

Information contained in court records is of vital public interest. Court records consistently have proven to be a critical source of information for the public, and allowing remote electronic access to court records provides even greater benefits.

Public access to courts is crucial in order to allow the public to effectively follow court cases and oversee the workings of the judicial system. Court records are often essential to understanding court proceedings. Journalists, lawyers, social scientists, watchdog groups and others use this information to investigate cases and analyze various aspects of the justice system, such as prosecutorial abuse of power or police corruption.

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The Reporters Committee for Freedom of the Press

The outcome of and the information discovered during litigation often have far-reaching impact beyond just the parties named in the case. In many instances, litigation affects the greater public. Medical malpractice lawsuits can reveal the flaws of certain doctors, hospitals, and the health care system as a whole. Environmental cases can show haphazard environmental practices of a company or ineffective governmental oversight that may negatively impact the environment. The trial of a child-molesting teacher might demonstrate that schools need to do more to protect children. Allowing readily available remote electronic access to court records increases the ability of the public to learn such information.

It is a well-established principle that court records are presumed to be open to the public. Courts in the United States have recognized both a common law right and a First Amendment right to judicial records of court proceedings. The Supreme Court recognized a qualified common law right to inspect and copy public records and documents, including judicial records and documents, in *Nixon v. Warner Communications, Inc.* in 1978. The Court wrote that the right is justified by "the citizen's desire to keep a watchful eye on the workings of public agencies . . . and in a newspaper publisher's intention to publish information concerning the operation of government."

In *Richmond Newspapers, Inc. v. Virginia* (1980), and its progeny, the Supreme Court established that there is a First Amendment right of public access to criminal proceedings. Many lower courts have extended this reasoning to hold that there is a First Amendment-based right of access to judicial records in criminal proceedings as well.

For example, in *Globe Newspaper Co. v. Pokaski* (1st Cir.1989), the federal appeals court in Boston (1st Cir.) found that First Amendment access to criminal proceedings extends to criminal judicial records, specifying that access to judicial records is constitutionally required unless the trial court makes specific, on-the-record findings that sealing is necessary to achieve the compelling interest. The court reasoned, "Without access to documents the public often would not have a 'full understanding' of the proceeding and therefore would not always be in a position to serve as an effective check on the system."

The widespread availability of the Internet offers the judicial system the opportunity to continue applying these long-held legal principles of openness in court records.

Court records technically may be available in paper form except in certain circumstances, such as when they have been sealed. But accessing paper files is often far from easy. Even people who take the time to make the trip down to the courthouse may not be able to get the records, as least not without a fair amount of hassle. For example, the court file might be in the judge's chambers rather than in the clerk's office, and thus it may take a while, perhaps even days, for the person who works in the clerk's office to retrieve the file. One may have to file out paperwork and then wait days or even weeks to get the documents requested.

In contrast, in courts where files are available through remote electronic access, information is available faster and more conveniently. In the federal court system, many courts have not just docket sheets but also filed documents online. This makes it easier for journalists, lawyers, or watchdogs to fully understand what it happening in a case. With a remote electronic system, it can take minutes to retrieve information that can take days or weeks to retrieve if only paper files are available.

Remote electronic access to court records aids not only journalists but also concerned citizens and advocacy organizations, helping to ensure public safety and increasing confidence in the government's actions.

For example, court records contain information about abuse problems at foster homes, but no one person has the time or ability to search each and every written record stuffed in every file cabinet scattered about all the courthouses in the nation to ascertain which homes are safe and which might potentially present a danger to a child's safety. But if all such records were electronically available, any person could quickly and thoroughly search names, addresses and other relevant details to determine whether foster parents have a record of abusive behavior. The need for access to such information is especially critical when abusers move across state lines in an effort to avoid detection, taking advantage of the new community's lack of information about their past. The ability to search records remotely therefore becomes even more important.

By preserving the presumption of openness as judicial records move to electronic form, the courts will maintain this vital link with the public and bolster public confidence in the administration of justice. As Chief Justice Warren Burger noted in *Richmond Newspapers v. Virginia*, the case that established the First Amendment right of access to court proceedings, "People in an open society do not demand infallibility from their institutions, but it is difficult for them to accept what they are prohibited from observing."

The same values and legal principles that sustained the courts' prior access jurisprudence — permitting first-hand observation of the legal system at work, cultivating trust in the administration of justice, and acknowledging the news media's role in conveying information to the public — are all relevant when the question of access is transplanted into the digital world.

Action from courts to press ahead with expanded access to court records via remote electronic access sends a confident message about the harnessing of technology to improve democratic accountability. The public interest will be well served by increased electronic accessibility to court records.

About this guide

The Reporters Committee conducted a survey of remote electronic accessibility to court records in all 50 states and the District of Columbia.

Given the diversity of the results, it is difficult to make accurate generalizations about the findings. Each state, and quite often each county within each state, has different systems and policies with regards to electronic access to court records.

However, some trends can be spotted. At the Supreme Court and appellate level, states seem to have made progress towards making information available online. In the vast majority of states, Supreme Court and often appellate court opinions are online. Calendars and docket sheet information are sometimes available as well. Electronic access to briefs is more sporadic.

At the trial court level, information is less likely to be available. It is somewhat common to have some amount of docket sheet information, such as case names, summaries, and sometimes actions filed, available via remote electronic access.

But it appears to be rare to have full remote electronic access to filed court documents. Even in states where the judicial system seems to be aiming to make such information available via remote electronic access, the information is sometimes is not fully available in every county. Lack of resources and the relative newness of electronic access capabilities are cited as reasons for why this occurs. Many states are in transition — either trying to implement policies or still debating and developing policies.

Sometimes there is a charge for the information that is available online, but more often whatever is available is free.

This survey provides detailed information on each state, including a summary of what is available online, links to Web sites where information can be obtained, and, if available, a state's policy or rule with regards to remote electronic access to court information.

This guide was compiled by McCormick Tribune Legal Fellow Catherine Spratt, and was funded by the McCormick Tribune Foundation.

State-by-state summary

The court and news media contacts below are for individuals who have been involved in the development of electronic access policies, but are not necessarily the official contacts.

Because of the many Web site addresses in this article, you may want to view this on our Web site with hyperlinks at www.rcfp.org/ courtrecords.

Alabama

Trial court records are available through a private company, Alacourt.com. Alacourt.com offers access to docket sheets, attorney tracking information, a case monitor, and court documents. It covers all counties in Alabama. Users must pay a \$150 start-up fee and monthly fees range from \$75 to \$125, depending on the number of users per account.

Appellate documents and opinions are available online on alalinc.net through Alalinc, the State Law Library's Legal Information Network. Alalinc is a subscription Internet service. The cost is \$200 per year.

The number of records available online differs by county and by case, depending on how many of the records have been electronically scanned into the system. Some circuits have made great progress in scanning in a large number of documents whereas others have not scanned in as many.

Court contact:

Tom Parker Deputy Director, Administrative Office Alabama Trial Courts (334) 242-4609

Media contact:

Gilbert Johnston Johnston Barton Proctor & Powell LLP 2900 Amsouth/Harbert Plaza 1901 6th Avenue North Birmingham, AL 35203 2618 (205) 458-9423

Alaska

Alaska court records can be found online at www.courtrecords. alaska.gov.

Records may be electronically viewed at public computer terminals in courthouses or for free online at the above address.

The court records data may not be entirely accurate, because some information is updated immediately (usually for cases in Anchorage, Fairbanks, and Palmer), and some is updated quarterly.

