

NCSC Releases Guidelines for Public Access to Court Records

A final draft of "Public Access to Court Records: Guidelines for Policy Development by State Courts," is being released this month by the National Center for State Courts.


The guidelines, which were endorsed in August by the Conference of Chief Justices and the Conference of State Court Administrators, act as a blueprint for states to use as they develop their own policies governing access to court records.

Although court records historically have been open to the public, many state courts now find themselves grappling with the issue because of technology that allows electronic access to court records, which has left courts searching for the delicate balance of ensuring privacy while providing public access. The issue becomes even more complex because not all courts have the same resources or the same level of technology, which has created a disparity in access to records from court to court within the same state.

The guidelines are the culmination of nearly two years of research, committee meetings, and public com-

ment carried out by the National Center and the Justice Management Institute, with funding from the State Justice Institute. They are available online at www.outaccess.org/modelpolicy/.

The guidelines are broad in scope, outlining all concerns raised by representatives of several special interest groups—the media, domestic violence and privacy advocates, providers and compilers of secondary data—and by state court judges and administrators. The document is expected to ease the policymaking process for state courts, as it outlines how to manage access in ways that

- maximize accessibility to court records
- support the judiciary's role
- promote governmental accountability
- contribute to public safety
- minimize risk of injury to individuals
- protect individual privacy rights and interests
- safeguard proprietary business information
- make the most effective use of court staff
- avoid undue burdens on judicial business 

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