

# Commission on Public Access to Court Records

*The Commission on Public Access to Court Records will be conducting three public hearings this Spring. The Commission was appointed by Chief Judge Judith S. Kaye to examine the future availability of court case records on the Internet. It will focus on the competing interests of privacy and the public interest in access to information in court case files. The work of the Commission relates to state court case records filed in or converted to electronic form in courts throughout New York State.*

**THE PURPOSE OF THE PUBLIC HEARINGS**

is to receive the views of interested individuals and organizations with regard to the issues surrounding the future availability of court case records on the Internet. The Commission seeks comment on the following issues:

1. In light of the recognized public interest that is served by having court case records available for public inspection, are there any privacy concerns that should limit public access to those records on the Internet?
2. Should any information that is currently deemed public be subject to greater restrictions if made available for public access on the Internet by the Unified Court System? For example, when public court records contain an individual's Social Security identification number, credit card numbers, bank or investment account numbers or other personal identifying information, should privacy concerns limit their disclosure on the Internet?
3. If such personal identifying information should not be made available on the Internet, how should that information be eliminated from electronic/Internet availability?
4. If there are any limitations or restrictions to be placed on the dissemination of court records on the Internet, what role should be played by the courts, by attorneys or by others?
5. Should the public be charged a fee to access court case records on the Internet?
6. What information should a member of the public need in order to search case records on the Internet? Should a search require the name of a litigant or index number, or some other limited method, or should full text searches be available?

**The hearings will take place from 1:00 P.M. to 5:00 P.M. at the following dates and locations:**

**ALBANY . . . . .MAY 16, 2003**  
Legislative Office Building  
Hearing Room C., Empire State Plaza

**NEW YORK CITY . . . . .MAY 30, 2003**  
Association of the Bar of the City of New York  
42 West 44th Street (Bet. 5th & 6th), N.Y., N.Y.

**BUFFALO . . . . .JUNE 12, 2003**  
Supreme Court, Part 6  
92 Franklin Street, Buffalo, N.Y.

**ALL THOSE INTERESTED IN TESTIFYING** should register at least 10 days before the hearing date by E-mail at [publicaccess@courts.state.ny.us](mailto:publicaccess@courts.state.ny.us) or by contacting **MELANIE SUE AT 212-428-2100**. Prior to the hearing, you will receive a time frame for your testimony. Comments should be limited to 10 minutes, but the Commission welcomes written submissions. If you are unable to attend the hearing but are interested in providing your views you may do so by E-mail or by mailing your written comments to the address below.

**THE COMMISSION WILL NOT ADDRESS** court records that are already unavailable to the public in the absence of a court order because they are protected by law, including, but not limited to:

- Documents filed in matrimonial actions, including child custody, visitation and support proceedings;
- Documents filed in family court proceedings, including abuse, neglect, support, custody and paternity proceedings;
- Documents containing the identity of victims of sexual offenses;
- Documents containing confidential HIV-related information;
- Pre-sentence reports and memoranda in criminal proceedings;
- Documents sealed pursuant to a lawful court order

**COMMISSION ON PUBLIC ACCESS TO COURT RECORDS**

**C/O NEW YORK STATE UNIFIED COURT SYSTEM**

**25 BEAVER STREET**

**NEW YORK, NEW YORK 10004**

**Attn: Melanie Sue**

**E-mail: [publicaccess@courts.state.ny.us](mailto:publicaccess@courts.state.ny.us)**

*For further information about the Commission and the hearings, please visit the Commission's website:*

**[www.nycourts.gov/publicaccess](http://www.nycourts.gov/publicaccess)**