



# PUBLIC RECORDS

## A seminar on New Jersey's Open Public Records Act

For everyone interested in government records:

- Editors & Reporters
- Elected & Appointed Local Officials
- Municipal Clerks\*
- Attorneys
- Citizen Activists

\* This seminar has been approved by the Department of Community Affairs for 4 continuing education units (CEUs) in Records for Municipal Clerks (RMC).

Access to government records can be as difficult as walking a high wire across the Grand Canyon. The public's right to know must be balanced against the government's obligation to keep certain records confidential.

The state's Open Public Records Act (OPRA) has made releasing records easier than it once was, but the law can be confusing. The New Jersey Press Association, The Record and the Herald News are sponsoring a one-day seminar that will help people walk the OPRA tight rope.

This seminar will be a productive five hours for everyone interested in government records. Topics will include a comprehensive overview of everything you need to know about government records — how to get them, what can't be released, what to do if you are refused them — and a discussion about how OPRA can be improved. Four discussion panels will allow ample time for questions and answers.

### Thursday, March 26

10 am *sharp* – 3 pm (Coffee & tea available at 9:30 am)

#### Ciccione Theater

#### Bergen Community College

400 Paramus Road, Paramus, NJ (Directions on next page)

\$10 per person, includes buffet lunch



#### PUBLIC RECORDS Seminar

Thursday, March 26, 2009 • Ciccione Theater at Bergen Community College • 10 am to 3 pm  
Only \$10 per person • Buffet lunch included.

Please register the following people for this seminar:

Name \_\_\_\_\_ Email (required) \_\_\_\_\_

Name \_\_\_\_\_ Email (required) \_\_\_\_\_

Company \_\_\_\_\_ Contact Phone \_\_\_\_\_

Contact Person \_\_\_\_\_ Contact Email \_\_\_\_\_

Number of people \_\_\_\_\_ Total Amount \$ \_\_\_\_\_

Payment Options (check one)  Visa  Mastercard  American Express  Check Enclosed (payable to New Jersey Press Association)

Credit Card # \_\_\_\_\_ CVV Code\* \_\_\_\_\_ Exp. Date \_\_\_\_\_ Name on Card \_\_\_\_\_

Billing Address \_\_\_\_\_

\* Card Verification Value Code: For Visa or Mastercard, the 3-digit number on the back of the card. For American Express, the 4-digit number on the front of the card.

FAX this form to Peggy Stephan, NJPA member services manager, at 609-406-0300.

MAIL form to Public Records Seminar, New Jersey Press Association, 840 Bear Tavern Road, Suite 305, West Trenton, NJ 08628-1019.

EMAIL this information to Peggy Stephan at [pastephan@njpa.org](mailto:pastephan@njpa.org).

Questions? Contact Peggy Stephan at 609-406-0600 x14 or [pastephan@njpa.org](mailto:pastephan@njpa.org).

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Sponsored by New Jersey Press Association, The Record and North Jersey Media Group

**March 26, 2009**

**Bergen Community College, Ciccone Theatre**

— Opening —

**Senator Loretta Weinberg**

— Four Panels —

### **How OPRA Got Where It Is**

#### **— Background to OPRA**

Panelist: Thomas J. Cafferty, Esq.

**Thomas Cafferty's** practice covers litigation and counseling in every aspect of media and First Amendment issues. He represents clients in matters that include: access to public records, the Open Public Meetings Act and resisting closure of what should be open meetings, cameras in the courtroom, issues with regard to public notice, and interpretation of the Shield Law. Mr. Cafferty served for more than 30 years as general counsel of the New Jersey Press Association.

### **Nuts & Bolts of OPRA Requests & Filing Complaints**

Panelists: Jennifer Borg, Esq., Donald Doherty, Esq., and Catherine Starghill, Esq.

**Jennifer Borg** is vice president and general counsel of North Jersey Media Group, headquartered in Hackensack. Best known for its two daily publications *The Record* and the *Herald News*, the company also publishes numerous community newspapers and (201) magazine. Ms. Borg routinely handles First Amendment and access issues. She represented North Jersey Media Group in litigation against U.S. Attorney General John Ashcroft to gain access to closed INS detainee hearings.

**Donald Doherty** is a partner at Friedman Doherty, LLC, located in West Berlin, N.J. He devotes much of his practice to the Common Law Right of Access and Open Public Records Act claims. Some of the seminal cases that he and his partner Sander Friedman have worked on include *Dugan v. Camden County Clerk's Office, et al*, which has reformed the way many county clerks operate their offices. They also have brought other cases that dramatically affected the price paid for public records relating to municipal court discovery. Mr. Doherty and Mr. Friedman represent reporters and community advocates in obtaining public records in compelling transparency of our government.

**Catherine Starghill** is executive director of the Government Records Council.

### **Nothing Common about the Common Law**

Panelists: Dina L. Sforza, Esq., and Sander D. Friedman, Esq.