Certain types of information that the court maintains is not available to the public on the Internet or in any electronic form, including addresses, phone numbers, and other contact information for parties and witnesses; names, addresses, phone numbers, and other contact information for victims in criminal cases; Social Security numbers; driver and vehicle license numbers; account numbers of specific assets, liabilities, accounts, credit cards, and PINs (Personal Identification Numbers); names of minor children in family law cases, including paternity actions, domestic violence cases, emancipation cases, and minor settlements; juror information; party names protected because a presiding judge ruled that they did not need to appear on a public case index; and information that is confidential or sealed in its written form.

The rules concerning electronic court access can be found at www.state.ak.us/courts/adm.htm#37.8.

Court contact:

C.S. Christensen III Deputy Administrative Director Alaska Court System 820 W. 4th Avenue Anchorage, AK 99501 (907) 264-8228 cchristensen@courts.state.ak.us

Media contact:

D. John McKay 117 E. Cook Ave. Anchorage, AK 99501 (907) 274-2154

Arizona

Opinions from the appellate courts and Supreme Court are available online for free. Docket sheets from trial courts are also available online. This information can be accessed for free at www. supreme.state.az.us/publicaccess/notification/default.asp.

Information from certain kinds of cases are not available online, such as sealed cases; nonserved domestic violence cases; mental health cases; probate cases; victim data; witness data; and juvenile incorrigible/delinquency cases.

The rule concerning electronic court access, Rule 123, can be found at azrules.westgroup.com/search/default.wl?db=AZ%2DRULES%2DWEB&rs=AZR1%2E0&vr=1%2E0.

Court contact:

Jennifer Greene, Esq. Policy Analyst Court Services Division Arizona Supreme Court Administrative Office of the Courts 1501 W. Washington Street, Suite 410 Phoenix, AZ 85007 (602) 452-3555 jgreene@supreme.sp.state.az.us

Media contact:

John Fearing Arizona Newspapers Association 1001 N. Central Ave., Suite 670 Phoenix, AZ 85004 (602) 261-7655 j.fearing@ananews.com

Arkansas

Court opinions and docket sheets for the appellate courts and Supreme Court can be found at courts.state.ar.us.

Trial court information is not available online. However, the court system, through the Arkansas Court Automation Project (ACAP), is working to devise and implement a policy for electronic access to court records.

Court contact:

Tim Holthoff Director, Arkansas Court Automation Project (ACAP) 501 Woodlane Drive 200 Aegon Building Little Rock, AR 72201 (501) 682-9400 tim.holthoff@mail.state.ar.us

Media contact:

Dennis A. Byrd Stephens Media 401 S. Victory Little Rock, AR 72201 (501) 374-0699 dbyrd@arkansasnews.com

California

California has a new rule, Rule 2.503, concerning electronic court access, which can be found at www.legaltechcenter.net/privacy/CA_Rules.rtf.

The rule states that records in civil cases that have been maintained in electronic form should be available to the public online to the extent that is feasible to do so.

Remote electronic access is not available to records in a proceeding under the Family Code, including proceedings for dissolution, legal separation, and nullity of marriage; child and spousal support proceedings; child custody proceedings; records in a juvenile court proceeding; records in a guardianship or conservatorship proceeding; records in a mental health proceeding; records in a criminal proceeding; and records in a civil harassment proceeding under Code of Civil Procedure section 527.6.

The following information is supposed to be redacted from records that are electronically accessible: driver license numbers; dates of birth; Social Security numbers; Criminal Identification and Information and National Crime Information numbers; addresses and phone numbers of parties, victims, witnesses, and court personnel; medical or psychiatric information; financial information; account numbers; and other personal identifying information.

The rule seems to imply that documents filed in criminal cases should not be available online except in exceptional circumstances, such as high-profile cases. If there have been a large number of requests, the court can decide to make documents available

Counties are working to implement the new policy, but the level of implementation varies. Availability of information at the trial court level varies county by county. The Web sites for trial courts in each county are at www.courtinfo.ca.gov/courts/trial/courtlist.htm.

Most counties have docket sheets and calendars online, but only some have filed court documents. Larger counties with more resources and a larger number of requests for documents are more likely to have the documents available online.

Docket sheet information for the Supreme Court and appellate courts is at appellatecases.courtinfo.ca.gov.

Court contact:

Mark Yuan Senior Business Systems Analyst Information Services Division Administrative Office of the Courts 455 Golden Gate Avenue San Francisco, CA 94102-3688 (415) 865-4620

Media representative:

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Colorado

The Colorado Judicial Branch created CoCourts.com to manage the court data and offer searches by case number or name and birth date for \$6 per search. The Web site was developed by a private Colorado company under contract.

In the district courts, cases included in the database include domestic relations, civil, water, and criminal. In the county courts, the cases in the database include traffic, traffic infraction, civil (to \$10,000), small claims and misdemeanors. Sealed cases are not available on the site. Also not included are probate, mental health and juvenile cases. Additionally, certain information within each case is nonpublic. Social Security numbers are omitted, as are street addresses. All participants in a case except the plaintiff and defendant (and in domestic relations cases, the petitioner and the respondent) are considered nonpublic. This includes victims, police officers and jurors. Attorney names, however, are public. Long narratives are excluded from the database, as are suppressed, sealed, or confidential filings. Financial information — such as fines — is summarized, not detailed.

The information provided about the cases includes: status; court; case number; case type; case file date; case close date; judge or magistrate; agency; sentence date; parties to the case; charges; disposition; plea; and scheduled events.

Supreme Court opinions can be accessed for free at www.courts. state.co.us/supct/supctopinion.htm.

Court contact:

Karen Salaz Communications, Public Education and Information Coordinator Office of the State Court Administrator 1301 Pennsylvania, Suite 300 Denver, CO 80203 (303) 837-3633

Media contact:

Tom Kelley, Esq. President Colorado Freedom of Information Council Faegre & Benson LLP 3200 Wells Fargo Center 1700 Lincoln Street Denver, CO 80203-4532 (303) 607-3500

Connecticut

Docket sheets and opinions from appellate and Supreme Court cases can be accessed at www.jud.state.ct.us/external/supapp/ Summaries/docket.htm.

Docket sheets about civil, family, criminal, motor vehicle, housing, and small claims cases can be found at www.jud.state.ct.us/jud2.htm. The information is only a summary of action in a case; case lookup does not include actual documents from court files.

There is no known policy on electronic access to court records in Connecticut. The Connecticut Judicial Branch Public Access Task Force recommended that a committee be created to study this issue. The task force recommended that, in the interim, the public not have remote electronic access to filed court documents.

Court contact:

Rhonda Stearley Manager of Communications Connecticut Judicial Branch (860) 757-2270

Media contact:

Daniel Klau, Esq. Pepe & Hazard LLP 225 Asylum St. Hartford, CT 06103 (860) 241-2627

Delaware

Court opinions for all levels of courts can be accessed for free at courts.delaware.gov/opinions/(val5ufypuqz2o1a2iu1utxiu)/List. aspx?ag=all%20courts.

There is no routine electronic access to other types of court records in Delaware. A committee has just begun studying how best to develop and implement a new case electronic case management system. Remote electronic access to court records will be studied by the committee. The committee's work is expected to be carried out over the next several years.

Court contact:

Patricia W. Griffin State Court Administrator 500 N. King St., Ste. 11600 Wilmington, DE 19801 (302) 255-0090

Media contact:

Richard Elliot, Esq. Richards, Layton and Finger One Rodney Square P.O. Box 551 Wilmington, DE 19899 (302) 651-7630

District of Columbia

Opinions of the D.C. Court of Appeals are available online for free at www.dcappeals.gov/dccourts/appeals/opinions_mojs.jsp.

