



THE STATE BAR OF CALIFORNIA
PUBLIC LAW SECTION
PRESENTS

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includes Legal Ethics



2015 California Public Records & Open Meetings Conference

FRIDAY, JUNE 19, 2015

UCLA-Palisades Room at Carnesales Commons

251 Charles E. Young Drive West

Los Angeles, CA 90095

We gratefully acknowledge UCLA for contributing its facility and generous support of this event.



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Register Online: <http://publiclaw.calbar.ca.gov>

PROGRAM

8:15- 8:30 a.m.
Registration & Continental Breakfast

8:30 – 8:45 a.m.
Welcome & Opening Remarks

8:45 – 9:45 a.m.
Overview and Current Developments in Open Meetings Law

This session will provide an overview of and significant updates to the Brown Act, Gov. Code §§ 54950-54962, and the Bagley-Keene Act, Gov. Code §§ 11120-11132, including a discussion of what agencies and public bodies are covered; when a body becomes covered; what constitutes a covered meeting; and what the Acts require agencies to do. Speakers will explain the time requirements of posting agendas; the contents of agendas; the requirements for calling special or emergency meetings; locations of meetings; sign-in requirements; public comment; public voting; recent legislation both proposed and chaptered; court cases decided over the last year that affect the Brown Act; and more.

MCLE Credit: 1.0 Hour

Speakers:
Ted Prim, *Deputy Attorney General*
Greg Stepanicich, *Richards, Watson & Gershon*
Julie Biggs, *Aleshire & Wynder*

9:45 – 10:45 a.m.
Brown Act Traps and Escape Routes

An interactive session exploring the intersection of the Brown Act and the management of difficult situations arising in public agency meetings.

MCLE Credit: 1.0 Hour

Speakers:
Michael Jenkins, *Jenkins & Hogin*
Christi Hogin, *Jenkins & Hogin*

10:45 – 11:00 a.m.

Break

11:00 – 12:00 p.m.
Open Meeting Remedies

This session will explore particular remedies that can apply under different circumstances for open meeting violations, as well as courts' application of these remedies. Speakers will also discuss attorney fees, costs, and related appeals.

MCLE Credit: 1.0 Hour

Speakers:
Michael Colantuono, *Colantuono, Highsmith & Whatley*
Eric Danly, *Petaluma City Attorney*
Amy Albano, *Burbank City Attorney*

12:00 – 1:15 p.m.
Luncheon Keynote: The Use of Personal Electronic Devices and the Public Records Act

Richard Doyle, the City Attorney for the City of San Jose, will discuss the use of personal electronic devices to conduct public business under the PRA. He will discuss the City's landmark case pending before the Supreme Court, which addresses whether the City must produce councilmembers' personal electronic correspondences involving public business under the PRA.

MCLE Credit: 1.0 Hour

Speaker:
Richard Doyle, *San Jose City Attorney*

SCHEDULE

1:15 – 2:15 p.m.

Overview and Current Developments in Public Records Law

This session will provide an overview of and legislative and case law updates to the California Public Records Act, Gov. Code §§ 6250-6276.48, including a discussion of what agencies and officials are covered; what types of records are covered (including electronic records); what the Act requires agencies to do; time requirements for responding to PRA requests; legislation both proposed and chaptered; and recent Attorney General Opinions and court cases decided over the last year affecting the PRA.

MCLE Credit: 1.0 Hour

Speakers:

Ted Prim, *Deputy Attorney General*
Jean-Paul Jassy, *Jassy Vick Carolan*
Michelle Mitchell, *Deputy Attorney General*

2:15 – 3:15 p.m.

Public Records Exemptions and Limitations

This session will cover the exemptions to the CPRA, including the types of records that fall within the definition of "public records," but are exempt from disclosure; how and when the exemptions apply; as well as recent legal updates to these exemptions. In particular, speakers will discuss exemptions such as the attorney-client privilege and the deliberative process privilege; preliminary drafts, notes and memoranda; home addresses; personnel and medical records; police incident reports and arrest records; financial data; and tax, welfare and family/adoption/birth records.

