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May 19, 2010

Jose Ortal
52494 McKenzie Hwy
Blue River, OR 97413

Re: Petition for Public Records Disclosure Order:
University of Oregon Records

Dear Mr. Ortal:

Our office is in receipt of your petition dated May 13, 2010 in which you ask the Attorney General to order the University of Oregon (UO) to disclose certain records to you. As your petition notes, you had requested the records on May 11, two days prior to filing your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. A custodian of public records must provide "proper and reasonable opportunities for inspection and examination." ORS 192.430. If a state agency denies a request for disclosure of records, the requestor may petition the Attorney General for review of the denial. However, UO is entitled to consider a public records request before the requestor may seek review of UO's actions. ***Morse Bros., Inc. v. Oregon Dept. of Economic Development***, 103 Or App 619, 622, 798 P2d 719 (1990) ("The Public Records Law clearly contemplates that agencies have the opportunity to review the requested records and to act on the request before the Attorney General or the courts can review the matter").

Your petition, filed two days after your request for records, is premature. We respectfully deny it on that basis.

Sincerely,

MARY H. WILLIAMS
Deputy Attorney General

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c: Doug Park, UO