Government Members' Recommendation:

Request that the Nevada Legislature Consider Legislation Creating a Public Access Counselor Modeled off of the Illinois Public Access Counselor

In Illinois, the Public Access Counselor is an attorney within the Attorney General's Office who oversees the Public Access Bureau in the Attorney General's Office, which includes several Assistant Attorneys General and professional support staff members. This office responds to both open meeting and public records issues raised by the public and government officials.

The Public Access Counselor mediates disputes between requesters and public entities, issues binding opinions, and provides training to public employees. The office also provides educational presentations and materials to public bodies and to respond to informal inquiries from public bodies and the public.

The Nevada Attorney General's office currently enforces Open Meeting Law throughout the State of Nevada and publishes Open Meeting Law training materials and opinions. This oversight has functioned successfully for many years, and the Attorney General has held local governments, state agencies, and public employees and officials accountable time and time again. It would be a natural fit for the Attorney General's office to also enforce public records laws and develop training materials. The Public Access Counselor will maintain independence by establishing a four-year term and permitting removal only for inefficiency, neglect of duty, or malfeasance in office, similar to the Consumer's Advocate established in NRS 228.320.