

Bailey and Bolger Receive Favorable Supreme Court Opinion on Open Records

Dennis R. Bailey and Beth L. Bolger received a favorable opinion from the Supreme Court today, reversing a ruling by the Lauderdale Circuit Court which had concluded that an area Health Care Authority (the "Authority"), organized under the Health Care Authorities Act of 1982 (the "Act"), was not required to disclose certain records requested by the TimesDaily in Florence. The records related to the final sale of assets of the Authority, which had to be voted on by the City Council of Florence and the Lauderdale County Commission (pursuant to the provisions of the Act). When the newspaper tried to obtain copies of the records from its local officials, their requests were denied. The Supreme Court reversed and remanded in favor of the newspaper, holding that the Authority was a governmental entity subject to Alabama's Open Records Act, and further opining that documents related to the final sale of assets were public records.

The opinion was authored by Justice Bolin, with seven other justices concurring. Justice Murdock wrote separately, concurring in part and dissenting in part.