



The Advocacy Institute Is Pleased to Announce

PROGRAM ANNOUNCEMENT

STATE HOUSE SERIES: OPRA UPDATE - 2011

**November 15, 2011
1:30 p.m. to 3:30 p.m.
New Jersey State House
Authorities Conference Room, No. 301-10 3rd Fl.
125 West State Street
Trenton, New Jersey**

Program Summary

The law involving public records underwent a major sea change in New Jersey in 2002 with the enactment of the Open Public Records Act (OPRA). Thanks to recent changes brought about by amendments to OPRA and the issuance of a 2010 Executive Order, records custodians and the attorneys representing them are facing new challenges. Further, the courts have issued a number of important opinions on OPRA over the past year that will affect the practice of all public sector attorneys. This informative and very topical presentation will include and update recent OPRA case law developments. This program also will provide perspective and insights into the practical problems and legal issues which confront records custodians and their legal counsel on a daily basis. The topics covered in his presentation will include: when a request is a valid OPRA request; exceptions to access under OPRA; specific, identifiable records and improper, overbroad requests; unduly burdensome requests; distinctions between discovery and OPRA; assessing costs and special service charges; reasonable expectations of privacy; safety, security and homeland security; the roles of the record custodian and legal counsel.

Who Should Attend?

This program is tailored to attorneys with some knowledge of OPRA. **Knowledge of the basic requirements of OPRA will be presumed.**

Who Is the Faculty?

AAG Lewis Scheindlin is an Assistant Attorney General for Appeals, Division of Law. Since enactment of OPRA in 2002, AAG Scheindlin has supervised all OPRA litigation and legal advice for the State, and has directly handled a number of significant OPRA cases in the Appellate Division and New Jersey Supreme Court. AAG Scheindlin is a frequent presenter for the Attorney General's

Advocacy Institute on topics including OPRA, appellate practice and attorney-client privilege and the work product doctrine.

DAG Bruce Solomon is assigned to the Office of the Attorney General. For the past ten years, 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 design the OPRA computer tracking system that has been adopted for use by most of the departments in the State. For eight of the past nine 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.

How Do I Register?

This program is intended for those persons invited to participate in the *State House Series* presentations. Please do not attempt to register for this program if you have not been invited to participate.

Most State and some county employees will be able to register for this course by going to <http://reg.dcj.lps.state.nj.us/login.aspx?portalid=2> and creating an account. (Your computer must be attached to the government's Garden State Network.). If you are unable to access the above link kindly email the Advocacy Institute at: AdvocacyInstitute@lps.state.nj.us for an authorization code to allow you access to the registration system through the My New Jersey portal. Once you receive the authorization code you will be prompted to go to the My New Jersey portal at <http://www.state.nj.us/> and create an account, if you do not already have one. Once you do, you then will be able to register through the portal at <http://www.state.nj.us>.

CLE Credit

NJ CLE Credit: This program had 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).