



**STATE OF TENNESSEE  
COMPTROLLER OF THE TREASURY  
OFFICE OF OPEN RECORDS COUNSEL**

**GUIDELINES FOR INFORMAL MEDIATION OF OPEN RECORDS ISSUES**

**PURPOSE:** Pursuant to Tenn. Code Ann. § 8-4-601(c), the Office of Open Records Counsel is authorized to informally mediate and assist with the resolution of issues concerning the open records laws compiled in Title 10, Chapter 7 of the Tennessee Code Annotated. The following policy sets forth the guidelines and circumstances for mediation of open records and/or open meetings issues by the Office of Open Records Counsel.

**POLICY:**

Mediation is the informal process through which a neutral party conducts discussions among disputing parties in order to enable the parties to reach a mutually acceptable agreement among themselves on any or all of the issues in dispute. The Office of Open Records Counsel may informally mediate and assist with the resolution of disputes when:

1. The issues in dispute pertain to the Tennessee Public Records Act, Tenn. Code Ann. § 10-7-501 et seq.<sup>1</sup>;
2. The disputing parties mutually consent to have the Office of Open Records Counsel informally mediate the dispute and agree to enter into mediation with a goal of resolution of the matters; and
3. The parties have both submitted a statement of the issues in dispute and their respective position on the issues.

If the aforementioned requirements are met, the Office of Open Records Counsel will schedule a time and place convenient to the parties to discuss the issues in dispute and work on an informal resolution of the issues.

*Submitted to ACOG: November \_\_, 2016*  
*Effective \_\_*

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<sup>1</sup> In accordance with Tenn. Code Ann. § 8-4-601(c), the Office of Open Records Counsel is only authorized to informally mediate issues concerning the Public Records Act.