

Encourage local government attorneys to get Sunshine educated

By the time this column reaches print, it will be nearly the end of the 2023 Missouri legislative session. There are several Sunshine Law-related bills that were filed this year and at least one had a hearing and appeared to generate some interest among legislators.

It was not a bill Missouri Press Association felt was favorable overall, although we did work with the sponsor over time on language that might be included.

But one thing that is interesting is that the Missouri Attorney General's office, which has significant responsibility for enforcement of the law, seldom in the last year or two has played any notable role in working to strengthen the law. Or even in working with the legislature to clarify the law. They haven't been at hearings to testify or offered any written communication, at least as far as observers have been aware, as to their thoughts on any changes to the law.

Some of this is likely due to the change in leadership in the office that resulted from the former Attorney General leaving the post and a new appointed Attorney General stepping in. Staff changes occurred. A new Director of Sunshine Law Compliance has now been named.

In some discussion with Missouri Sunshine Coalition's president Echo Menges, representatives of the Attorney General's office said they were interested in working with the Coalition to coordinate training programs throughout the state. At least one appears to be in the works for the Show-Me Press regional meeting of papers set for June in Hermann.

Echo reported that they were especially interested in educational programs in rural communities, due to the fact such areas seemed to account for most of the complaints

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received by the Attorney General's office.

That is a very interesting fact. It makes some sense. State agencies have in-house attorneys who probably have significant experience with Sunshine Law questions that arise. The State can afford to pay for staff lawyers and can afford to send them to training.

Large cities are also in comparable situations. Kansas City has a well-staffed city attorney office, for example. I'm sure St. Louis and Springfield are in a similar situation. And large counties, like Jackson County here and St. Louis and Greene counties, also have a specialized county attorney department.

But in rural Missouri, life can be considerably different. City attorneys in smaller cities are part-time jobs and their primary responsibility is to handle city traffic tickets, city zoning issues and city council meetings. In a city with an aggressive newspaper staff, there may be Sunshine requests periodically, but in other areas, the newspaper could have a minimal staff and the paper seldom is seeking more information than what is handed to them by the city or county clerk.

The state associations for counties and cities do periodically provide

Sunshine Law training. I occasionally am asked to join attorneys who practice in the municipal law or county law area in presenting at these seminars. They are attended by a decent-enough group of their members.

But I suspect that in rural areas, attorneys who are dragged into providing this service for those areas may not be able to take off enough time or afford to travel to Jefferson City or other large cities where such meetings are held, in order to obtain this training. This presents a challenge.

Missouri Press back in 2000 did a series of seminars on the Sunshine Law around the state in 20 or more locations. Some of the best attended programs were in rural areas. (The one with the fewest attendees, I recall, was in suburban St. Louis.) Clearly, this idea is percolating in the Attorney General's office and it's an exciting bit of news to hear.

The Sunshine Coalition is working with the Attorney General's new Sunshine Law compliance director to see what programming can be set up around the state. If you hear that this is an option in your area, I hope each of your papers will support it and to encourage local government to attend. In fact, it wouldn't hurt to let Dennis Ellsworth, the Sunshine Coalition's director, know that you are interested. His email address is dennis11ellsworth@gmail.com.

Maybe this is the start of something good?



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