

Open Meetings Act Manual



Office of the Maryland Attorney General

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PREFACE

When the bill that later evolved into Maryland's 1977 "Sunshine Law" was endorsed by the House and Senate committees, they wrote of the need to find the "proper balance between ... two imperatives": "securing the public's right to know public business," and yet preserving the "confidentiality [that] is indispensable to the efficient, effective and fair conduct of government." The 1977 Open Meetings Act tried to find that necessary balance. It represented a major advance over prior law, which essentially left the matter up to the agencies and therefore encouraged closed-door government. Then, in 1991, the Legislature returned to the issue and shifted the balance more clearly in favor of the public's right to know, including an advisory process, through the Open Meetings Compliance Board, as an alternative to litigation. Since that time, the Legislature has periodically amended the Act largely in the interest of increased government transparency.

This manual, which may be freely copied, is meant to help members of public bodies, their lawyers, and members of the press and public understand the Act and especially its practical application. It reflects the substantial body of guidance provided by the opinions of the Compliance Board, which are available on the Attorney General's website (www.oag.state.md.us; click on "Open Government," then on "About the Maryland Open Meetings Act") and in printed form (ordering information on the website). This manual will be maintained and updated on the website.

I am grateful to the members of my staff who have served as counsel to the Compliance Board, former Assistant Attorney General Jack Schwartz and Assistant Attorney General William R. Varga. I also want to acknowledge the efforts of Kathleen Izdebski of the Opinions and Advice Division who prepared this manuscript and who has continuously provided exceptional staff support for the Open Meetings Compliance Board. Finally, I thank the members of the Open Meetings Compliance Board – Chairman Elizabeth L. Nilson, Esquire, Courtney J. McKeldin, and Julio A. Morales, Esquire, as well as former members of the Board, the late Walter Sondheim and Tyler Webb, Esquire. – for their significant support. They have played a vital role in making the promise of the Open Meetings Act a reality.

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