

Bond Case Briefs

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PUBLIC RECORDS - ALASKA

Griswold v. Homer City Council

Supreme Court of Alaska - September 14, 2018 - P.3d - 2018 WL 4375455

Records requestor appealed from city council's decision to withhold some requested records, and to redact others.

The Superior Court affirmed the city council's decision in part, awarded city 20% of its attorney fees, denied requestor's motion for contempt, and remanded with directions to provide records requested with redactions consistent with the court's order. Requestor appealed.

The Supreme Court of Alaska held that:

- In a matter of first impression, the attorney-client and work-product privileges constitute state law exceptions to the Public Records Act;
- Communications between attorney and city board were protected from public disclosure under the deliberate process privilege exception;
- Trial court should have followed the procedure set forth in the *Matter of Mendel*, 897 P.2d 68, for in camera review of records allegedly constituting work product;
- City code did not require the disclosure of any information that could be withheld under the Public Records Act; and
- City did not willfully disregard or disobey trial court's order.