



**OFFICE OF THE PUBLIC RECORDS  
ADVOCATE**

May 2018 Progress Report

# INTRODUCTION



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INFORMATION CENTER

# PUBLIC RECORDS ADVOCATE

## Statutory Duties (ORS 192):

- ❖ Provide facilitated dispute resolution services
  - ❖ Requesters and states, if requested by either party
  - ❖ Requesters and cities, if both parties want facilitated dispute resolution
- ❖ Providing training on public records laws
  - ❖ To government bodies
  - ❖ To public (optional)
- ❖ Lead the Public Records Advisory Council
  - ❖ Tasked with making proposals for changes in law and policy that will improve transparency
  - ❖ A diverse set of stakeholders – composition set by statute

# MEDIATION PROCESS



- ❖ Administrative rules drafted
- ❖ Approved by Public Records Advisory Council
  - ❖ “The Council may adopt rules governing the operations of the office of the Public Records Advocate; including but not limited to the rules establishing procedures for the conduct of facilitated dispute resolution.”
- ❖ Public notice and comment process

# MEDIATION PROCESS



- ❖ Mediation services will be offered between requesters and state agencies at the request of either party
  - ❖ Requesters can opt out, per ORS 192.464
- ❖ Mediation services will be offered between requesters and cities if both parties consent
- ❖ Other kinds of informal advice and assistance will be offered whenever time and resources allow

# MEDIATION PROCESS



- ❖ When might mediation be helpful?
  - ❖ Fees issues
    - ❖ Denial of waiver or reduction
    - ❖ Specific charges
  - ❖ Exemption issues
  - ❖ Denial of Request
  - ❖ Lack of response
  - ❖ Narrowing issues
  - ❖ Communication issues

# MEDIATION PROCESS



- ❖ Formal mediation can be initiated by filling out the [form](#) on the Public Records Advocate Website
- ❖ Informal assistance is available via email ([ginger.mccall@oregon.gov](mailto:ginger.mccall@oregon.gov)) or phone 503-378-5228





# PUBLIC RECORDS ADVISORY COUNCIL

- ❖ Composition set by ORS 192
  - ❖ Representatives from media, public, legislature, executive branch
- ❖ The Council shall “Make recommendations on changes in law, policy or practice that could enhance transparency in public process and government and facilitate rapid dissemination of public records to requesters.”
- ❖ Executive Order 18-05



# PUBLIC RECORDS ADVISORY COUNCIL

- ❖ Meeting May 23, 2018
- ❖ Recording available on Youtube (through the Public Records Advisory Council website)
- ❖ Discussed meeting frequency, administrative rules, potential legislative proposals

# HIRING



Job Announcement Posted:

<http://sos.oregon.gov/Pages/workwithus.aspx>

Seeking a deputy who has a commitment to public service and transparency and significant experience with Oregon Public Records Law. Attorneys preferred, but others with advanced degrees may be considered.

# FEEDBACK?

- ❖ What would be most useful to requesters/agencies?
- ❖ What are the most common issues that you see with records requests?
- ❖ What resources should we include on our website?
- ❖ What should we include in our trainings?
- ❖ How can we better reach necessary constituents?
- ❖ What changes should be made in the public records law or its implementation?

# CONTACT:

- ❖ Email: [ginger.mccall@oregon.gov](mailto:ginger.mccall@oregon.gov)
- ❖ Phone: 503-378-5228
- ❖ Website: <http://sos.oregon.gov/public-records/Pages/default.aspx>
- ❖ Twitter: @OregonPRA
- ❖ Facebook: <https://www.facebook.com/OregonPRA/>
- ❖ Blog Forthcoming