**Dina Sforza** is an associate of Jennifer Borg's at North Jersey Media Group.

**Sander D. Friedman** is a partner at Friedman Doherty, LLC, located in West Berlin, N.J. He and his partner Donald Doherty devote much of their practice to the Common Law Right of Access and Open Public Records Act claims.

### **Refining OPRA**

#### **— Suggested Changes & How to Get Them Done**

Panelists: Richard Gutman, Esq., The Honorable Robert Passero, Martin O'Shea and Heather Mailander

**Richard Gutman** is a Montclair, N.J., attorney with a practice limited to the Open Public Records Act and the First Amendment. He is a graduate of Harvard College and the University of Chicago Law School.

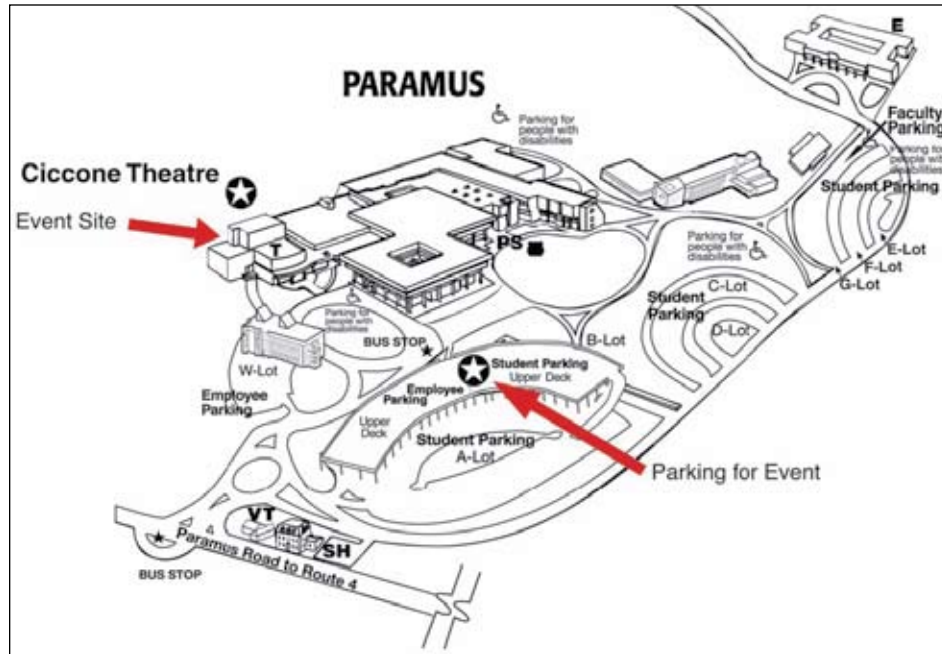
**Robert Passero** retired last year as Passaic County Superior Court chief judge, having served for 20 years on the bench, including about ten years as assignment judge. At the time of his retirement, Judge Passero was the designated judge for open records and open meetings cases.

**Martin O'Shea** is a former newspaper reporter and editor for three major dailies in New York, including *The New York Times*. Mr. O'Shea has worked for the past 12 years with several groups of activists to promote transparency in government throughout New Jersey. Several lawsuits filed on his behalf have more closely defined OPRA. The Government Records Council also has ruled in his favor several times.

**Heather Mailander** is the clerk and custodian of records for the Village of Ridgewood, N.J. She is the immediate past president of the New Jersey Municipal Clerks Association.

# Directions to Bergen Community College Main Campus

Ciccone Theatre, 400 Paramus Road, Paramus, NJ



## FROM THE NORTH

### (via Garden State Parkway) –

Take Exit 165, turn right (west) on Ridgewood Road, then right onto Ridgewood Avenue (crossing over Route 17) and continue to Paramus Road. Turn left onto Paramus Road and continue

approximately 2 miles to College, proceed around jug handle to main entrance.

### (via Route 17) –

Turn right off Route 17 onto Ridgewood Avenue (west) to Paramus Road. Turn left onto Paramus Road and continue as above.

**FROM THE EAST** – Take Route 4 (via George Washington Bridge from New York City) to Paramus Road, Paramus. (Paramus Road is approximately 3/4 miles west of Route 17 intersection). Turn right onto Paramus Road and proceed north for approximately 2 miles to College entrance on right side of Paramus Road.

## FROM THE SOUTH

### (via Garden State Parkway) –

Take Exit 160 (Passaic Street), turn left onto Passaic Street. Continue on Passaic Street across Route 4 onto Paramus Road (Passaic Street becomes Paramus Road north of Route 4 overpass). Continue north about 2 miles on Paramus Road to College entrance on right.

**(via Route 17)** – Take Century Road, second exit to the right, proceed around clover leaf over Route 17 onto Century Road (west). Continue to Paramus Road and turn right onto Paramus Road to College entrance on right.

**FROM THE WEST** – Take Route 4 to Paramus Road, Paramus (exit under overpass). Turn right onto Paramus Road and proceed north for approximately 2 miles to College entrance on right side of Paramus Road.