Civil case docket sheets are available at www.dccourts.gov/pa/.

The courts are in the process of putting criminal docket sheets online as well. A committee is in the process of developing an electronic access policy to criminal court records.

Family and juvenile information is not available online because most of that information is not available in paper form.

There are terminals within the courthouse where civil, criminal, and probate records can be fully accessed.

Court contact:

Leah Gurowitz Director of Legislative, Intergovernmental and Public Affairs District of Columbia Courts Moultrie Courthouse Room 1500 500 Indiana Ave., N.W. Washington, DC 20001 (202) 879-1700 Fax: (202) 879-1802 gurowitzl@dcsc.gov

Media contact:

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Florida

At the trial court level, docket sheets can be accessed electronically at www.flclerks.com/Clerk_webs.html.

Court documents are not regularly available online, but judges can choose to put them online in certain circumstances (for example, sometimes judges do so in high-profile cases where there will be a large demand for the documents).

Court documents can often be retrieved via e-mail by specifically requesting them from the clerk's office.

At the appellate level, briefs, opinions, and docket sheets can be accessed at www.flcourts.org/courts/dca/dca.shtml.

At the Supreme Court level, briefs, opinions, and docket sheets can be accessed at www.floridasupremecourt.org/clerk/index.shtml.

Florida is in the process of developing a formal policy regarding electronic access to court records. An interim policy was issued by administrative order in the summer of 2006. The interim policy can be found at www.floridasupremecourt.org/pub_info/ModifiedMoratorium.pdf.

The interim policy allows extensive docket information, as well as all final orders and judgments of the courts, to be made available electronically, such as on a Web site, as long as no confidential information is released. In addition, a chief judge of a jurisdiction can direct that all records in a case of significant public interest may be made available electronically. The interim policy also allows certain records affecting real property to be released. Any nonconfidential Florida court record can be provided electronically in response to a request, provided the record has been manually inspected by the clerk of the court in order to ensure that no confidential information has been released.

Legislative contact:

Maria Matthews Senior Staff Attorney Senate Judiciary Committee 404 South Monroe Street 515 Knott Building Tallahassee, FL 32399-1100 matthews.maria@flsenate.gov

Court contact:

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Media contacts:

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Carol LoCicero 100 W. Kennedy Blvd., Suite 500 Tampa, FL 33602 (813) 984-3060 Carol.LoCicero@tlolawfirm.com

Georgia

Georgia has a commission that is studying and trying to develop a policy concerning electronic access to court records, but a formal policy has not been adopted at this time.

Supreme Court opinions and dockets are available at www. gasupreme.us. Appeals court dockets and opinions can be found at www.gaappeals.us. Information on lower courts and judicial districts is available on the Web at www.georgiacourts.org/courts/.

Court contact:

Sherie Welch Supreme Court Clerk 244 Washington Street, SW Room 572, State Office Annex Building Atlanta, GA 30334 (404) 656-3470 welchs@supreme.courts.state.ga.us www.georgiacourts.org

Media contact:

Hollie Mannheimer Executive Director Georgia First Amendment Foundation 150 E. Ponce de Leon Ave., Suite 230 Decatur, GA 30030 (404) 525-3646

Hawaii

Court records can be accessed at www.courts.state.hi.us/page_server/ LegalReferences/Records/4065D186EB8E10F510757C109C9.html.

Online access to case information is provided by the Hawai'i Judiciary. "Ho'ohiki" provides access to information from criminal and civil case files in the circuit and family courts and certain civil cases of the district courts of Hawai'i.

The information displayed is not the official record for a case and does not comprise all information from official court records available to the public. Court pleadings, for instance, may be found in case files that may be obtained at a courthouse but are not currently available through this Web site. Confidential cases, sealed cases and sealed documents also will not be available online. The judiciary has attempted to protect personal identifiers by blocking out electronic data fields containing Social Security numbers, birth dates, home addresses and home telephone numbers. However, if otherwise private information is revealed in evidence, pleadings or other documents (such as exhibits, affidavits and transcripts) that are part of the public court record, that information is accessible in paper form at a courthouse and will be available electronically when imaged court records are made accessible to the public.

Court contact:

Nathan Kim Task Force Chair (808) 538-5714

Media contact:

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Idaho

Some counties have court records on their Web sites but such availability is sparse and sporadic. Supreme Court and appellate opinions are available for free online at www.isc.idaho.gov/scopins.htm.

A committee commissioned by the Supreme Court is studying the issue of electronic access to court records and trying to develop a policy.

Court contact:

Patricia Tobias Administrative Director of the Courts PO Box 83720 Boise, ID 83720-0101 (208) 334-2246

Media contact:

Betsy Russell President Idaho Press Club email@idahopressclub.org (208) 336-2854

Illinois

At the trial court level, docket sheets and calendars are available through many county websites, links to which can be found at www.judici.com/search/search.html. Filed court documents are not available.

Docket sheets, calendars and opinions of the Supreme Court and appellate courts can be found at www.state.il.us/court/default.asp.

The policy on electronic access to trial court records can be found at www.state.il.us/court/SupremeCourt/Policies/Pdf/PubAccess.pdf.

The policy says that no clerk of court shall be required to provide electronic access to court records. The following information is excluded from public access in electronic form, unless access is provided at the office of the clerk of court through the use of a computer terminal that does not allow information to be downloaded or exported: financial information that provides identifying account numbers on specific assets, liabilities, accounts, credit cards, first five digits of Social Security numbers, or PIN numbers of individuals or business entities; proprietary business information such as trade secrets, customer lists, financial information, or business tax returns; information constituting trade secrets, copyrighted or patented material or which is otherwise owned by the state or local government and whose release would infringe on the government's proprietary interests; notes, drafts and work products prepared by a judge or for a judge by court staff or individuals working for the judge related to cases before the court; names, addresses, or telephone numbers of potential or sworn jurors in a criminal case; juror questionnaires and transcripts of *voir dire* of prospective jurors; wills deposited with the court pursuant to the manual on recordkeeping; arrest warrants (at least prior to the arrest of the person named); and any documents filed or imaged, such as complaints, pleadings, and orders.

Court contact:

Joseph Tybor Press Secretary for the Supreme Court of Illinois 222 N. LaSalle, 13th floor Chicago, IL 60601 (312) 793-2323

Media contact:

Donald Craven, Esq. Craven & Thornton P.C. 1005 N. 7th St. Springfield, IL 62702 (217) 544-1777

Indiana

Trial court docket sheets and court records can be accessed at www.doxpop.com/prod/welcome.jsp for a fee. The fee ranges from \$25 to \$450 per month plus additional for extra searches.

Supreme Court and appellate opinions can be accessed for free at www.in.gov/judiciary/opinions/.

The rule governing electronic access to court records can be found at www.in.gov/judiciary/rules/admin/admin.doc#r9. Further explanation of the rule can be found at www.in.gov/judiciary/admin/pubs/access. html.

The rule states that courts should endeavor to make at least the following information, when available in electronic form, remotely accessible to the public, provided that this information is available to the public in paper form: litigant/party indexes to cases filed with the court; listings of new case filings, including the names of the parties; the chronological case summaries of cases; calendars or dockets of court proceedings, including case numbers and captions, dates, times and locations of hearings; and judgments, orders, or decrees.

Court contact:

John Newman Director, Information Management Section Indiana Supreme Court Division of State Court Administration 115 West Washington Street, Suite 1080 Indianapolis, IN 46204 (317) 232-4703 jnewman@courts.state.in.us

Media contact:

Steven Key Counsel The Hoosier State Press Association One Virginia Avenue, Suite 701 Indianapolis, IN 46204 (317) 803-4772 skey@hspa.com

lowa

The electronic docket of all court levels can be accessed at www. judicial.state.ia.us/Online_Court_Services/Online_Docket_Record/index.asp.

