



PROGRAM ANNOUNCEMENT

The Advocacy Institute Is Pleased to Present

A DELICATE BALANCE: OPRA AND PRIVACY INTERESTS

**August 3, 2017
10:30 a.m. – 12:30 p.m.
124 Halsey Street
5th Floor Conference Room 10C
Newark, New Jersey**

THIS COURSE WILL BE SIMULCAST FROM TRENTON

Please note: Because this course will be simulcast from Trenton, the following CLE regulations apply to credits earned by attending the course in Newark:

New Jersey: The simulcast of this course is an Alternate Verifiable Learning Format (AVF) Program. Courses taken through alternative verifiable learning formats shall account for no more than twelve credit hours per compliance period.

Pennsylvania and New York: The simulcast of this course is a Distance Learning Program. Credits earned via Distance Learning Programs in excess of the annual CLE credit limit will not carry over into subsequent compliance periods.

PLEASE READ: NOTICE REGARDING COURSE MATERIALS

You will receive the course materials approximately forty-eight (48) hours prior to the date of the course. The materials will be contained in an email attachment.

Program Summary

The Open Public Records Act (OPRA) has two often conflicting requirements: public bodies must provide ready access to government records, and they also must protect from disclosure any information in government records that would violate a citizen's reasonable expectation of privacy. OPRA requests that implicate privacy interests raise many difficult issues, in view of

these competing legislative goals. This presentation will provide an overview of OPRA's privacy requirements. Topics to be discussed include: the balancing test established by the New Jersey Supreme Court for OPRA privacy matters; the application of this test to various types of government records by the courts and the GRC; the procedures that records custodians should follow when handling an OPRA request that presents a privacy issue; and recent case law developments concerning OPRA's exemption for privacy.

Who Should Attend?

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

Who Is the Faculty?

Lewis Scheindlin worked for over 30 years at the Division of Law, serving in a number of capacities, including Chief of the Education, Labor and Commerce Section, Assistant Attorney General for Agency Advice and Assistant Attorney General for Appeals. In addition, beginning with the enactment of OPRA in 2001 until his retirement from State service at the end of 2014, he oversaw all OPRA legal advice and litigation for all State agencies. He counseled record custodians and other officials in OPRA matters on a daily basis and worked with the Government Records Council in establishing its policies and procedures. In addition to supervising the State's OPRA litigation, he directly handled many significant OPRA cases in the Supreme Court, Appellate Division and trial courts. Lew also frequently presented training programs on OPRA matters for the Attorney General's Advocacy Institute.

Lew currently provides OPRA consulting and training to public bodies. He is also an Adjunct Professor of Business Law at The College of New Jersey. Lew is a graduate of Rutgers Law School and the Wharton School of the University of Pennsylvania.

CLE Credit

NJ CLE Credit: This program had been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 2.0 hours of total Alternative Verifiable Learning Format (AVF) CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 2.0 Distance Learning Program Substantive credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.5 Distance Learning Program 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://reg2.dcj.lps.state.nj.us/lpcreg/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://reg2.dcj.lps.state.nj.us/lpcreg/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.

If you are not a State employee, or are otherwise unable to access the AGAI Course Registration **Non-State Employees or State Employees not Connected to the Garden State Network** System through the Garden State Network, kindly email the Advocacy Institute at: njagai@njoag.gov 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://reg2.dcj.lps.state.nj.us/lpcreg/login.aspx?portalid=2> to register for future courses or to manage your account. Please retain your user name and password for your records.