

Foster Garvey Municipal Attorneys File Amicus Brief in Support of County Public Records Act Matter; Court Sides with County in Protecting Privileged Communications

Firm News
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Foster Garvey was proud to represent the [Washington State Association of Municipal Attorneys](#) and the Washington State Association of Counties in filing an [amicus brief](#) in support of Okanogan County in a Public Records Act matter at Division Three of the Washington Court of Appeals. [Andrea Bradford](#) co-authored the brief with Charlotte Archer from Inslee Best, with support from Foster Garvey Associate [William Kenick](#). The Court's [opinion](#), issued on August 19, 2025, strongly protects the County's privileged communications, recognizes the balance agencies face in protecting privilege while complying with the PRA and cites amici's policy arguments in its reasoning.

For example, the Court's opinion states:

As the County and Amici contend, requiring the County to disclose its confidential legal advice in the face of a PRA request would discourage public entities from seeking legal advice at all, or, if we accepted MVCC's waiver argument, from producing redacted versions of documents in a good faith effort to comply with the PRA. This would undoubtedly hinder public agencies' ability to comply with the law and seek necessary legal advice. It would also impede the public's access to public documents if public entities declined to disclose them, redacted or not, for fear of waiving privilege.

This amicus brief is another example of Foster Garvey's consistent commitment to its government clients and the depth of knowledge among its municipal government team. Learn more about the team [here](#).

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