The docket is an index of the proceedings and filings in all court cases maintained by all clerk of court offices in the state. Copies of complete documents are not available on this site. Currently, documents can be obtained only at clerk of court offices. Information about confidential cases such as child-in-need-of-assistance and mental health cases is not available on this site.

Basic case information, including case titles and filings, criminal charges, case disposition, child support payments, and fine payments, is available free of charge. For a \$25 monthly registration fee, you may access the "advanced search" section that for additional case information, including case schedules, judgment index, lien index, exhibit lists, bonds, and service returns.

Appellate opinions are at www.judicial.state.ia.us/Supreme_Court/Opinions/.

Supreme Court opinions are at www.judicial.state.ia.us/Supreme_Court/ Opinions/.

Iowa does not have any special rules governing electronic access to court records. Iowa's electronic court records are governed by existing open records laws.

Court contact:

Larry Murphy Director Iowa Court Information Systems 303 Watson Powell Jr Way, 2nd Floor Des Moines, IA 50309 (515) 281-9767 Iarry.murphy@jb.state.ia.us

Media contact:

Bill Monroe Executive Director Iowa Newspaper Association (515) 244-2145 (ext. 124) bmonroe@inanews.com

Kansas

Supreme Court and appellate court opinions are at www.kscourts. org/ctapp/.

Access to electronic court records is governed by the Kansas Open Records Act, Kansas Supreme Court rules and administrative orders, and relevant state and federal law.

As a supplement, the Kansas Supreme Court issued Rule 196 in June 2005 with regards to access to electronic records in the district courts, which is at www.kscourts.org/ctruls/admin191.pdf.

The rule states that information in district court electronic case records available for public access in electronic format will be available at each respective court through the use of public access terminals. Only information from the county where the courthouse is located will be available; access to information in other counties will not be available. In addition, county information may be available through the Internet at the discretion of the chief judge and the judicial administrator. Statewide information is not available at each respective court. Due to privacy concerns, some otherwise public information, such as Social Security numbers, dates of birth and street addresses, may not be available through electronic access. Except for electronically filed documents, to which adequate public access will be provided as determined by the records custodian, only information contained in the court's Registers of Action will be available electronically. District courts may provide other information provided that first, a request to provide other information is made in writing to the judicial administrator, who will make a recommendation on the request and forward it to the Supreme Court.

Court contact:

Ron Keefover Education-Information Officer Kansas Judicial Branch 301 W. 10th St. Topeka, Kansas 66612-1507 keefoverr@kscourts.org

Media contact:

Ron Sylvester The Wichita Eagle (316) 268-6351

Kentucky

Supreme Court and appellate opinions are at apps.kycourts.net/ Supreme/SC_Opinions.shtm.

Court dockets are at apps.kycourts.net/dockets/.

The public can enter names into a database to see if the person has any court dates in the future at apps.kycourts.net/CourtRecords/.

Case court dockets and filed court documents are not available.

The Court of Justice Technology System Committee is studying the issue of developing electronic filing. If e-filing is implemented, they may start addressing the issue of whether the public should have online access to court records. A new executive director of the State Administrative Office of Courts has been appointed and thus some decisions about the directions the court make take in this area may be made by the end of 2007.

Court contact:

Leigh Anne Hiatt Public Information Officer Administrative Office of the Courts Kentucky Court of Justice (502) 573-2350 leigh_annehiatt@mail.aoc.state.ky.us

Media contact:

Kimberly K. Greene, Esq. Dinsmore & Shohl LLP (502) 540-2350 kgreene@dinslaw.com

Louisiana

Supreme Court opinions and court dockets are at www.lasc. org/default.asp.

There is no uniform policy or procedure regarding electronic access to public court records. Essentially, it is up to each court, but criminal records usually are not available electronically.

Court contact:

Valerie S. Willard Deputy Judicial Administrator Louisiana Supreme Court 155 Poydras Street, Suite 1540 New Orleans, LA 70112 (504) 568-5747 vsw@lajao.org

Media contact:

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Maine

Supreme Court opinions are at www.courts.state.me.us/opinions/ supreme/index.html.

Some Superior Court opinions, posted at the request of the court, are online at www.courts.state.me.us/opinions/superior/index.html.

Other court documents are not available online.

In 2004, the Maine Supreme Judicial Court created the Maine Task Force on Electronic Court Records Access (TECRA). The task force was charged with the mission of proposing recommendations to the Supreme Judicial Court for "rules, orders, statutes, or policies that will have the effect of allowing the broadest public access to court records that can be achieved while balancing the competing goals of public safety, personal privacy, and the integrity of the court system." In 2005, TECRA issued its report, found at www.courts.state.me.us/publications_other/TECRA091605.pdf.

The report recommends that certain information not be available, such as court records that are governed by existing laws or rules of confidentiality, as well as addresses of domestic violence victims; names and addresses of juvenile victims of sex crimes; Social Security numbers; dates of birth (other than year); driver's license and vehicle identification numbers; addresses of witnesses (other than city or town); custody studies and financial statements.

Court contact:

James T. Glessner State Court Administrator 62 Elm Street, P.O. Box 4820 Portland, ME 04112-4820 (207) 822-0792

Media contact:

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Maryland

Docket sheet information, but not court documents, from trial courts can be accessed at casesearch.courts.state.md.us. This Web site, called Case Search, includes case information for all Maryland Circuit and District Court cases. The amount of information may vary by jurisdiction based on when an automated case management system was implemented in that jurisdiction. There are no actual documents online. These must be obtained at a courthouse. Family, civil, and criminal cases are all available.

Opinions from the Court of Appeals (Maryland's highest court) and the appellate courts can be accessed at www.courts.state. md.us/opinions.html.

The policy regarding electronic access to court records can be found at www.courts.state.md.us/rules/rodocs/ro156supp.pdf.

Any electronic record is subject to the same presumption of openness as court records that are available in paper form. The rules say that courts may — but not must — convert records into electronic form, create new electronic databases/records, and provide electronic terminals for record retrieval.

Court contact: Sally W. Rankin Court Information Officer 361 Rowe Blvd. Annapolis, MD 21401 (410) 260-1488 cio@courts.state.md.us

Media contact:

Alice Neff Lucan, Esq. 4403 Greenwich Parkway, Inc. Washington, DC 20007-2010 (202) 298-7210 newslaw@newslaw.com www.newslaw.com

Massachusetts

Docket sheets of Supreme Court and appellate court cases can be found at www.ma-appellatecourts.org/index.php.

The state judiciary is working on developing and implementing a system to enable Web access to court records, called MassCourts. It is predicted that there will eventually be public access to case docket information. There is no plan at this time to make filed court documents available as well.

The policy regarding electronic access to court records can be found at www.mass.gov/courts/webpubpolicy.pdf.

The policy, produced by the Massachusetts Supreme Judicial Court, states that the law does not require courts to provide electronic access to court case information and this policy does not create any right to such access. At this time, the policy does not allow documents submitted to a court in connection with a case to be published on a court Web site. The Supreme Judicial Court reasoned that the ramifications of publishing information on the Web are qualitatively different from those of making information publicly available at a courthouse, and thus concluded, at least initially, that an intermediate level of access to court information is appropriate on the Web, one that provides less information than is available at a courthouse. Docket sheet information should be available via remote electronic access, except that in criminal cases defendants' names should not be available. No information regarding an individual's address, telephone number, Social Security number or date of birth should appear.

