

## NY Times: Newspapers Should Litigate Public Records Suits - NY Times

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The New York Times published an great article yesterday, titled “*How The Times Uses FOIA to Obtain Information The Public Has A Right To Know.*” The article explains why the Times firmly believes that challenging an agency’s response to a public records request is important to transparency.

Key quote: If requesters always shrug and walk away at that point, it means we are leaving it to federal bureaucrats to decide just how secret our government is going to be. That was never part of the plan for democracy.

Although smaller newspapers usually do not have in-house counsel to litigate public records lawsuits, in New Jersey OPRA provides a fee-shifting mechanism to make it possible for to find competent counsel who will litigate denials on a contingency basis. Newspapers, journalists, and other media entities can take advantage of this fee-shifting provision to challenge denials of access without incurring any costs at all. As the Times notes, doing so greatly benefits the public and is an important part of the journalistic process.

P.S. Remember – you only have 45 days to challenge a denial.

For more information, contact CJ Griffin.