

PUBLIC RECORDS REQUEST: FACILITATED DISPUTE RESOLUTION AND INFORMAL MEDIATION

TO	Public Records Officer, Office of the Public Records Advocate
FROM	Robert Samuel White, P.O. Box 334, Reedsport, Oregon 97467
DATE	October 23, 2026
RE	Public records request under ORS 192.314

This is a request under the Oregon Public Records Law.

It concerns how the Office of the Public Records Advocate handles requests for help with disputed public records requests: how many it takes to facilitated dispute resolution under ORS 192.464, how many it handles as informal mediation or other assistance, and how many it declines. It does not seek the communications or contents of any mediation, and it does not seek any record identifying a requester.

The period requested is January 1, 2023 to the date of search.

Records requested.

1. Any report, summary, spreadsheet, dashboard, or tally, in any form, that states by year the number of requests for assistance the office received, and how many of them were handled as facilitated dispute resolution under ORS 192.464, handled as informal mediation or other assistance, or declined, closed, or not taken up.
2. The office's log, tracking spreadsheet, or case management records for requests for assistance, limited to these fields for each request: the date received; whether the requester asked for facilitated dispute resolution under ORS 192.464; whether the public body was a state agency, a city, or another public body; the type of assistance the office provided; the dates that assistance began and ended; whether a written agreement was executed under ORS 192.464(8); whether a good faith determination was requested or made under ORS 192.464(5); and the disposition. If this information is kept in a database, spreadsheet, or case management system, an export or report of these fields is acceptable.
3. Every record showing an instance in which the office declined, deferred, or ended facilitated dispute resolution requested under ORS 192.464, with the reason stated for it.
4. Every report, presentation, or written summary the office provided to the Public Records Advisory Council, the Legislature, the Governor, or the Department of Administrative Services that states the number of facilitated dispute resolutions or informal mediations the office conducted.
5. Every policy, procedure, rule, guideline, template, or form governing how the office decides whether a request for assistance proceeds as facilitated dispute resolution under ORS 192.464 or as informal mediation; whether the office assists a requester with one request at a time; and any condition the office places on a requester before or during facilitated dispute resolution. This includes the records showing the source and approval of the statement on the office's website that facilitated dispute resolution is provided "At the discretion of the Advocate."

Redaction. Please redact the names and contact details of requesters. No other redaction is requested for privacy. This request does not seek any record made confidential by ORS 192.472. If you withhold any record under it, please identify the record and the provision relied on.

Exemptions. For any record or portion withheld, please identify the record, the specific exemption claimed, and how it applies to that record (ORS 192.329, 192.338). Please segregate and release nonexempt portions.

Format and correspondence. Please provide records in their native electronic format, by email. Please conduct all correspondence about this request by email.

Fee waiver. I request a waiver of all fees under ORS 192.324(5). Disclosure primarily benefits the general public:

1. *Requester's identity.* I am a requester who asked this office for facilitated dispute resolution under ORS 192.464 on October 14, 2026, in four disputes with four state agencies: the Oregon Parks and Recreation Department, Oregon State Police, the Office of the Governor, and the Oregon Department of Justice. On October 21 and October 23, 2026, the office answered with terms the statute does not contain: it would assist with "one disputed public records request at a time." I also maintain oprdvolunteerabuse.org, a public archive of Oregon state government records that has published complete public records productions from the Oregon State Police, Department of Administrative Services, and Oregon Parks and Recreation Department, and that publishes my correspondence with this office in full. These records show whether the terms put to me are the terms this office puts to every requester.
2. *Purpose.* To publish, in full and without charge, records showing how the Office of the Public Records Advocate uses facilitated dispute resolution under ORS 192.464: how often it provides it, how often it handles a request as informal mediation instead, and how often it declines.
3. *Character of the information.* The records show whether the office the Legislature created to resolve public records disputes provides the process the Legislature directed it to provide. Facilitated dispute resolution is the process in the public records law in which a written agreement controls the resolution of a request, and in which a state agency's failure to engage in good faith is grounds for an award of costs and attorney fees to the requester (ORS 192.464(4)(b) and (8)). Whether requesters receive that process, or an informal substitute without those protections, concerns every person who asks a state agency in Oregon for public records.
4. *Public domain.* No public record shows how many requests for assistance the office takes to facilitated dispute resolution and how many it handles informally. The office's website describes facilitated dispute resolution as provided "At the discretion of the Advocate." ORS 192.464(1)(a) provides that the Advocate "shall provide" it.
5. *Ability to disseminate.* The archive has published every production it has received, with original files and metadata, at no charge. Records from this request will be published the same way. I have no commercial interest in them.

I request a waiver of all fees under ORS 192.324(5). If a full waiver is denied, I request a reduction of fees under the same provision. If the waiver is denied or a reduction is granted in part, please give the reasons in writing for each factor, state the amount or percentage of any reduction and its basis, and provide an itemized estimate before any work begins, showing the tasks, the hours for each, and the hourly rate of the employee performing each.

Timeline. Your office's public records policy provides for acknowledgment within five business days and a response within fifteen business days. Please follow it.

Preservation. Please preserve all records responsive to this request while it is pending.

Robert Samuel White