Court contact:

Joan Kenney, Public Information Officer Supreme Judicial Court (617) 557-1113

Media contact:

William L. Plante Executive Director Massachusetts Newspaper Publishers Association (978) 465-0308

Michigan

Michigan Supreme Court and appellate courts' opinions and orders are at courtofappeals.mijud.net/resources/opinions.htm.

Michigan Supreme Court and appellate courts' dockets sheets are at courtofappeals.mijud.net/resources/public.htm.

Trial court information is rarely available online.

The Supreme Court is in the process of putting together a media guide on how to access court documents in Michigan courts.

Court contact:

Marcia McBrien Office of Public Information Michigan Supreme Court P.O. Box 30052 Lansing, MI 48909 (313) 972-3219

Media contact:

Dawn Phillips Hertz, Esq. Butzel Long LLP 350 South Main Street, Suite 300 Ann Arbor, MI 48104 (734) 213-3612 hertz@butzel.com

Minnesota

Supreme Court and appellate court opinions are available at www.courts.state.mn.us.

Calendars for trial, appellate, and Supreme Courts are available online at www.courts.state.mn.us/?page=512.

The judicial system is preparing to implement a basic case management system called MnCis. It is expected that there will be an Internet site with docket sheets available. Filed court documents such as pleadings will not be available.

The policy regarding electronic access to court records can be found at www.legaltechcenter.net/privacy/MN_Rules.doc.

The rule states that courts that maintain the following electronic case records must provide remote electronic access to those records to the extent that the custodian has the resources and technical capacity to do so. The records include: registers of actions; calendars; indexes; judgment dockets (alphabetical list or searchable compilation including name of each judgment debtor, amount of the judgment, and precise time of its entry [Minn. Stat. § 485.07(3)]); and judgments, orders, appellate opinions, and notices prepared by the court. The public cannot have remote access to the following data in an electronic case record with regard to parties or their family members, jurors, witnesses, or victims of a criminal or delinquent act: Social Security numbers and employer identification numbers; street addresses; telephone numbers; financial account numbers; and in the case of a juror, witness, or victim of a criminal or delinquent act, information that either specifically identifies the individual or from which the identity of the individual could be ascertained.

The rule also states that the Information Technology Division of the Supreme Court shall make reasonable efforts and expend reasonable and proportionate resources to prevent preconviction criminal records from being electronically searched by defendant name by the majority of known, mainstream automated tools.

Also, after notice to the parties and an opportunity to be heard, the presiding judge may by order direct the court administrator to provide remote electronic access to records of a particular case that would not otherwise be remotely accessible.

Court contact:

Michael B. Johnson Senior Legal Counsel, Legal Counsel Division State Court Administration 140-C Minnesota Judicial Center 25 Rev. Dr. Martin Luther King Jr. Blvd. St. Paul, MN 55155 (651) 297-7584 michael.johnson@court.state.mn.us

Media contact:

Mark Anfinson Lake Calhoun Professional Building 3109 Hennepin Avenue South Minneapolis, MN 55408 (612) 827-5611 mranfinson@lawyersofminnesota.com

Mississippi

Mississippi Supreme Court and appellate court cases' opinions are at www.mssc.state.ms.us/decisions/search/default.asp.

The Supreme Court and appellate courts' docket sheets are at www.mssc.state.ms.us/GeneralDocket/default.asp.

In general, no trial court information is available online.

Court contact:

Beverly Kraft, Public Information Officer Mississippi Supreme Court P.O. Box 117 Jackson, MS 39205 (601) 354-7452 bkraft@mssc.state.ms.us www.mssc.state.ms.us

Media contact:

Carolyn Wilson Mississippi Press Association 371 Edgewood Terrace Jackson, MS 39206 (601) 981-3060 hotline@mspress.org

Missouri

Docket sheets for trial and appellate courts, and for the Supreme Court, are at www.courts.mo.gov/casenet/base/welcome.do.

The site, called Case.net, provides access to the Missouri State Courts Automated Case Management System. From that site, users can inquire about case records, including docket entries, parties, judgments, and charges in public court. Filed court documents are not available electronically. Only courts that have implemented the case management software as part of the Missouri Court Automation Program and only cases that have been deemed public under the Missouri Revised Statutes can be accessed through Case.net.

Two counties, St. Louis and Green, are in the process of implementing the systems, but all other counties are online. St. Louis and Green counties are expected to be online by 2008.

Supreme Court and appellate court opinions are at www.courts. mo.gov/page.asp?id=1944.

Court contact:

Robin Gibson Missouri Court Automation Program Office of State Courts Administrator (573) 751-4377 Jana_Bott@osca.state.mo.us

Media contact:

Charles Davis, Executive Director National Freedom of Information Coalition c/o Missouri School of Journalism, 133 Neff Annex Columbia, MO 65211 (573) 882-5736

Montana

Montana Supreme Court opinions can be found at fnweb1.isd.doa. state.mt.us/idmws/custom/sll/sll_fn_home.htm.

Montana's policy on electronic access to court records is at www. courts.mt.gov/supreme/rules/proposedrules/Final_Draft_Commentary.pdf.

The policy says that the following information in court records should receive the highest priority for remote access by the public if available in electronic form, unless public access is restricted: litigant/party indexes to cases filed with the court; listings of new case filings, including the names of the parties; registers of actions showing what documents have been filed in a case; calendars or dockets of court proceedings, including the case number and caption; dates, times and locations of hearings; judgments, orders, or decrees in a case; and liens affecting title to real property.

Court contact:

Dana Carson Information Technology Supervisor Court Information Technology Program (406) 841-2960 www.lawlibrary.state.mt.us

Media contact:

Ian Marquand, Chairman The Montana FOI Hotline University of Montana (406) 442-8670

Nebraska

Docket sheets for all courts are at www.nebraska.gov/service_info. phtml?service_id=147.

Accessing the system requires a \$50 annual fee plus 60 cents per search.

Supreme Court opinions from the last 90 days are at www. supremecourt.ne.gov/opinions/index.shtml.

The interim policy on electronic access to court records is at www.supremecourt.ne.gov/rules/pdf/pub_access_policy.pdf.

The interim policy states that the following records in a court Case Management System may be accessed via the Internet unless public access is restricted by law, court rule, or the policy: litigant/ party indexes to cases filed with the court; summary information about each case, including the names of the parties; registers of actions describing the documents filed in a case; and calendars of court proceedings, including the case number and caption.

Court contact:

Bill Miller Nebraska Judicial Branch Administrative Office of the Courts P.O. Box 98910 1220 State Capitol Building Lincoln, NE 68509 (402) 471-3730 court.nol.org

Media contact:

Shawn D. Renner Cline, Williams, Wright, Johnson & Oldfather, LLP 1900 U.S. Bank Building 233 South 13th Street Lincoln NE 68508 (402) 474-6900

Nevada

Supreme courts calendars and opinions are at www.nvsupremecourt. us/index.php.

Docket sheets to trial court cases in Clark County, the state's largest judicial district which includes Las Vegas, are at courtgate. coca.co.clark.nv.us:8490. Filed court documents in civil cases in Clark County can be accessed for a fee of \$90 per month at wiznet.wiznet. com/clarknv/pages/login.jsp.

Juvenile and domestic case information is not available online in Nevada.

In the 2nd Judicial District, which encompasses Reno and surrounding areas, there are court calendars on the Web site but nothing else.

In the more rural districts, remote electronic access to court information is very rare.