MCLE Credit: 1.0 Hour

Speakers:

Ruthann Ziegler, *Meyers Nave*
Jennifer Lynch, *Electronic Frontier Foundation*
Eric Danly, *Petaluma City Attorney*

3:15 – 3:30 p.m.

Break

3:30 – 4:30 p.m.

Records Related to Public Business, but Controlled by Third Parties

This session will track developing law regarding records related to public business, but controlled by third parties. This includes the use of private email accounts to conduct public business, as well as records relied upon by a public entity in conducting business, but that are maintained by a third party, such as an investment firm.

MCLE Credit: 1.0 Hour

Speakers:

Matthew (Mal) Richardson, *Best, Best & Krieger*
Jennifer Lynch, *Electronic Frontier Foundation*
Michael Colantuono, *Colantuono, Highsmith & Whatley*

4:30 – 5:30 p.m.

Ethical Issues Related to Open Government Law

This session will explore ethical issues arising from public entities' obligations to provide public record access, including determining who your client is for purposes of the attorney-client privilege and related third-party protection of confidential personal information held by agencies. Discussion will also include the potential waiver of any privileges caused by inadvertent PRA-document disclosures and the public attorney's potential ethical duty to third parties under this circumstance.

MCLE Credit: 1.0 Hour Legal Ethics

Speakers:

Wendy Chang, *Hinshaw & Culbertson*
Richard Egger, *Best, Best & Krieger*
Eric Vail, *Burke, Williams & Sorensen*

REGISTRATION INFORMATION

Online registration:

<http://publiclaw.calbar.ca.gov>

Mail To:

Program Registrations, The State Bar of California
180 Howard Street
San Francisco, CA 94105

Fax to:

Program Registrations at (415) 538-2368, in order to fax your registration credit card information is Mandatory.

Cancellations and Deadlines:

Cancellations and request for refunds must be received in writing by June 12, 2015 and are subject to a \$25 service charge. Substitute registrants are allowed but must register in their own name at the meeting to receive MCLE credit.

Onsite Registration:

Limited and subject to availability. Call to confirm space availability. Please register in advance.

Special Assistance:

For special assistance please call (415) 538-2248.

Questions:

For registration questions please call (415) 538-2508. Telephone registrations will not be accepted. For program content and/or section information please call (415) 538-2248.

CYLA MEMBERS: (All CA members that have been in practice 5 years or less OR are 36 years old or younger)

Now offering 25% off registration. Call (415) 538-2248 for more information.

PROGRAM PLANNING COMMITTEE:

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The State Bar of California
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Kristina.robledo@calbar.ca.gov

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REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

Bar Number: _____

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Check here if you do not want your information released.

Program package materials includes 8.0 hours of MCLE of which 1.0 hour apply to Legal Ethics, program materials, continental breakfast and lunch.

REGISTRATION BY JUNE 12, 2015:

- \$175 for Public Law Section members
- \$225 for Non-Section members (includes membership in the Public Law Section for 2015)
- \$150 for Paralegals/Non attorneys
- \$100 for Full-time Law Students
- \$225 All Registrations After June 12, 2015

AMOUNT ENCLOSED OR TO BE CHARGED \$ _____

CREDIT CARD INFORMATION (VISA/MasterCard Only)

I authorize The State Bar of California to charge my program registration to my VISA/MasterCard account. (No other credit card will be accepted.)

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Deadline: In order to pre-register, your form and check, payable to The State Bar of California, or credit card information, must be received no later than June 12, 2015.

Register Online: <http://publiclaw.calbar.ca.gov>

Mail To: Program Registrations, The State Bar of California,
180 Howard Street, San Francisco, CA 94105.

Fax To: Program Registration at 415-538-2368. In order to fax your registration, credit card information is MANDATORY.
(Photocopies of checks will NOT be accepted.)



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