

SUPREME COURT OF THE STATE OF MONTANA

In re Petition of Missoula County Public Schools v. Bitterroot Star,
Missoula Independent, KECI, and Valarie Addis

Missoula County Public Schools v. Bitterroot Star, 2015 MT 95 (2015) · No. DA 14-0473 · Decided March 31,
2015

SUMMARY

The Montana Supreme Court affirmed a district court order requiring release of six documents concerning alleged misuse of public money and facilities by a former public school employee. The court held that personnel-file status does not create a blanket exemption from Montana's constitutional right to examine public documents and that the employee's privacy interest was outweighed by the public interest in disclosure. The court also approved the school district's decision to seek in camera review before releasing the records.

CASE DETAILS

COURT	Supreme Court of the State of Montana
WRITING FOR THE COURT	Chief Justice Mike McGrath; Justice Michael E. Wheat; Justice James Jeremiah Shea; Justice Patricia Cotter; Justice Jim Rice
JURISDICTION	Montana
DECIDED	March 31, 2015
DOCKET	DA 14-0473
DISPOSITION	affirmed
PROCEDURAL POSTURE	Valarie Addis appealed the district court's order granting summary judgment to Missoula County Public Schools on the media outlets' counterclaim and ordering release of six documents after in camera review.
STANDARD OF REVIEW	The Supreme Court reviewed the summary-judgment decision for correctness under the same Rule 56 criteria applied by the district court.
PRECEDENTIAL VALUE	Published Montana Supreme Court opinion; precedential
PARTIES	Valarie Addis v. Missoula County Public Schools, Bitterroot Star, Missoula Independent, KECI

TOPICS

constitutional law

summary judgment

standard of review

civil procedure

appellate procedure

PRACTICE AREAS

constitutional law

public records

civil procedure

municipal law

appellate procedure

QUESTIONS PRESENTED

1. Whether documents in Addis's personnel file were categorically exempt from disclosure as nonpublic records.
2. Whether the District Court properly balanced Addis's individual privacy interest against the public's constitutional right to examine documents of public bodies.
3. Whether the Schools acted prudently and properly invoked a judicial in camera review proceeding to resolve the competing disclosure and privacy claims.
4. Whether summary judgment for the Schools on the media outlets' counterclaim was proper.

HOLDINGS

1. Documents held by a public body are not categorically exempt from public disclosure merely because they are contained in a personnel file.
2. Whether records must be disclosed requires a fact-specific balancing of the individual's privacy interest against the merits of public disclosure.
3. A public body may appropriately initiate a judicial proceeding seeking in camera review and a determination whether individual privacy interests exceed the merits of public disclosure when competing constitutional rights are asserted.
4. The District Court correctly applied Montana law, properly ordered release of the six investigatory documents, and correctly granted summary judgment to the Schools on the media outlets' counterclaim.

KEY QUOTATIONS

“There is no blanket exemption from the right to know for documents simply because they are contained in a personnel file.” (¶8)

“In a situation like this, balancing the public’s right to know with an individual’s right to privacy requires a fact-specific analysis of the interests at stake to determine whether the demands of individual privacy exceed the merits of public disclosure.” (¶11)

FACTUAL BACKGROUND

Valarie Addis formerly supervised food services for Missoula County Public Schools, a public school district and political subdivision. The Schools investigated possible fraudulent or illegal financial transactions and imposed discipline; Addis later left employment. After media organizations requested records concerning her termination and the investigation, Addis asserted a privacy right, and the Schools sought judicial review rather than

immediately releasing all records. The District Court reviewed the records in camera and ordered release of six documents concerning misuse of public money, misuse of public facilities, and careless management practices.

PROCEDURAL HISTORY

The Schools filed a declaratory-type proceeding in the Fourth Judicial District Court seeking in camera review and a determination whether personnel and investigatory records requested by media organizations should be released. The District Court determined that Addis had a privacy interest in some records, ordered six documents concerning misuse of public resources and careless management practices released, and granted the Schools summary judgment on the media outlets' counterclaim. Addis appealed, and the Montana Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Pilgeram v. GreenPoint Mortgage, 2013 MT 354, ¶ 9, 373 Mont. 1, 313 P.3d 839
- Bryan v. Yellowstone County Elementary School District, 2002 MT 264, ¶¶ 34-35, 312 Mont. 257, 60 P.3d 381
- Becky v. Butte-Silver Bow School District No. 1, 274 Mont. 131, 136-37, 906 P.2d 193, 197 (1995)
- Billings Gazette v. Billings, 2011 MT 293, ¶¶ 23-24, 362 Mont. 522, 267 P.3d 11
- Billings Gazette v. City of Billings, 2013 MT 334, ¶¶ 14-15, 372 Mont. 409, 313 P.3d 129
- Havre Daily News v. City of Havre, 2006 MT 215, ¶ 23, 333 Mont. 331, 142 P.3d 864
- Billings Gazette v. Billings, 2011 MT 293, ¶ 22, 362 Mont. 522, 267 P.3d 11