

# Public Record Requests

## Meeting Minutes

November 10, 2014

### Attendance

Becky Boone	Dan Blocksom	Jim Dickinson
Seth Grigg	Brian Kane	Jeremy Pisca
Benny Poole	Justin Ruen	Betsy Russell
Cynthia Sewell	Cally Younger	

### Agenda

1. Review Minutes
2. Meeting With The Idaho Supreme Court Overview
3. Commission/Ombudsman Discussion
4. Suggestions
5. Next Meeting

### Discussion

1. Review Minutes
  - a. Correct two errors; name error from September 22, 2014 and spelling error from October 20, 2014.
  - b. Jeremy Pisca moved to approve minutes.
  - c. Betsy Russell second.
  - d. Minutes approved, all in favor.
2. Meeting With The Idaho Supreme Court Overview
  - a. Discussion with the Supreme Court regarding public records and the appeal process. A general meeting to see what the court thinks about the current process and if an intermediate level of appeal might be necessary.
  - b. General Thoughts
    - i. Encouraged by the courts interest in making it more accessible to the public.
    - ii. Court doesn't seem interested in an intermediate level of appeal through the court; most likely will be through administrative rules.
    - iii. Court's tentative if a problem even exists. They are not aware of issues. Might be more understanding if they had numbers.
    - iv. The courts wanted more information than they were provided. They weren't shutting down the possibility of an intermediate level but they weren't enthusiastic.
3. Commission/Ombudsman Discussion
  - a. A commission versus a single ombudsman could depend on workload.
  - b. Want to make sure group is not attacking issues that do not exist, general idea to start small with a single ombudsman/small commission versus a large commission.

- c. Consensus that an ombudsman needs to focus on the law and do so in a timely manner. If a commission is made they can focus on other issues such as reviewing exemptions.
  - d. Commission might be beneficial but we do not want to slow down the process at all.
  - e. Ombudsman's opinion should be binding but statutory changes will have to be made to ensure this.
  - f. Opinion should be binding but can be appealed De Novo.
  - g. Goal is to keep process simple but as the process is deformalized there is more room for errors in the legal system. We don't want people to be put at risk of being abused by the court system.
  - h. Brian, Cally, and Jeremy to draft legislation to work off of for next meeting.
4. Suggestion Discussion
- a. Group still compiling suggestions
  - b. Some suggestions aesthetic, some very substantive
  - c. Many suggestions need deeper conversations...what is motivating these suggestions?
  - d. We don't want to make it easier for counties/cities to be sued, we want the likelihood of counties/cities being sued to diminish
  - e. One idea is to have ombudsman review published online like Supreme Court decisions that way everyone has access to these.
  - f. In the long run, this process could streamline public records making it easier for agencies and people to access as well as inform all parties.
  - g. Legislation
    - i. Brian suggests a 3-step process
      - 1. Master recodification with a new title to be done quickly, ombudsman/commission addition, and rewriting public records law.
    - ii. Others want to put this altogether in one piece of legislation
    - iii. Goal is to do this quickly, group to move forward on anything that has consensus then later come back to review things that need to be debated.
5. Next Meeting
- a. Keep sending suggestions
  - b. Compile a list of suggestions group agrees on to move forward with. If time, group can pick some that need to be debated and try to work through them.
  - c. Invite a member of the judiciary.
  - d. Work to get numbers to provide to courts/legislators.
  - e. Bring in legislators when a working product has been made.

#### **NEXT MEETINGS**

Tuesday, November 25, 2014 at 10am

Monday, December 15, 2014 at 11am