

Drafting a Valid OPRA Request

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When you make a valid OPRA request, a public agency has seven business days to respond. But, if your request is invalid for some reason, the custodian can deny your request. The clock will then start all over again if you re-write your request and re-submit it. Here are some basic guidelines to help you craft requests that will be upheld by the courts:

1. **Make sure that your request seeks a record, and not information.** Invalid Request: "Please provide the times when Employee X arrives to work." Valid Request: "Please provide copies of Employee X's time card."
2. **Make sure your request is for a narrow, identifiable set of records.** Invalid Request: "Please provide any and all documents relating to Town X and Town Y's provision of animal control services." Valid Request: "Please produce the contract for animal control services between Town X and Town Y."
3. **Identify date range, subject matter, and sender and/or receiver in requests for email correspondence.** Invalid: "Please provide all emails to or from the Mayor for January 2014." Valid: "Please provide every email to or from the Mayor received or sent in January 2014 regarding the township's budget."
4. **Remember to indicate the method by which you wish to receive the records.** Do you wish to receive PDF copies of records via email? Do you want hard copies, for which you will incur a copying charge? Or, do you want the document in an electronic format such as a spreadsheet?

Many attorneys, such as those at Pashman Stein, will kindly review your requests to make sure that it is proper and sure to get you the records you seek.