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May 20, 2026

**VIA E-MAIL ONLY:** jamie@20leagues.com

James Hudson
1244 SW Upland Dr
Portland, OR 97221

Re: Petition for Public Records Disclosure Order
*Oregon State Bar*
DOJ File No.: 993001-GA0100-26

Dear Mr. Hudson:

This letter is the Attorney General's response to your petition under the Oregon Public Records Law, ORS 192.311 to 192.431. Your petition challenges the timeliness of OSB's response to your records request.

Upon receipt of a written public records request by an individual identified in an agency's published procedures for submitting requests, the agency is obligated to respond to the request "as soon as practicable and without unreasonable delay." ORS 192.329(1). An agency that is unable to complete its response within fifteen business days of receiving a written request is required to provide the requester with a reasonable estimated completion date. ORS 192.329(5). A requester may petition the Attorney General if they believe an agency has failed to comply with the processing timelines contained in ORS 192.329. ORS 192.407(1). The agency carries the burden of sustaining its actions. ORS 192.411(1).

Your petition explains that you submitted a records request to OSB on May 4, 2026. You argue that OSB did not acknowledge your request with five business days.[1] Because there is no provision in the Public Records Law that authorizes a person to petition the Attorney General to review a state agency's failure to comply with the acknowledgment and notice provisions of ORS 192.324(2), we must dismiss this aspect of your petition. *See* ORS 192.407(1) and 192.411(1); *see also Attorney General's Public Records and Meeting Manual* at 10 (2024) ("A public body's failure to acknowledge a records request cannot be the grounds for a petition to the Attorney General.").

[1] Public bodies are required to acknowledge a request within five business days. ORS 192.324(2).

On May 18, 2026, OSB completed its response to your request.[2] In connection with your petition, we contacted Nik Chourey, OSB's Deputy General Counsel. Mr. Chourey explained (and OSB's May 18 response noted) that the documents responsive to your records request were previously produced to you.

OSB's May 18 response states that one record was withheld pursuant to the attorney-client privilege. Mr. Chourey explained that the withheld record was a confidential communication conveying legal advice from OSB's General Counsel to OSB's Public Records Coordinator. After reviewing the withheld record,[3] we agree with OSB's determination. The record is a privileged attorney-client communication that conveys legal advice and is therefore exempt from disclosure under ORS 40.225(2).[4] For these reasons, we respectfully deny your petition.

Sincerely,

BENJAMIN GUTMAN
Deputy Attorney General

DEP:pjn
c via e-mail only: Nik Chourey (OSB)

[2] OSB's response was completed within fifteen business days of receiving the request. ORS 192.329(5).
[3] In connection with your petition, we obtained and reviewed the record withheld by OSB as exempt.
[4] ORS 192.355(9)(a) expressly exempts from disclosure "[p]ublic records or information the disclosure of which is prohibited or restricted or otherwise made confidential or *privileged* under Oregon law." (Emphasis added.) ORS 40.225 is one such law because it provides that clients have "a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made for the purpose of facilitating the rendition of professional legal services to the client." Accordingly, ORS 192.355(9)(a) permits public bodies to withhold public records that are protected by the attorney-client privilege. *See, e.g., Port of Portland v. Ore. Center for Environ. Health*, 238 Or App 404, 409 (2011) (ORS 192.355(9)(a), then codified at ORS 192.502(9)(a), encompasses attorney-client privilege).