

# **Bond Case Briefs**

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## **PUBLIC RECORDS - NEBRASKA**

### **Nebraska Journalism Trust v. Nebraska Department of Environment and Energy**

**Supreme Court of Nebraska - March 15, 2024 - N.W.3d - 316 Neb. 174 - 2024 WL 1121890**

News organization petitioned for writ of mandamus against Department of Environment and Energy (NDEE) seeking an accurate cost estimate in response to organization's public records request for emails containing certain keyword like "nitrate" and "fertilizer."

After a bench trial, the District Court granted petition. NDEE appealed, and a petition to bypass was granted.

In a case of first impression, the Supreme Court held that:

- Mandamus may be used to enforce public records statutes regarding agency fee estimates, and
- An agency may include a special service charge for non-attorney review time for requested emails obtained in keyword computer search.