



The Advocacy Institute Is Pleased to Announce

PROGRAM ANNOUNCEMENT

OPRA BEST PRACTICES

April 11, 2014

10:00 a.m. to 12:00 p.m.

Richard J. Hughes Justice Complex

6th Floor Point Meeting Area – Attorney General's Library

25 Market Street

Trenton, New Jersey

Program Summary

The Open Public Records Act (OPRA) has created a maelstrom in the law involving public records in New Jersey since its enactment in 2002. Thanks to recent changes brought about by amendments to OPRA, new regulations and a slew of important opinions on OPRA issued by the courts in the past few years, records custodians and the attorneys representing them face a constant stream of new and evolving challenges. This entertaining, informative and very topical presentation will provide perspective and insights into the practical problems, best practices and legal issues which confront records custodians and their legal counsel on a daily basis. This program will also review some recent developments in OPRA case law. The topics covered in this presentation will include: finding the border between specific, identifiable records and improper, overbroad requests; OPRA exceptions and denials; unduly burdensome requests; the brave new world of advisory, consultative and deliberative material; assessing costs and special service charges; personnel matters and reasonable expectations of privacy.

Who Should Attend?

This program is open to all government attorneys, space allowing.

Who Is the Faculty?

Bruce Solomon is a Deputy Attorney General in the Legal Affairs and Employee Relations section of the Office of the Attorney General. Since 2001, Bruce has served as the Custodian of Records for the Office of the Attorney General and is the Custodian of Records for the Department of Law and Public Safety, where he supervises divisional records custodians for the fourteen divisions and agencies which comprise the Department of Law and Public Safety, with oversight for all Department records requests and legal challenges under OPRA. Bruce has a lead role in the development and implementation of public records access rules, policies, procedures

and practices for the Department. He helped designed the OPRA computer tracking system that has been adopted for use by most of the departments in the State. For nine of the past ten years, Bruce has served as the chairperson of the State Records Custodians group. A graduate of the University of Wisconsin - Madison and Rutgers University School of Law, Bruce served as the General Counsel for New Jersey Institute of Technology and was a partner in private practice before joining the Attorney General's office in 1993. Bruce represented the State of New Jersey in matters involving election law, higher education, the Right to Know Law and the Open Public Meetings Act before being named the Department's Custodian of Records in July 2001.

CLE Credit

NJ CLE Credit: This program has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 2.0 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 2.0 substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.5 substantive credits (\$3.00 mandatory registration fee required).

How Do I Register?

State Employees

Most State employees are able to register for this course by going to <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> and creating an AGAI Course Registration account. To do so, your computer **must** be attached to the government's Garden State Network. Upon opening the AGAI Course Registration System home page, you will see the Create Account link in the Login Box. Click on it and create your account, which will include you selecting a user name and password. Once you create your account, you can access the AGAI Course Registration System at <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.

Non-State Employees or State Employees not Connected to the Garden State Network

If you are not a State employee, or are otherwise unable to access the AGAI Course Registration System through the Garden State Network, kindly email the Advocacy Institute at: AdvocacyInstitute@lps.state.nj.us for an authorization code to allow you access to the AGAI Course Registration System through the My New Jersey portal. **Setting up your account through the portal is a two-step process, the details of which are set forth in the next two paragraphs.**

Once you receive the portal authorization code you will be prompted to go to the My New Jersey portal at <http://www.state.nj.us/> and create a portal account. Once your portal account is created you are prompted to enter your authorization code. This is Step 1 of the process, which you need only do once.

If you have already been issued an authorization code in the past you do not need to request another one. You can log into your account on the Garden State Network at <http://www.state.nj.us> and under the heading NJ L&PS Applications you will see the Attorney General's Advocacy Institute's Registration System. Click on that and log into your account on our system.

Upon setting up your portal account, you need to set up your AGAI Course Registration System account. This is Step 2. To do so, log on to the My New Jersey Portal <http://www.state.nj.us/>. Upon opening the AGAI Course Registration System home page, you will see the Create Account link in the Login Box. Click on it and create your account, which will include you selecting a new user name and password. Once you create your account, you can access the AGAI Course Registration System at <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.