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May 23, 2001

Patrick A. Higgins
Higgins & Associates Investigative Services
12043 SE Sunnyside Rd.
Clackamas, OR 97015

Re: *Public Records Order: Legal Aid Service of Portland, Inc.*

Dear Mr. Higgins:

This letter is the Attorney General's order in response to your Petition for Attorney General's Review. Your petition, which we received on May 18, 2001, requests the Attorney General to order the Legal Aid Service of Portland, Inc. and its employees to produce copies of records with the name, title, office phone numbers and office locations of its employees.

The Oregon Public Records Law gives every person a right to inspect any public record of a "public body" in this state, except as otherwise expressly exempt from disclosure. ORS 192.420(2). The term "public body" is defined for purposes of the Public Records Law as:

> every state officer, agency, department, division, bureau, board and commission; every county and city governing body, school district, special district, municipal corporation, and any board, department, commission, council, or agency thereof; and any other public agency of this state.

ORS 192.410(3). Any person denied the right to inspect or to receive a copy of any public record of a "state agency" may petition the Attorney General. ORS 192.450(1). The term "state agency" is defined as "any state officer, department, board, commission or court created by the Constitution or statutes of this state." ORS 192.410(5).

Legal Aid Service is neither a "public body" nor a "state agency." Therefore, Legal Aid Service is not subject to the Public Records Law, and the Attorney General has no authority to order that entity to disclose the records that you seek. ORS 192.450(1). Accordingly, we respectfully deny your petition.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

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