



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

NEWS RELEASE

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AOPC Seeks Input on Public Access Guidelines Governing Electronic Court Records

HARRISBURG, Sept. 19, 2005 — The AOPC is seeking comment on a proposed public access policy concerning electronic case records of the Unified Judicial System.

Court Administrator of Pennsylvania Zygmunt A. Pines said the policy is designed to establish a careful balance between providing public access to electronic criminal records while safeguarding citizens' privacy and safety.

The proposed policy covers what and how electronic criminal case records will be available to the public and how requests for access to those records are to be handled. Fees for accessing the records and other related issues also are addressed. There currently is no statewide policy regarding electronic access to records at the trial court and appellate court levels, although a policy has existed since 1997 governing access to records of the automated Magisterial District Judge System.

Growing availability of court records over the Internet, coupled with increased concern regarding personal privacy and security — including the increased potential for identity theft and fraud — prompted the AOPC three years ago to address the relatively new issues presented by the advent of electronic access to case files. At the direction of the state court administrator, an AOPC ad hoc committee crafted the proposed policy. The group found widespread differences nationwide in how public access to court records is governed.

The committee work took place amid ongoing efforts to implement a statewide automated case management system in the criminal division of the Courts of Common Pleas. To date, the Common Pleas Case Management System, or CPCMS, has been installed in more than 50 counties. CPCMS makes certain criminal case information available via Web docket sheets posted on the Judiciary's public Web site.

“Doing nothing simply is not an option if we are to maintain the public's much-deserved trust and confidence in Pennsylvania's Judiciary,” Pines said. “We need to proactively take steps to create a process that helps ensure we are protecting the integrity of court case files while continuing to provide the constitutionally guaranteed right to openness to those records. The proposed electronic access policy carefully and clearly identifies, in both practical and philosophical terms, how important interests will be balanced.”

(MORE)

Beginning with a formal notice that appeared in the *Pennsylvania Bulletin* on Saturday, Sept. 17, the AOPC will seek comment for a 60-day period that ends Nov. 17. The five-page policy and a 50-page explanatory report are available for inspection on an interactive area of Pennsylvania Judiciary's Web site, www.courts.state.pa.us, where visitors can also register comments regarding the proposal.

Following the public comment period, the AOPC will submit a revised policy proposal to the Supreme Court of Pennsylvania for its consideration.

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