

“Public” meetings and the ways around *them*

One mechanism of local government — every state has an open-meetings law, and the recurring workarounds that keep real decisions off the public record.

BEFORE YOU BEGIN

How This Guide Works

This is part of **Incognati Civics**, applying the field-guide format to local government — city councils, counties, special districts, zoning, and local taxes. Unlike elections or federal law, local structure **varies by state and even by town**: the same title can carry different powers ten miles away. So each specimen names the pattern and the tell, then points you to the one authority that settles it — your own jurisdiction's charter and your state's code — rather than asserting a single national rule. Sources are cross-jurisdiction bodies and representative statutes, listed in full on the references page.

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Open-Meetings Laws & the Walking Quorum

Sub Sole

Governing precedent / case State open-meetings ('sunshine') laws (all 50 states) **Status** Varies by state; universal in principle

OBSERVED SPECIMEN

COUNCILS, BOARDS, AND COMMISSIONS

*Every state has an **open-meetings law** requiring that a governing body deliberate and vote in public, with notice. The recurring evasions are patterned: a **walking quorum**, where members reach agreement one-on-one or by chained email so a majority never technically “meets”; a vaguely labeled “workshop” or “retreat”; or an over-broad closed “executive session.” The public vote then ratifies a decision already made in private. The principle is uniform nationwide; the exemptions, notice periods, and penalties differ by state, so the rule that catches an evasion is your state's specific statute.*

THE HOOK

A legally-noticed public vote makes a decision look open, even when the deliberation happened privately.

THE MECHANISM

Open-meetings laws require public deliberation by a quorum; serial one-on-one contacts, mislabeled gatherings, and broad closed sessions are the recurring ways a body reaches consensus outside them.

Field mark: when a controversial vote is unanimous and quick, ask where the deliberation happened — a walking quorum or a broad ‘executive session’ can move it out of public view, and your state's open-meetings law defines the line.

See the full references page for complete citations.

References

every source checkable at the link provided; DOIs given where the source has one

CROSS-JURISDICTION COMPENDIUM · RCFP

Reporters Committee for Freedom of the Press, *Open Government Guide* (50-state open-meetings law).

<https://www.rcfp.org/open-government-guide/>

State-by-state reference to open-meetings statutes, exemptions, and the walking-quorum problem.

REPRESENTATIVE STATUTES

e.g., California Ralph M. Brown Act; Texas Open Meetings Act — illustrative state examples.

<https://www.rcfp.org/open-government-guide/>

Examples of specific state open-meetings laws; provisions and penalties vary by state.

Reading a Public Meeting: A Gut Check

four questions before a noticed vote convinces you the decision was made in the open

1 Find the deliberation

Was the discussion public, or did the vote just ratify it?

2 Watch for serial contact

One-on-one or email chains can form a hidden quorum.

3 Question closed sessions

Executive sessions are for narrow, listed purposes.

4 Use your state's law

The exemptions and remedies are set by your statute.

INCOGNATI CIVICS

The Series Continues

This is Specimen No. 6 of the Local Government section within Incognati Civics — the section built around the fact that local structure varies, so every plate ends at your own charter. It joins Elections, Federal Laws, Official Data Reporting, and Institutional Communications within Civics. The Incognati Atlas catalogs the underlying patterns across all of it.