

Frequently Asked Questions About Right to Sue Letters

If you want to file a complaint in State district court, for most types of Iowa Civil Rights Act (ICRA) covered discrimination claims, you are first required to get a Right to Sue letter from the Iowa Office of Civil Rights (IOCR). Right to Sue Letters cannot be issued before the 60th day after a complaint has been filed. The information below will provide information on the Right to Sue process under the ICRA.

1) What is a Right to Sue letter and why would I need one?

Under the Iowa Civil Rights Act (ICRA), you are required to get a Right to Sue letter from the Iowa Office of Civil Rights if you want to file most types of Iowa Civil Rights Act discrimination claims in district court. This letter is required for employment, public accommodation, education, and credit claims, as well for retaliation claims related to one of those areas. Iowa Code section 216.16, which is part of the ICRA, contains more information.

2) How do I get a Right to Sue letter?

You need to send a written request to the IOCR. You need to include your CP# and EEOC# (if you have one) on your request. You can find these numbers at the top of any letter our office has sent you. The fastest way to send in your request is to email it to icrc@iowa.gov.

3) What does it cost to get a Right to Sue letter?

There is no charge to request or receive a Right to Sue letter. After the Right to Sue letter is issued, you can also request and receive an electronic copy of the IOCR's complaint file at no charge. If you request a paper copy of our file instead, there will be a charge for copying costs.

4) What will the IOCR do with my complaint if I request a right to sue letter?

If you request a Right to Sue letter, we will stop our work on your complaint. You will be responsible for choosing what to do next, including filing your own lawsuit in district court. Speaking with an attorney can be very helpful before you decide to request a Right to Sue letter.

5) How long do I have to file my lawsuit?

You have 90 days to file your lawsuit. Failing to do so in time means you will be unable to take your discrimination claim any further.

6) Why would the Iowa Office of Civil Rights reject my request for a Right to Sue letter?

- **It might be too early** - After first filing your complaint with the IOCR, you must wait until **60 days** have passed.
- **It might be too late** - If your case has been **administratively closed** by the IOCR (which is the most common type of closure) you have to request the Right to Sue letter **within two years** of the date that your case was closed.
- **It might not be an available option:**
 - If your case has been closed for a different reason, including with a "no probable cause" finding or after you signed a conciliation agreement, the IOCR cannot issue you a Right to Sue letter
 - If the IOCR has filed a "Notice of Hearing" (which is relatively rare) on your behalf, you can't get a Right to Sue letter.

Do you have more questions? Call us at (515) 281-4121 or email us at icrc@iowa.gov.