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Public Law Section

Open Meetings and Open Records Conference 2019

**University of San Francisco • Fromm Institute
2130 Fulton St, San Francisco, CA
Friday, May 31, 2019**

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Register Online: <https://calawyers.org/section/public-law/>

Program Schedule

Registration
Breakfast

8:00 a.m. – 5:00 p.m.
8:00 a.m. – 8:30 a.m.

**Breakfast
sponsored by:**



Welcome Remarks

8:30 a.m. – 8:45 a.m.

Greetings

Bernadette Curry, Chair, Public Law Section

Welcome

Susan Freiwald, Interim Dean of School of Law, University of San Francisco

Conference Introduction

Christine Wood, Conference Chair

Session 1: Open Meetings Behind Closed Doors 8:45 a.m. – 10:15 a.m.

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

Speakers:

Christi Hogin, Of Counsel, Best Best & Krieger

Michael Jenkins, Of Counsel, Best Best & Krieger

Session 2: Avoiding the Accidental Meeting 10:25 a.m. – 11:10 a.m.

This session will address the prohibition on serial meetings — meetings that effectively take place when a quorum of the public body communicate through a series of contacts or through a third party to share information or reach a decision on an issue.

Speakers:

Roy Hanley, Principal, Hanley & Fleishman

Steve Quintanilla, Principal, Law Offices of Quintanilla & Associates

James Sanchez, Senior Counsel, Lozano Smith

Session 3: Social Media and Open Government 11:20 a.m. – 12:05 p.m.

Agencies have to govern and communicate with the public in meaningful and relevant ways. This session will explore various social media platforms and the risks that public agencies and their officials face utilizing these forms of media to interact with reach their constituents.

Speakers:

Jill N. Jaffe, Partner, Nossaman

Holly O. Whatley, Shareholder, Colantuono, Highsmith & Whatley

Lunch and Keynote Address

12:15 p.m. – 1:30 p.m.

Speaker:

Dan Walters, Editorial Commentator

Sessions 4 & 5: Concurrent Sessions

1:45 p.m. – 2:45 p.m.

Session 4: An Update on the State of the PRA and Police Personnel Records

In 2018, California made wide-sweeping changes to laws that govern police agency records — both personnel records and body camera footage. This session, attorneys will unpack these changes and look at what impact the new laws have had on law enforcement agencies.

Moderator:

Christine Wood, Director of PRA Services & e-Discovery Counsel
Best Best & Krieger

Speakers:

Kelly Aviles, Principal,
Law Offices of Kelly Aviles

James Chadwick, Partner,
Sheppard Mullin Richter & Hampton

David E. Mastagni, Partner, Mastagni Holstedt

Session 5: Public Records Act and Educational Records: Balancing the PRA, the Ed Code, and FERPA

Both California and federal law provide strict protections for student information which must be taken into account when responding to a CPRA request involving student records. This session will review those protections, how they interact with the CPRA when a request seeks student records, and highlight some of the unanswered questions in this area.

Speakers:

William Tunick, Shareholder,
Dannis Woliver Kelly

Komey Vishakan, General Counsel, Palo Alto Unified School District

Session 6: A Primer on Producing Body Camera Footage Under the PRA

Now that body camera footage has to be released in response to public records request, this session will focus on body camera programs and the technology necessary to efficiently and effectively produce body camera footage to the public.

Speakers:

Julie Raffish, Supervising Assistant City Attorney, City of Los Angeles

William Russell, Sergeant, Ontario Police Department

Session 7: CEQA: Handling the PRA and Administrative Record

In CEQA litigation, the administrative record is the key document that memorializes the evidence and proceedings which lead to project approval. When the petitioners in a CEQA lawsuit choose to prepare the administrative record themselves, they are increasingly using the Public Records Act as a tool in such work, and doing so imposes costs and burdens on the public agency. This session will discuss the intersection of the CEQA administrative record and the Public Records Act, including tips for how public agencies can effectively prepare for and handle such requests.

Speakers:

Sarah Owsowitz, Of Counsel, Best Best & Krieger

Beverly Grossman Palmer, Partner, Strumwasser & Woocher

Break

3:50 p.m. – 4:00 p.m.

Session 8: Public Records Act and Attorney-Client Privilege: The Sanctity of the Attorney Client Privilege and Issues Relating to Confidential Investigations

4:00 p.m. – 5:00 p.m.

This panel will begin with a brief overview of attorney client privilege and attorney work product issues under the Public Records Act. Panelists will then dive into employee discipline and confidential workplace issues and discuss attorney-client privilege in that context, such as when the privilege attaches or is waived by the public agency.

Moderator:

Eric Danly, City Attorney, City of Petaluma

Speakers:

Jolie Houston, Partner, Berliner Cohen

Samantha Zutler, Partner, Burke Williams & Sorensen LLP

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Registration Information

CANCELLATIONS/REFUND POLICY:

Cancellations and requests for refunds must be received in writing no later than May 24, 2019 and are subject to a \$50 service charge. Refunds will not be available after that date.

QUESTIONS:

For registration information call (916) 516-1757. Telephone registrations will not be accepted. For program content and/or Section information call (916) 516-1751.

SPECIAL ASSISTANCE:

For special assistance, please call (916) 516-1751.

ON-SITE:

On-site registration will be on a space available basis. Call to confirm space availability.

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Bar Number: _____

Name: _____

Firm: _____

Firm Address: _____

City, State: _____ Zip Code: _____

Phone Number: _____

Email Address: _____

Program package materials includes 6 hours of MCLE, program materials, continental breakfast and lunch.

Check here if you do not want your information released.

Registration by Friday, May 24, 2019:

\$195 for Public Law Section members

\$245 for Non-Section members (includes membership in the Public Law Section for 2019)

\$170 for Paralegals/Non attorneys

\$120 for Full-time Law Students

Amount to be charged \$ _____

Registration Information

Deadline: In order to pre-register, your credit card information, must be received by May 24, 2019. For a full refund, cancellation must be made before May 24, 2019 and is subject to a \$50 service fee.

Register Online: <https://calawyers.org/section/public-law/>

Email To: Program Registration at programregistrations@calawyers.org
In order to email your registration, credit card information is MANDATORY.

Mail to:

Program Registrations, California Lawyers Association 400 Capitol Mall, Suite 650,
Sacramento, CA 95814

Credit Card Information (VISA/MasterCard Only)

I authorize California Lawyers Association to charge my program registration to my VISA/MasterCard account. (No other credit card will be accepted.)

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Course Selector: Select One Program in Each Timeslot

Concurrent Sessions 4 & 5, 1:45 p.m. - 2:45 p.m.

Session 4: An Update on the State of the PRA and Police Personnel Records

Session 5: Public Records Act and Educational Records: Balancing the PRA, the Ed Code, and FERPA's

Concurrent Sessions 6 & 7, 2:50 p.m. - 3:50 p.m.

Session 6: A Primer on Producing Body Camera Footage Under the PRA

Session 7: CEQA: Handling the PRA and Administrative Record

Photo Release Policy: This event may be recorded. By attending this event, you consent to be photographed, filmed, and/or otherwise recorded, and to any use, by the CLA, of your likeness, voice, and name in any and all media including social media. If you do not want your name or photo to be used, please let us know in advance. We cannot, however, honor requests to opt out of the use of your image or voice if you choose to ask a question during one of the event sessions.