



THE STATE BAR OF CALIFORNIA  
PUBLIC LAW SECTION  
CO-SPONSORED WITH ENVIRONMENTAL  
LAW SECTION

Earn 7.0 Hours  
MCLE Credit



# 2016 California Public Records & Open Meetings Conference

THURSDAY, JUNE 2, 2016  
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.



UCLA | SCHOOL OF LAW

## GOLD SPONSORS



**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

RICHARDS  
WATSON  
GERSHON  
ATTORNEYS AT LAW  
A PROFESSIONAL CORPORATION

## SILVER SPONSOR

COLANTUONO  
HIGHSMITH  
WHATLEY, PC

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

# PROGRAM

**8:00 – 8:30 a.m.**  
**Registration & Continental Breakfast**

---

**8:45 – 9:00 a.m.**  
**Opening Remarks**

---

## OPEN MEETINGS LAW

**9:00 – 10:00 a.m.**  
**Handling Difficult Meetings and Closed Sessions**

---

Public meetings can present serious challenges to even the most competent counsel. This session will be devoted to handling these situations under the Brown Act, Gov. Code §§ 54950-54962, and the Bagley-Keene Act, Gov. Code §§ 11120-11132. This discussion will include handling unruly public meetings, ethical issues that arise when public officials' legal concerns conflict with public entity's interests, handling unanticipated legal questions and fixing prior erroneous legal advice. Finally, Speakers will discuss approaches to addressing contentious closed sessions, including concerns about discussions and written materials being made public.

**Speakers:**

Ted Prim, *Deputy Attorney General*  
Greg Stepanicich, *Shareholder, Richards, Watson & Gershon*  
Danny Wan, *Port Attorney, Port of Oakland*

**10:00 – 11:00 a.m.**  
**Brown Act Traps and Escape Routes**

---

This session will explore the intersection of the Brown Act and the management of difficult situations arising in public agency meetings, including serial meetings, posting agendas, continuing meetings, special meetings, ad hoc and standing committees and much, much more under the Brown Act, Gov. Code §§ 54950-54962.

**Speakers:**

Michael Jenkins, *Jenkins & Hogin*  
Christi Hogin, *Jenkins & Hogin*

**11:00 – 11:15 a.m.**

---

*Break*

**11:15 a.m. – 12:15 p.m.**  
**Open Meeting Remedies**

---

This session will explore particular remedies that can apply under different circumstances for open meeting violations, as well as court's application of these remedies. Speakers will also discuss how to fix or minimize liability for violations to avoid costly attorney fees, and related appeals.

**Speakers:**

Michael Colantuono, *Shareholder, Colantuono, Highsmith & Whatley*  
Kevin Siegel, *Partner, Burke, Williams & Sorensen*  
Peter Thorson, *Shareholder, Richards, Watson & Gershon*

**12:15 – 1:30 p.m.**  
**Luncheon Keynote: Maintaining Transparency in Government**

---



Audrey Cooper, Editor-in-Chief of the San Francisco Chronicle will discuss the role of the Public Records Act and the press. This includes the future of the media, the media's concern regarding overbroad exceptions to disclosure, and the use of private devices for public business as implements thwarting transparency. Ms. Cooper is the youngest woman ever named as the top editor of a major U.S. newspaper. San Francisco Magazine called her one of the city's

most powerful women and Editor and Publisher Magazine named her one of the world's "Top 10 Women to Watch."

---

**Speaker:**

Audrey Cooper, *Editor-in-Chief, San Francisco Chronicle*

# SCHEDULE

## PUBLIC RECORDS ACT

**1:30 – 2:30 p.m.**

### **Public Records Exemptions and Limitations**

---

This session will cover recent cases and updates regarding the application of the PRA's exemptions to public record disclosure. Attendees will also learn about particularly difficult legal issues that have arisen concerning the PRA's exemptions, including exemptions for law enforcement investigations (and application to Automatic License Plate Readers and police body camera video), the scope of the attorney-client privileged information; and records whose disclosure would impair the deliberative process.

**Speakers:**

Heather Aubry, *LA Deputy City Attorney*

Ted Prim, *Deputy Attorney General*

Jean-Paul Jassy, *Jassy Vick Carolan LLP*

**2:30 – 3:30 p.m.**

### **Records Related to Public Business, but Controlled by Third Parties and Inadvertent Record Disclosures**

---

This session will track developing law regarding records related to public business, but controlled by third parties. This includes emails involving public business which are stored on private email accounts, as well as records relied upon by a public entity in conducting business, but which are maintained by a third party, such as an investment firm. This session will also address recent law involving the inadvertent release of exempt documents to third parties, potential related waivers, and best practices to avoid these concerns.

**Speakers:**

Amy Albano, *Burbank City Attorney*

Amitai Schwartz, *Law Offices of Amitai Schwartz*

Holly Whatley, *Shareholder, Colantuono, Highsmith & Whatley*

**3:30 – 3:45 p.m.**

*Break*

---

**3:45 – 4:45 p.m.**

### **Prosecuting and Defending Writs**

---

Filing open meeting and Public Record Act writs is a unique process full of hidden pitfalls and defenses. This session will describe the nuances of this process, as well as practical advice in avoiding costly mistakes and suggestions for optimizing your results. Speakers will also discuss the PRA's strategic use before and during litigation and how public entities can effectively respond to these challenges.

**Speakers:**

Michael Colantuono, *Shareholder, Colantuono, Highsmith & Whatley*

Ginetta Giovinco, *Shareholder, Richards Watson & Gershon*

Peter Bibring, *Senior Staff Attorney, ACLU of Southern California*

# 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 May 26, 2016 and are subject to a \$50 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 Chair**

John Appelbaum

**Julie Martinez**

The State Bar of California  
Public Law Coordinator  
[Julie.Martinez@calbar.ca.gov](mailto:Julie.Martinez@calbar.ca.gov)

2016 California Public Records & Open Meetings Conference  
Thursday, June 2, 2016 • Los Angeles, CA

# REGISTRATION FORM

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

Bar Number: \_\_\_\_\_

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Firm Address: \_\_\_\_\_

City, State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

(Required for email confirmation)

Program package materials includes 7.0 hours of MCLE, program materials, continental breakfast and lunch.

Check here if you do not want your information released.

## REGISTRATION BY MAY 26, 2016:

\$175 for Public Law Section members

\$225 for Non-Section members (includes membership in the Public Law Section for 2016)

\$150 for Paralegals/Non attorneys

\$100 for Full-time Law Students

## AMOUNT ENCLOSED OR TO BE CHARGED

\$ \_\_\_\_\_

**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 May 26, 2016.

**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.)**

## 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.)

Account Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Cardholder's Name: \_\_\_\_\_

Cardholder's Signature: \_\_\_\_\_

The State Bar of California and the Public Law Section are approved State Bar of California MCLE providers.

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



THE STATE BAR OF CALIFORNIA  
PUBLIC LAW SECTION  
180 Howard Street  
San Francisco, California 94105

# 2016 California Public Records & Open Meetings Conference

**THURSDAY, JUNE 2, 2016**

UCLA-Palisades Room at

**Carnesales Commons**

251 Charles E. Young Drive West

Los Angeles, CA 90095

**Earn 7.0 Hours MCLE Credit**

REGISTER ONLINE:

[www.publiclaw.calbar.ca.gov](http://www.publiclaw.calbar.ca.gov)



MIX  
Paper from  
responsible sources  
FSC® C102514



UCLA | SCHOOL OF LAW