Court contact:

Steve Tuttle Information Technology Manager Administrative Office of the Courts 201 South Carson Street Carson City, NV 89701 (775) 684-1714 stuttle@nvcourts.state.nv.us www.nvsupremecourt.us

Media Contact:

Mark A. Hinueber Stephens Media Group PO Box 70 Las Vegas, NV 89125 (702) 477-3830

New Hampshire

Supreme Court opinions are at www.courts.state.nh.us/supreme/opinions/index.htm.

The New Hampshire Supreme Court Task Force on Public Access to Court Records issued a preliminary report in February 2006 on court access, including remote electronic access. The report is available at available at www.nh.gov/judiciary/press/publicaccess.pdf. In the report, the task force asked the court for more time to study the issue. Preliminarily, the majority of the task force decided to adopt a three-tiered system of public access to electronic court records. The three tiers consist of: (a) records that are deemed "public," but are available only at the courthouse; and (c) records that are deemed "private."

Court contact:

Donald D. Goodnow, Esq. Director Administrative Office of the Courts Two Charles Doe Drive Concord, NH 03301 (603) 271-2521

Media contacts:

Dave Solomon President New Hampshire Press Association solomond@telegraph-nh.com

Chris Dornin Court Reporter Derry News cdornin@derrynews.com

New Jersey

At the trial court level, there is no information available online.

Supreme Court and appellate court opinions are at www.njcourtsonline.com.

Currently, there is no rule on remote electronic access to court records. A committee is studying electronic access as well as other issues. The committee will most likely be holding its last meeting in late May 2007 and then will issue its report to the Supreme Court in June.

Court contact:

Toni McLaughlin Internet/Intranet Services Office of Public Affairs New Jersey Judiciary (609) 292-4271 Toni.McLaughlin@judiciary.state.nj.us

Media contact:

Elizabeth Manson President New Jersey Foundation for Open Government (201) 624-7601

New Mexico

Docket information can be found at www.nmcourts.com/caselookup/ search.htm regarding New Mexico District Court, Magistrate Court and Municipal Court data. Municipal court data is limited to domestic violence and DWI historic convictions from Sept. 1, 1991 onwards. Bernalillo County Metropolitan Court DWI data is available on this Web site; however, to search other Metropolitan Court case data, go to www.metrocourt.state.nm.us/.

District and magistrate case information is updated every day.

Supreme Court and appellate court opinions are at www.supremecourt.nm.org.

Court contact:

Thaddeus Bejnar Director New Mexico Supreme Court Law Library 237 Dongasbar Sante Fe, NM 87504 (505) 827-4850 www.fscll.org www.nmcourts.com

Media contact:

Robert Johnson New Mexico Foundation for open Government P.O. Box 92197 Albuquerque, NM 87199 (800) 284-6634

New York

The Commission on Public Access to Court Records, established by Chief Judge Judith Kaye in 2002, issued its report in February 2004. The commission was chaired by noted First Amendment lawyer Floyd Abrams. Court administrators are involved in an ongoing process of evaluating and implementing the recommendations of the commission.

The report is at www.nycourts.gov/ip/publicaccess/Report_PublicAccess_ CourtRecords.pdf.

Case information and decisions can be found online at iapps.courts.state.ny.us/caseTrac/jsp/ecourt.htm.

The amount of information available varies by county, level of court and case. Filed documents are rarely available, but docket sheet information, such as lists of case names, party and attorney names, index numbers, judges, and descriptions of significant case activity and dates, frequently is. Judges' calendars, information about future court appearances, and selected decisions also are currently available online. Criminal and family court information is available. Decisions are often available, especially at the Court of Appeals (New York's highest court) and at appellate courts. Briefs are available only for the 2nd appellate department.

Court contacts:

Amy Vance Deputy Counsel Office of Court Administration New York State Unified Court System 25 Beaver Street 11th Floor New York, NY 10004 (212) 428-2150 avance@courts.state.ny.us

Natalie Gomez Special Counsel Office of Court Administration New York State Unified Court System 140 Grand Street, Suite 704 White Plains, NY 10601 (914) 997-7594 ngomez@courts.state.ny.us

Commission on Public Access to Court Records Chair:

Floyd Abrams, Esq. Cahill Gordon & Reindel 80 Pine Street New York, NY 10005-1702 (212) 701-3000 fabrams@cahill.com

North Carolina

There is currently no statute or policy that addresses electronic access to court records in North Carolina. The only records that are available via remote electronic access are cases in the state's Business Court. The North Carolina Business Court allows searches of electronic records by entering either the case number or parties' names at www.ncbusinesscourt.net/TCDDotNetPublic.

For all other courts, only calendars are available. There is an electronic calendar that can be searched by county, court type, or defendant's name www1.aoc.state.nc.us/www/calendars.html.

Supreme Court opinions and court rules are available in a database at www.ncappellatecourts.org/nc_main_1.nsf.

Court contact:

Clerk of Court Administrative Office of the Courts P. O. Box 2448 Raleigh, N.C. 27602-2448 (919) 733-7107

Media contact:

Jim Hefner, President North Carolina Open Government Coalition 215 S. McDowell St. Raleigh, NC 27601 (919) 821-8510 jhefner@wral.com

North Dakota

Rule 41, which addresses remote electronic access to court records, is at www.court.state.nd.us/rules/administrative/frameset.htm. It states that the following information in court records must be made remotely accessible to the public if it exists in electronic form, unless public access is restricted under this rule: litigant/party indexes to cases filed with the court; listings of new case filings, including the names of the parties; registers of actions showing what documents have been filed in a case; calendars or dockets of court proceedings, including the case number and caption; dates, times and locations of hearings; judgments, orders, or decrees in a case, and liens affecting title to real property; reports specifically developed for electronic transfer approved by the state court administrator and reports generated in the normal course of business, if the report does not contain information that is excluded from public access under Section 5 or 6.

Thus, the rule permits liberal remote access to electronic records. However, trial court information is not yet widely available online. This is due largely to resources and the lack of computer technology. The courts are working towards making the information at the trial court level available online.

Remote electronic access at the Supreme Court level is very good. Supreme Court opinions, docket sheets, and filed court documents are at www.court.state.nd.us/search/opinions.asp.

Court contact:

Ted Gladden, State Court Administrator Office of the State Court Administrator Supreme Court of North Dakota 600 East Boulevard Avenue, Dept. 180 Bismarck, ND 58505-0530 (701) 328-4216 tgladden@ndcourts.com

Media contact:

Jack McDonald Wheeler Wolf law firm and North Dakota Newspaper Association Box 2056 Bismarck, ND 58502-2056 (701) 223-5300 jackmcdonald@wheelerwolf.com

Ohio

Docket information and opinions in Supreme Court cases are available for free at www.sconet.state.oh.us/default_highres.asp.

Electronic access to court records in Ohio differs county by county for trial and appellate courts.

The Ohio Supreme Court is spearheading an effort to post court records from all of the state's 88 counties onto one Web site. The site could launch by the end of the 2007, with all of Ohio's courts uploading legal records within two years. In March 2007, Gov. Ted Strickland proposed allocating more than \$10 million dollars for it in his state budget.

A report of the Privacy and Public Access Subcommittee of the Supreme Court of Ohio Advisory Committee on Technology and the Courts is at www.sconet.state.oh.us/ACTC/working_doc/PrivacyPolicy071205. pdf.

The policy states that the following information in court records should be made remotely accessible to the public if it exists in electronic form, unless public access is restricted in paper form as well: litigant/party indexes to cases filed with the court; listings of new case filings, including the names of the parties; register of actions or docket showing what documents have been filed in a case; calendars or dockets of court proceedings, including the case number and caption, and dates, times and locations of hearings; judgments, orders, or decrees in a case; and liens affecting title to real property.

