



STATE OF INDIANA

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Counsel for the town has responded asserting that the publicly available versions of the Town's legal invoices already contain the information that is not excepted or prohibited from disclosure under APRA which would be found on the privileged and confidential versions of the invoices. The privileged confidential versions of the invoices are prohibited from disclosure because they contain information that is declared confidential by state statute or by or under rules adopted by the Supreme Court of Indiana pursuant to Indiana Code. 5-14-3-4(a)(1) & (8). The Town argues the information in unredacted invoices is work product of an attorney representing the Town which would be excepted from disclosure.

ANALYSIS

The public policy of the APRA states that "(p)roviding persons with information is an essential function of a representative government and an integral part of the routine duties of public officials and employees, whose duty it is to provide the information." *See Indiana Code § 5-14-3-1*. The Town of Long Beach is a public agency for the purposes of the APRA. *See Indiana Code § 5-14-3-2(n)*. Accordingly, any person has the right to inspect and copy the Town's disclosable public records during regular business hours unless the records are protected from disclosure as confidential or otherwise exempt under the APRA. *See Indiana Code § 5-14-3-3(a)*.

I have previously addressed the Town of Long Beach's attorney invoices in Informal Response of the Public Access Counselor 16-INF-08. I have attached that Opinion for review. I have reviewed the redacted invoices sought. They are itemized by subject matter and give a general description of work performed. In my experience, they are not unusual attorney invoices for a public agency. If unredacted invoices exist with a more detailed scope of work, they are considered to be between the attorney and the client – the Long Beach Town Council. If so, the Town has rightfully exercised its discretion to redact any more detail from the invoice and has released what is legally necessary.

CONCLUSION

Based on the foregoing, it is the Opinion of the Public Access Counselor the Town of Long Beach has not violated the Access to Public Records Act.



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Regards,

Luke H. Britt

A handwritten signature in black ink, appearing to read "L. Britt", is written over a light gray rectangular background.

Public Access Counselor

Cc: Ms. Julie Paulson, Esq.