

# 2015 GOVERNMENT RECORDS COUNCIL OPRA SEMINAR

101 South Broad Street, 1<sup>st</sup> Floor  
P.O. Box 819  
Trenton, NJ 08625-0819

GRC HOTLINE: 1-866-850-0511

# OPRA REQUEST REQUIRMENTS

GRC HOTLINE: 1-866-850-0511

# FOUR GENERAL RESPONSES TO OPRA REQUESTS

GRC HOTLINE: 1-866-850-0511

# VALID RESPONSE

Form: In writing; in the form requested (hardcopy, electronic, etc.).

Time: Seven (7) business days EXCEPT Immediate Access records.

# TRANSPARENCY

GRC HOTLINE: 1-866-850-0511

# GRC COMPLAINT PROCESS

## COMPLAINT FILING

Mediation?

Can file with GRC OR Superior Court, not both.

## MEDIATION

If settlement reached, process concludes.

If Mediation fails...

## STATEMENT OF INFORMATION ("SOI")

Certified by Records Custodian.

Custodian may request extension of time to respond.

## DECISION

Final Decision or Interim Order.

May be sent to the Office of Administrative Law ("OAL")  
if there are factual disputes.

# DENIAL OF RECORDS

## Invalid Request

Overbroad/  
Unclear

Seeks  
Information

Requires  
Custodian to  
Conduct  
Research/Create  
Records

# DENIAL OF RECORDS

## Most Common Exemptions

Attorney/Client  
Privilege

Inter/Intra-  
agency  
advisory,  
consultative, or  
deliberative  
material  
("ACD")

Personnel  
Records  
N.J.S.A. 47:1A-  
10 Executive  
Order 26

Security

Personally  
Identifying  
Information

# DENIAL OF RECORDS

## Exemptions Related to Law Enforcement

Criminal  
Investigatory  
Records

Security

Ongoing  
Investigations  
N.J.S.A. 47:1A-  
1.3(a)

Juvenile  
Records  
N.J.S.A.  
2A:4A-60

Domestic  
Violence  
Records  
N.J.S.A.  
2C:25-33

Child  
Abuse/Title 9  
Records  
N.J.S.A. 2A:82-  
46(b)

# DENIAL OF RECORDS

## Other Exemptions

Trade  
Secrets

Advantage  
to  
Competitive  
Bidders

Information  
made  
confidential  
pursuant to  
a Court  
Order

Medical  
Records

# PRIVACY INTERESTS

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# SPECIAL SERVICE CHARGE

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# Attorney's Fees

- ▣ A Complainant who prevails SHALL be entitled to attorney's fees.
- ▣ If the Complainant does not have an attorney, no fees will be awarded.

# Upcoming Events

## New Jersey League of Municipalities Annual Conference

- Thursday, November 19, 2015
- 2:00PM – 3:40PM, Room 411, Atlantic City Convention Center

## OPRA For Law Enforcement Agencies

- Thursday, October 29, 2015
- John H. Stamler Police Academy
- 1776 Raritan Road, Scotch Plains, NJ 07076
- Contact: Karen E. Positan, Assist. Public Information Officer
  - Union County Prosecutor's Office
  - (908) 889-6112 (Main Line)

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