Court contact:

Mary Beth Parisi Manager, Technology Policy & Planning Judicial and Court Services The Supreme Court of Ohio 30 East Broad Street Columbus, OH 43266-0419 parisim@sconet.state.oh.us (614) 644-9284

Media contact:

Gregory Korte, Co-Chairman Ohio Freedom of Information Committee 312 Elm Street, 19th Floor Cincinnati, OH 45202 (513) 768-8391 gkorte@cincinna.gannett.com

Oklahoma

Docket sheet information from all appellate courts and trial courts in 13 counties is available at www.oscn.net/applications/oscn/start. asp?viewType=DOCKETS.

About a third of the counties use a different system, at www. odcr.com. Docket information and some filed court documents are available. Not all documents are available, and often only the first page of each document is available. The remaining counties are not online.

Supreme Court and appellate opinions are at www.oscn.net/applications/oscn/index.asp?ftdb=STOKCS&level=1.

Court contact:

Howard Conyers Administrative Director of the Courts Denver Davidson Building 1915 North Stiles, Suite 305 Oklahoma City, OK 73105 (405) 521-2450

Media contact:

Mark Thomas Vice President Oklahoma Press Association (405) 524-4421

Oregon

Docket sheet information for the trial courts is at www.ojd.state. or.us/ojin/index.htm. There is a \$295 start-up fee and a \$10 monthly fee thereafter. Filed case documents are not available.

Docket sheet information and opinions for the Supreme Court and appellate courts is at www.ojd.state.or.us/ojin/ACMSHelp.html. It is expected that appellant briefs will be available online within the next year or two.

There is a technology committee studying this issue, but the Legislature has not provided the funds necessary to implement changes. The committee seems to be leaning toward recommending a system similar to the one used in federal courts that would have docket sheets with case register information and filed court documents with confidential information redacted. Implementation of any changes is at least several years away.

Court contact:

Nori Cross Legal Counsel Oregon Judicial Department Office of the State Court Administrator Supreme Court Building 1163 State Street Salem, OR 97301-2563 (503) 986-5500 www.ojd.state.or.us/osca www.osbar.org

Media contact:

Jack Orchard, Esq. Ball Janik LLP 101 SW Main Street Portland, Oregon 97204 (503) 228-2525 jorchard@balljanik.com

Pennsylvania

Docket sheets and calendars for all court levels are available at ujsportal.pacourts.us/WebDocketSheets/WebDocketSheets.aspx. Filed court documents are not available.

Supreme Court and appellate level courts' opinions are at www. courts.state.pa.us/Index/Opinions/IndexOpinions.asp.

The policy on electronic access to court records is at www.courts. state.pa.us/index/PublicAccessPolicy/PublicAccessPolicy.pdf.

The policy states that the following information in an electronic case record may not be accessible to the public: Social Security numbers; operator license numbers; victim information, including names, addresses and other contact information; informant information, including names, addresses and other contact information; juror information, including names, addresses and other contact information; a party's street address, except the city, state, and ZIP code may be released; and witness information, including names, addresses and other contact information.

Court contact:

Art Heinz Communications Coordinator Administrative Office of the Pennsylvania Courts (717) 795-2062

Media contact:

Susan Schwartz SPJ Pennsylvania Project Sunshine Chair (570) 752-3646 susan.s@pe-online.com

Rhode Island

The Rhode Island judiciary provides online access to certain criminal information via CourtConnect at courtconnect.courts.ri.gov.

CourtConnect provides access to limited information similar to what would appear on a docket sheet; however, it is an informational service only and does not constitute an official record of the court. Accordingly, in Rhode Island, online court records are significantly different from the paper court records that remain the official court record.

A limited amount of docket sheet information is available. Filed documents are not available. Only criminal records are available.

CourtConnect can be accessed by the public at no charge. The Rhode Island judiciary charges a fee for the production of bulk electronic data depending upon the costs associated with the request. The Rhode Island judiciary does not provide online access to civil, family, juvenile or appellate matters, but may produce electronic data compiled from such cases after it reviews a request and determines that the information sought may be released to the requestor. The production of bulk electronic data requires the execution of a letter agreement with the judiciary.

All court calendars are at www.courts.state.ri.us/home/calendars.htm.

Supreme Court orders and opinions are at www.courts.state.ri.us/ supreme/defaultnew-supreme.htm.

Superior Court orders and opinions are at www.courts.state.ri.us/ superior/publisheddecisions.htm.

Court contact:

Robert T. Baynes Assistant State Court Administrator Executive Director, Judicial Technology Center (401) 222.8360 rbaynes@courts.ri.gov

Media contact:

Barbara Meagher Smith, President Access/RI University of Rhode Island Journalism Department Chafee 231 Kingston, RI 02881 (401) 874-2196 meagher@mail.uri.edu

South Carolina

At the trial court level, remote electronic access to dockets and documents for all Charleston County cases is available at www3.charlestoncounty.org/connect/LU_GROUP_1, for cases filed after Jan. 1, 1999.

Trial court information is not available online in other counties. However, a daily, searchable calendar for all types of cases is available at www.judicial.state.sc.us/calendar/index.cfm.

Opinions from the South Carolina Court of Appeals and Supreme Court are available at www.judicial.state.sc.us/opinions/index.cfm.

South Carolina currently has a Judicial Automation Project in the works; see www.judicial.state.sc.us/judauto/appimage.cfm. According to the Web site, "It is envisioned that case files will eventually be managed and archived electronically through the integration of the Appellate CMS, E-filing, and the document imaging system. The first phase of the project has been completed with the implementation of scanning/indexing stations at the Supreme Court and Court of Appeals. Upon completion of a case, the entire file folder is scanned and indexed into the system. Additional functionality will be added to this system in the future when economic conditions improve."

Court contact:

Joan Assey, Director Information Technology South Carolina Judicial Department 1015 Sumner Street Charleston, SC 29201 (803) 734-1193 John Shurr South Carolina Press Association FOI Committee 1311 Marion St. Columbia, SC 57006 (803) 799-5510 jshurr@ap.org

South Dakota

Supreme Court opinions are at www.sdjudicial.com/index.asp? category=search&nav=5.

No other case information is available electronically.

A committee, the Unified Judicial System Technology Counsel, has been formed to study this issue. Committee members are studying and coming up with a plan to revamp the computer system and in the process are going to discussing a possible plan for remote electronic access to court records.

Court Contact:

Judith Roberts Legal Counsel 500 East Capitol Avenue Pierre, SD 57501 (605) 773-3474

Media contact:

Tena Haraldson Bureau Chief The Associated Press P.O. Box 1125 Sioux Falls, SD 57101 (605) 332-3111

Tennessee

Appellate opinions are at www.tsc.state.tn.us.

At the trial court level, each county has a different system. Remote electronic access to records is rare. Shelby County has some docket information online.

Court contact:

Aaron J. Conklin Assistant General Counsel Tennessee Administrative Office of the Courts (615) 741-2687 Aaron.conklin@tscmail.state.tn.us

Media contact:

Frank Gibson, Executive Director Tennessee Coalition for Open Government P.O. Box 22248 Nashville, TN 37202 (615) 202-2685 fgibson@tcog.info

Texas

Supreme Court case docket sheet information, orders, and opinions are at www.supreme.courts.state.tx.us.

Texas Court of Criminal Appeals case docket sheet information, orders, and opinions are at www.cca.courts.state.tx.us.

Opinions and docket sheet information is often available for free online at the appellate court level. Each appellate district's Web site can be accessed at www.courts.state.tx.us/courts/coa.asp.

There is no centralized database for information at the trial court level. Each court must be contacted individually.

