

# Open Meeting Laws Checklist

Plan commission members should individually determine compliance with all aspects of the open meetings law. Prior to participating in a meeting or hearing, we recommend that you review the following procedures to ensure compliance:

1. **Determine proper notice.** At the beginning of a meeting, each member of the plan commission should determine whether proper notice was provided. If compliance is questionable, consult your county corporation counsel or municipal attorney.
2. **Limit closed sessions.** Members should vote against convening closed sessions that are not authorized by specific exemptions of the open meetings law. They should also insist that proper procedures be used to close and reopen sessions. Members who vote against convening in closed session may participate in a closed session without liability if it is held.
3. **Document proceedings.** A log or minutes documenting proper notice and recording motions, rationale, and any votes on abbreviated notice, amended agendas, or closed sessions is a useful defense against allegations of open meetings law violations (most often made by the media or persons displeased by a decision).

Members can be sued individually or as a group for alleged violations of the open meetings law. Forfeitures range from \$25-\$300 and may not be reimbursed by the municipality. A court may also void an action taken by a body at an illegal meeting if it finds that the public interest in enforcement of the open meetings law outweighs any public interest in sustaining the body's decision.