



The Advocacy Institute Is Pleased to Announce

PROGRAM ANNOUNCEMENT

OPRA AND THE DELIBERATIVE PROCESS PRIVILEGE

July 24, 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 most common issue confronting public agencies in answering Open Public Records Act (OPRA) requests is whether to apply the deliberative process privilege to the records sought. This often difficult question has led to many requests for legal advice and numerous litigated cases. This presentation will provide attorneys and other government employees who handle OPRA matters with practical guidance concerning how to handle deliberative process privilege issues. This presentation will also cover the basics of the privilege as well as recent developments in the case law. In addition, this presentation will include an interactive segment for the purpose of discussing how to apply the privilege to various types of documents.

Who Should Attend?

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

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.

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.