Court contact: Carl Reynolds Administrative Director Office of Court Administration 205 W. 14th St, Suite 600 Austin, TX 78701 (512) 463-1625

Media contact:

Katherine Garner Freedom of Information Foundation of Texas 400 S. Record, Suite 240 Dallas, TX 75202 (214) 977-6658

Utah

Supreme Court and appellate court opinions are at www.utcourts. gov/opinions/index.htm#Supreme%20Court%200pinions.

Further information about appellate court cases is at www.utcourts. gov/courts/appell/appellatesearch.htm.

Information about trial court cases is available through XChange, which is a paid subscription-based clearinghouse of court information available at www.utcourts.gov/c_srch/index.asp.

The rule governing electronic access to court records is at www.utcourts.gov/resources/rules/ucja/ch04/4-202_12.htm. The rule lays out strict restrictions on the types of information that can be disclosed if a case identifies a person by name.

Court contact:

Jolene Cox Court Services Scott M. Matheson Courthouse Salt Lake City, UT 84114-0220 (801) 578-3831

Media contact:

Joel Campbell Department of Communications Brigham Young University (801) 422-2125 Joel_campbell@byu.edu

Vermont

Vermont Courts Online, at secure.vermont.gov/vtcdas/user, provides access to information from Vermont's District, Family, and Superior Courts. It provides court calendar information for each court and detailed case information for Superior Courts. Records not open to public inspection by statute or court rule are not contained on the Web site. Calendar information is available for free for all cases, and includes information about the parties, attorneys, the nature of the disputes, and the hearing information when and if that information is not confidential.

Detailed case information, including case summaries and realtime docket chronologies, is currently available for civil and small claims cases in 12 of the 14 Superior Courts. The Superior Courts in Chittenden and Franklin Counties do not use this system.

Members of the public must sign up for an account to use these features. An activation fee of \$12.50 is required to access case summaries and real-time docket chronologies. This fee entitles users to access to their accounts plus five real-time docket lookups. Users may purchase additional lookups at any time after creating an account.

Detailed case information about District and Family Court cases is currently not accessible through Vermont Courts Online.

Supreme Court opinions are at www.vermontjudiciary.org/Resources/ docs/Opinions.htm.

Court contact:

Lee Suskin, Esq. Court Administrator Supreme Court of Vermont Office of the Court Administrator 109 State Street Montpelier, VT 05609-0701 (802) 828-3278 lee.suskin@state.vt.us

Media Contact:

Mike Donoghue Executive Director Vermont Press Association One Winooski Park Colchester, VT 05439 (802) 654-2442 mdonoghue@smcvt.edu

Virginia

At the Supreme Court and appellate level, docket sheets and opinions can be found online at www.courts.state.va.us/courts/courts.html.

At the trial court level, information varies widely by court. Different courts can be accessed at www.courts.state.va.us/courts.html.

Virginia's policy for public access to electronic court records is Supreme Court Rule 1:17(c)(3) (2001), found at www.courts.state. va.us/text/scv/amendments/rule117.html.

The rule states that the courts must provide a means, in the courthouse or other designated location, for the parties, counsel and the public to review and copy electronic records from the electronic file during normal business hours. Remote electronic access to documents submitted in an electronically filed case and stored electronically is limited to judges, court personnel, any people assisting those people in the administration of the electronic filing system, and to counsel of record, including parties appearing *pro se*, who have complied with the registration requirements to use the electronic filing system.

Court contact:

Robert Baldwin Executive Secretary Supreme Court of Virginia 100 North Ninth Street Third Floor Richmond, VA 23219 (804) 786-6455 rbaldwin@courts.state.va.us

Media contact:

Ginger Stanley Executive Manager The Virginia Press Association P.O. Box C-32015 Richmond, VA 23261-2015 (804) 521-7570 gingers@vpa.net

Washington

At the trial court level, electronic access to information varies by court. Sometimes docket sheet information is available; filed court documents rarely are. Links to the different courts are at www.courts.wa.gov/appellate%5Ftrial%5Fcourts.

Recent (last 90 days) Supreme Court and appellate court decisions are at www.courts.wa.gov/opinions/.

Court contact:

Brian Backus Planning Manager The Administrative Office Of The Courts 1206 Quince Street SE P.O. Box 41170 Olympia, WA 98504-1170 (360) 753-3365 brian.backus@courts.wa.gov

Media contact:

Bruce Johnson Michael Killeen Davis Wright Tremaine LLP 2600 Century Square 1501 Fourth Avenue Seattle, WA 98101-1688 (206) 622-3150 brucejohnson@dwt.com

West Virginia

Supreme Court opinions are at www.state.wv.us/WWSCA/opinions.htm. Docket sheets from cases in trial courts in some counties are at www.swcg-inc.com/products/circuit_express.html. There is a \$120 start-up fee and a monthly fee thereafter.

The judicial system presently has an effort to implement a uniform program statewide. An internal court committee will be publishing a report in 2008 or 2009 with a potential policy. The public will be provided an opportunity to comment at that time.

Court contact:

Rory L. Perry II Clerk of Court West Virginia Supreme Court State Capitol, Room E-317 Charleston, WV 25305 (304) 558-2601

Media contact:

Philip A. Reale, Esq. West Virginia Press Association Legal Hotline 1206 Virginia St. E., Suite 202 Charleston, WV 25301 (304) 444-9329

Wisconsin

Calendar, docket, party, and case disposition information from trial court cases is at wcca.wicourts.gov/index.xsl.

Appellate court opinions and briefs are at www.wicourts.gov/ opinions/appeals.htm.

Supreme Court opinions, briefs, and oral argument recordings are at www.wicourts.gov/opinions/supreme.htm.

In Wisconsin, access to court records is governed by the state's open records laws.

Court contact:

Janet Jean Chief Information Officer Consolidated Court Automation Programs (CCAP) Wisconsin Court System P.O. Box 1688 Madison, WI 53701-1688 (608) 267-0678 jean.bousquet@courts.state.wi.us

Media contact:

Bill Lueders Isthmus Newspaper 101 King Street Madison, WI 53703 (608) 251-5627 blueders@isthmus.com

Wyoming

Supreme Court decisions are at courts.state.wy.us/Opinions.aspx.

There is a task force studying this issue but the committee has been unable to come to a consensus regarding what should and should not be available online.

Court contact:

Holly Hansen State Court Administrator Office of Court Administrator 2301 Capitol Avenue, Room 233 Cheyenne, WY 82002 (307) 777-7480 hhansen@courts.state.wy.us www.courts.state.wy.us/court_administration.htm

Media contact:

Jim Angell Executive Director Wyoming Press Association 2121 Evans Ave. Cheyenne, WY 82001 (307) 635-3905



The Reporters Committee for Freedom of the Press is committed to helping journalists understand the laws that affect newsgathering. And we have a wide array of publications that can help.

We've got special reports like **Homefront Confidential**, an examination of access and information policy issues in a post-September 11 world.

Our **Reporter's Privilege Compendium** offers a detailed look at each state's shield laws and court decisions that affect the ability of reporters to keep their sources and information confidential.

For help with gaining access to government records and meetings, we've got **How to Use the Federal FOI Act**. Or for state law help, there's the **Open Government Guide**, a complete guide to each state's open records and meetings acts. Also, **Access to Electronic Records** tracks developments in the states regarding computerized release of data.

And of course, there's the **First Amendment Handbook**, a guide to almost every aspect of media law with practical advice for overcoming barriers encountered every day by journalists.

For these and many more publications, visit our Web site. Read these guides online — for no charge — or purchase a copy to read in print.

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