

To the Maine Judicial Branch Task Force on Transparency and Privacy in Court Records:

I wholeheartedly agree with the dissent of Mal Leary. The committee would be wise to listen to his input on the principles of public access and his recommendation for Maine to follow the successful model of the federal courts.

As Leary points out, judiciary officials have endorsed modernizing the state's court system, and lawmakers have appropriated public funds for the purpose. With that public money, the judiciary has a responsibility to serve the public interest as well as it can.

Adopting the majority recommendation of the committee would fall short. It would miss a major opportunity to improve access to and understanding of the state's judiciary, a matter of significant public interest, and would ignore a revenue opportunity to ensure the long-term sustainability of a robust electronic court records filing system.

As a professional reporter, I can attest that greater access to court filings would improve my reporting on the state's economy, public officials, the business community and more. My current barriers to these undisputedly public records is simply practical, a matter of making physical trips to the courthouse and having no sense of when new filings are available.

On multiple occasions, my reporting has led me to a courthouse for state records. Most often, I am headed to the Cumberland County Courthouse, where I pay \$2 an hour for parking to the City of Portland and then pay nothing to the judiciary for the time of the clerk I have process any searches or document retrieval.

Each interaction with the state court system costs both the public and the state unnecessary time and resources.

By contrast, covering matters in federal court and bankruptcy court is much more expedient. In fact, each of my interactions with the federal court system generates revenue *for* the federal court system.

The majority rightly acknowledges a concern about preserving privacy of citizens who, at times, get pulled into the judicial system despite their own wishes. But judges already need to make decisions about what records will be available should a reporter or member of the public come and ask for the records.

A more accessible digital system should not change that. It does, however, create an opportunity to make Maine's state court filing system more efficient and accessible along the lines of a proven federal model. There should be no controversy.

Sincerely,

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