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Seacoast Newspapers, Inc. v. City of Portsmouth

Supreme Court of New Hampshire - May 29, 2020 - A.3d - 2020 WL 2791849 - 2020 L.R.R.M. (BNA) 200,418

Newspaper owner filed petition pursuant to Right-to-Know Law for disclosure of arbitration decision concerning termination of police officer by city for misconduct.

Superior Court denied the petition. Owner appealed.

The Supreme Court held that:

- Stare decisis factors compelled overruling prior holding to the extent it broadly interpreted the internal personnel practices exemption of the Right-to-Know Law and its progeny to the extent they relied on that broad interpretation;
- Internal personnel practices exemption of the Right-to-Know Law applies narrowly to records pertaining to internal rules and practices governing an agency's operations and employee relations, overruling *Union Leader Corp. v. Fenniman*, 136 N.H. 624, 620 A.2d 1039, *Hounsell v. North Conway Water Precinct*, 154 N.H. 1, 903 A.2d 987;
- Arbitration decision did not fall within internal personnel practices exemption; and
- Owner was not entitled to attorney fees under Right-to-Know Law.