

*Committee on Access to Court Records
Summary of September 24, 2001 Meeting*

The meeting was convened in Baltimore at 200 St. Paul Place (the Office of the Attorney General). Those present were Judge Paul Alpert, Julia Andrew, John Baer, Bob Davis, Deborah Eisenberg, Del. Grosfeld, Lesa Hoover, Sen. Jimeno, Bill Leighton, Alice Lucan, Carol Melamed, Sally Rankin, Carole Shelton, Suzanne Smith, and Judi Wood.

Judge Alpert opened the meeting with a review of the report submitted by the Subcommittee on Legal Framework. He focused on the specific recommendations from this subcommittee to Chief Judge Bell for the full committee's consideration.

Judge Alpert invited committee discussion about how to compile a final report. The consensus reached was to follow the outline proposed by Carol Melamed's committee. The issues prompting the most discussion were the definition of the committee's mission, the definition of a court record, and how to incorporate and address the problems.

Julia Andrew provided an overview of the problems the Judiciary identified at the outset, prompting Judge Bell's appointment of the *ad hoc* committee. The problems included: the lack of uniformity of access in the circuit courts, the current electronic dial-up access permitted without the promulgation of policy, the numerous requests to write computer programs to retrieve data to satisfy specific non-Judiciary requests, the CJIS statute requiring the Chief Judge and the Court of Appeals to promulgate rules, different access permitted to similar JIS and CJIS records, the right of privacy under federal constitutional provisions, and whether access should be governed by rules, statutes, or a combination of both (e.g., court records may include medical and financial information which is precluded from inspection by the PIA).

Judge Alpert asked staff to compile a list of the problems cited and questions raised by all the subcommittees to be sent to all committee members for review. After the list is reviewed, each committee member will be asked to provide their responses as to whether that the final report should address the problem or question raised, and suggest a possible response. Completed questionnaires should be returned to staff well in advance of the next meeting date so that the compilation of responses can be distributed and reviewed before the meeting.

The next meeting is scheduled for October 25 at 5:30 p.m. in Baltimore.