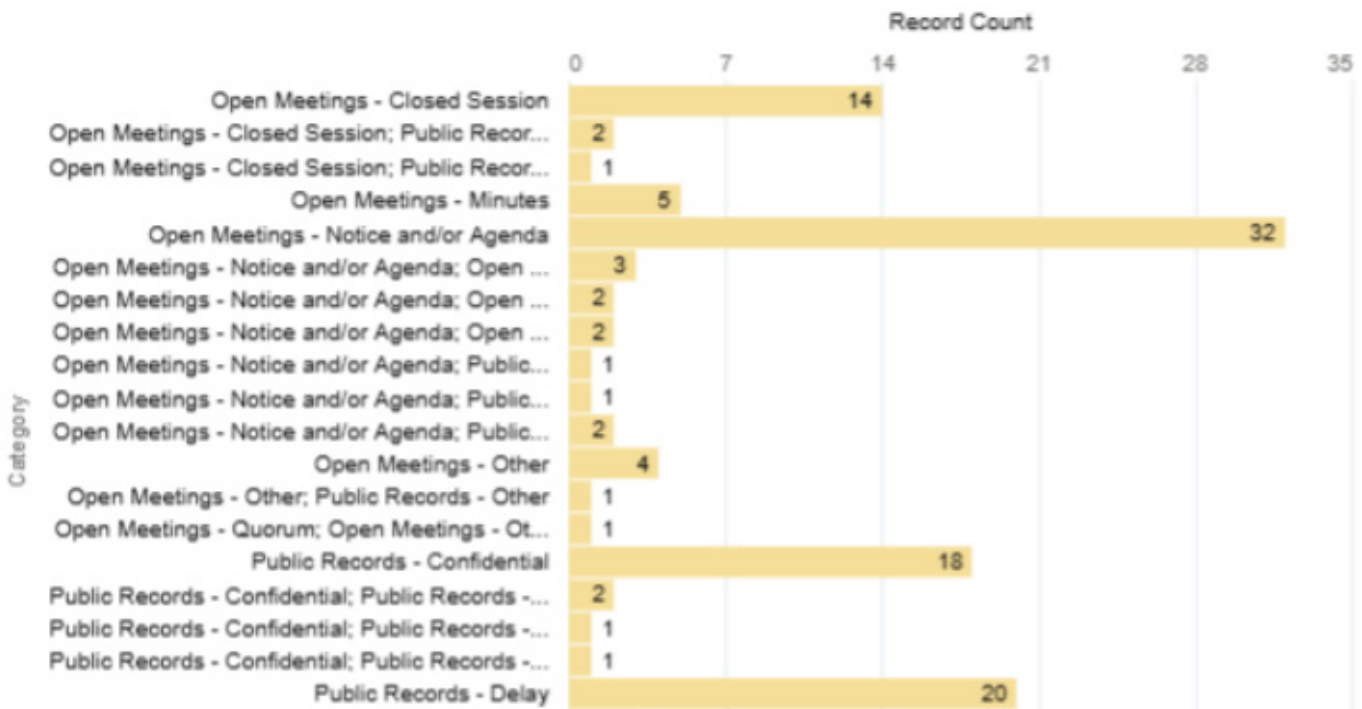
Includes 142 as some Complaints were consolidated.

At year's end, there was one contested case potentially pending. The district court did remand a case to IPIB for acceptance of the complaint. It involved a closed session under Iowa Code section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Another case is on appeal from a district court decision regarding a public record and a contract for a service.

IPIB also issued 12 Advisory Opinions in 2024. There were four additional requests pending at the end of 2024. The opinions covered issues including when government members can meet for social or ministerial purposes; confidentiality of crisis intervention reports completed prior to disclosure of the required form under Iowa Code section 22.7; and government-sponsored social media records requests.



With the new case management system fully operational, IPIB has been able to track formal questions and complaints that have been submitted. The most common area for Formal Complaints and Questions were for public notice and agendas and closed sessions under Iowa Code chapter 21 and for delays and confidential documents under chapter 22. IPIB's legislative committee considered these matters and has legislation proposed to address some of the notice issues that have been presented.



Formal Complaints were distributed across all governmental bodies. Forty-two percent were filed against cities, 23% were against counties, 13% against school boards, 6% against state agencies, and 14% against other types of entities, such as library boards or townships.

IPIB continues to provide training and information whenever requested or when believed necessary to resolve a complaint and avoid future potential violations. IPIB no longer formally tracks the numbers of calls or emails, IPIB continues to provide informal guidance and assistance to citizens in obtaining records or accessing meetings and governmental bodies in the interpretation of Chapters 21 and 22. These informal requests require review and research, including occasional mediation assistance from IPIB. They do not require Board review or action.

