



Office of State Procurement

Public Records Request

Agency Training



OVERVIEW

- Public Records Law Generally
- Directives to agencies for success
- “Search” vs. “Request”
- Exemptions
- Miscellaneous/Recent Opinions



LOUISIANA PUBLIC RECORDS LAW

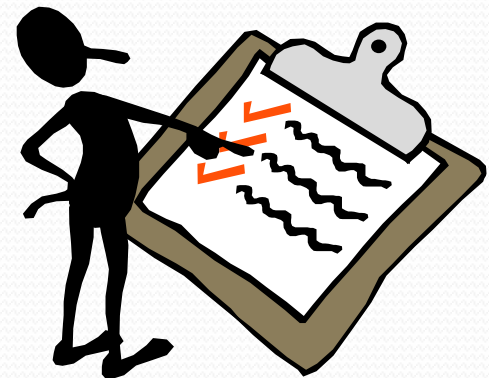
- Title 44
- Louisiana Constitution Article XII, §3
- Who does it apply to?
- Purpose
- Public Record Defined
- Who may request?
- Who is the custodian?





DIRECTIVES TO AGENCIES

- Be Organized
- Have a system in place
- Anticipate documents that will be sought
- Be ready to respond – Who, When, How
- Consider carefully what the request is asking for (i.e., “what is responsive?”) as well as potential exemptions
- Know the deadlines to respond!
- Think about the record you are creating!





“SEARCH” vs. “REQUEST”

- What’s the difference?
- Not captured in the black-letter law but great practical implications
- For Search:
 - Multi-Level when appropriate
 - Involve OTS if necessary (FORM)
 - Be able to defend it



Email Search Form



STATE WIDE EMAIL SEARCH REQUEST

SEARCH NAME: PRR –
REQUESTOR: STEVE KOGOS
DIVISION/TITLE:
DATE: JUNE 21, 2018

**MAILBOXES TO BE
SEARCHED**
**DATE RANGE OF
SEARCH** 1/1/18 - PRESENT

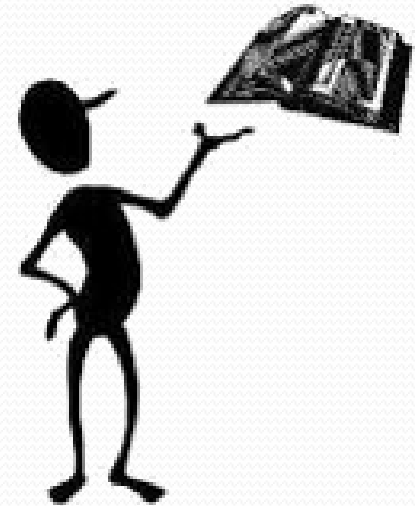
**KEYWORDS TO
SEARCH FOR**

**MAIL TO/FROM
EMAIL ADDRESSES**



EXEMPTIONS

- Confidentiality
- Pending Litigation
- Attorney Work Product
- Privacy – Article I, Section 5
- Proprietary/Trade Secrets
 - Vendors & Indemnification
 - Wording of the solicitation





MISCELLANEOUS/RECENT OPINIONS

- Burden
- Enforcement
- Penalties
- Retention Requirements
- Uniform Fee Schedule
- Recent Opinions



Office of State Procurement

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