

Office of the Attorney General

Open Meeting Law Complaint Process

- An Open Meeting Law (“OML”) complaint must first be filed with the chair of the public body within 30 days of the alleged violation or within 30 days of the date the complainant reasonably should have discovered the alleged violation.
 - The Attorney General’s OML complaint form must be used. The form can be found at: <http://www.mass.gov/ago/docs/government/ago-open-meeting-law-complaint-form.pdf>
 - If the complaint is against a local public body, a copy of the complaint must also be filed with the municipal clerk.
- The public body must review the complaint and respond to the complainant within 14 business days. The public body must also copy the Division of Open Government on its response.
 - Within 14 business days after the receiving the complaint, the public body may request, in writing, an extension of time to respond to the complaint.
- If at least 30 days have passed after the complaint was filed with the public body, and if the complainant is not satisfied with the public body’s response, he or she may file a complaint with the Division of Open Government. When doing so, the complainant must include a copy of the original complaint as well as any other relevant material.
 - Requests for review must be filed with the Division of Open Government within 90 days of the alleged violation or within 90 days of the date the complainant reasonably should have discovered the alleged violation.
- The Division of Open Government will then begin the investigation process.
 - Acknowledgement of complaint is sent to both parties.
 - Request for documents and interviews may be sent.
 - Determination will be made whether a violation occurred.
 - Determination will be made whether the violation was intentional.
 - Determination will be made whether subsequent action taken by the public body was adequate to cure any violation.
- The Division of Open Government will draft a determination letter resolving the matter.
 - Possible remedies include:

- Compelling immediate and future compliance with the Law;
 - Compelling attendance at training;
 - Compelling public release of minutes or other documents;
 - Nullification of action taken during a meeting that violated the OML;
 - Reinstatement of an employee and making him/her whole;
 - Imposition of a fine of up to \$1,000 on a public body for each intentional violation, following a hearing;
 - Other appropriate action.
- Questions? Contact the Division of Open Government at:

Division of Open Government
Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Hotline: (617) 963-2540

OpenMeeting@state.ma.us

www.mass.gov/ago/openmeeting