All Formal Complaint Orders, Advisory Opinions, and Board Agendas and Minutes are available on IPIB's website.
www.ipib.iowa.gov

Board Staff



Erika Eckley, JD, MPA, was named the Executive Director on March 3, 2023. Previous to this appointment, she worked for Iowa-based Intoxalock and the Iowa Hospital Association. She received a bachelor's degree in Creative and Performing Arts from Grand View University, a Master's of Public Administration from Iowa State University and a law degree from Drake Law School. Her prior legal experience includes staff attorney with the Center for Agricultural Law and Taxation, and in private practice.



Kimberly Murphy, JD, serves as Deputy Director for the Board. She began working for the IPIB in June 2024. Prior to serving in this role, Kimberly was an Assistant General Counsel at Wellmark and Vice President of Government Relations and Assistant General Counsel at the Iowa Hospital Association. She has prior experience in both the public and private sectors. Murphy received her Juris Doctorate from the University of Iowa College of Law. She received her bachelor's degree in English Literary Studies and Political Science from Iowa State University.



Alexander Lee, JD, serves as Agency Counsel for the Board. He received his juris doctor from Drake University Law School and his bachelor of science from the University of Mary Washington. Prior to joining IPIB, he worked as a resource coordinator for a refugee/resettlement non-profit in Northern Virginia. In law school, Alexander served as a prosecutor intern at the Dubuque County Attorney's Office and provided volunteer immigration legal services through the Drake Refugee Clinic. Alexander joined the IPIB staff in September 2024.

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on our
YouTube channel**



Iowa Public Information Board

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The Board

Iowa Code chapter 23 states no more than three members of the nine-member board shall represent the media and not more than three shall represent cities, counties, or other local governments. The members serve staggered four-year terms. The Board must be balanced by political party and gender. The Board appoints a chair and vice chair from among its members. The Board is an independent agency.

In 2024, the Board met for twelve monthly meetings. In 2024, two new members of the Board were appointed. There is one vacancy on the Board.

● **Joan Corbin, Pella – (Government Representative) (Democrat) (2024-2028)** – Joan is a community volunteer and serves on the Pella Community School District Board. She currently serves as the President of the school board and is in her fifth term with the district. She served on the Iowa Association of School Boards for 12 years, including two years as President, just completing her last year in December of 2022.

● **E.J. Giovannetti, JD, Urbandale – (Public Representative) (Republican) (2022-2026)** – E.J. is currently active as an attorney for Hopkins & Huebner, P.C. and has been a public servant for the past 40 years, including being Mayor of the City of Urbandale (20 years) and member of the Board of Supervisors (10 years).

● **Barry A. Lindahl, JD, Dubuque – (Vice Chair) (Government Representative) (Democrat) (2024-2028)** - Barry served in the City of Dubuque City Attorney's Office from 1975 to the present. He was City Attorney from 1983 to 2016. He is now Senior Counsel. Barry was a University of Iowa College of Law Adjunct Faculty Member from 1978-2018. Barry is the author of West Publications Iowa Practice: vol.9-10 Civil Practice Forms and vol.11-12 Civil and Appellate Procedure.

● **Catherine Lucas, JD, Johnston – (Government Representative) (Independent) (2020-2024)** – Catherine is General Counsel for the Iowa Department of Public Safety. She previously worked in private practice representing municipalities.

● **Luke Martz, Ames – (Public Representative) (Republican) (2024-2028)** – Luke is a political professional with over 18 years of experience in public affairs, grassroots advocacy, and campaigns. A graduate of Iowa State University with a B.A. in Political Science, Luke volunteers through the US Department of State observing international elections, and is a Master Gardener in Story County. .

● **Joel McCrea, Pleasant Hill – (Media Representative) (Republican) (2022-2026)** – Joel is the former General Manager of WHO Radio in Des Moines from 2000 to 2024. He also worked at radio stations in Oelwein, Waterloo and Newton over his 44 year career in broadcasting.

● **Monica McHugh, CPA, Zwingle – (Chair) (Public Representative) (Republican) (2022-2026)** – Monica is a Shared Services Manager - Accounting at A.Y. McDonald in Dubuque, IA and owns JM Farm Accounting, a small tax and accounting practice. She also serves as chair of the Jackson County Zoning Board of which she has been a member of since 2010.

● **Jackie Schmillen, Urbandale – (Media Representative) (Democrat) (2022-2026)** - Jackie has been a broadcast journalist for nearly 20 years throughout the state of Iowa. She has worked in promotions, producing, writing, editing, reporting and anchoring with local TV newscasts. Jackie now works as the Director of Public Affairs for the Iowa National Guard.

Reviewed and approved on January 16, 2025
Iowa Public Information Board