

PRIVACY AND PUBLIC ACCESS TO ELECTRONIC COURT RECORDS

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SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY

January 2022

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ARIZONA COURTS

Supreme Court of Arizona, [Arizona Access to Justice Commission Annual Report 2020](#)

[Arizona Supreme Court Committee on Mental Health and the Justice System: Final Report and Recommendations](#), September 4, 2020. Administrative Order 2018-71:

[Rules of the Supreme Court of Arizona, Rule 123](#). *Public Access to the Judicial Records of the State of Arizona*.

Supreme Court of Arizona, [Administrative Order No. 2013-33](#), Establishing the Advisory Committee to Develop Policies and Retention, Destruction, and Access to Electronic Court Records

FEDERAL COURTS

Judicial Conference Committee on Court Administration and Case Management. [Report of the Judicial Conference Committee on Court Administration and Case Management on Privacy and Public Access to Electronic Case Files](#). Washington, DC: Judicial Conference of the United States, December 2006.

STATE COURTS

National Center for State Courts, [Privacy / Public Access to Court Records State Links](#)

POLICY STATEMENTS

Administrative Office of the U.S. Courts, [Privacy Policy for Electronic Case Files](#)

Supreme Court, State of Arizona [Report of the Advisory Committee to Develop Policies for Retention, Destruction, and Access to Electronic Court Records](#), December 2013

PAPERS

Linhares, Gregory and Nial Raaen. [To Protect and Preserve: Standards for Maintaining and Managing 21st Century Court Records](#). 2012-2013 Policy Paper. Conference of State Court Administrators

JOURNAL ARTICLES

- Campbell, Christopher M. U.S.A. vs. the World: Right to Public Access of Court Records and Confidentiality Concerns in Commercial Arbitration [article] *South Carolina Journal of Internal Law and Business*, Vol. 15, Issue 1 (Fall 2018), pp/ 99-[iii]. [15 S.C. J. Int'l L. & Bus. 99](#) (2018-2019).
- Guffin, Peter J. "Digital Court Records Access, Social Justice, and Judicial Balancing: What Judge Coffin Can Teach Us" [72 Maine Law Review 87](#) (2020)
- Mann, Jacey G. "Protecting Personal Identifying Information in an Electronic Age - an Overview of Electronic Court Record Systems and the Mishandling of Personal Identifying Information [notes]" [41 American Journal of Trial Advocacy 643](#) (Spring 2018).
- Martin, Kirsten and Helen Nissenbaum. "Privacy Interests in Public Records: An Empirical Investigation [article]. [31 Harvard Journal of Law & Technology 111](#) (2017-2018).
- Schultze, Stephen J. "The Price of Ignorance: The Constitutional Cost of Fees for Access to Electronic Public Court Records [notes]" [106 Georgetown Law Journal 1197](#) (2017-2018).

NEWS ARTICLES

- Buchanan, Scott G. "Internet Access to Court Records Puts Justice at Risk." *Des Moines Register* 11A (September 25, 2007).
- Coyle, Marcia. "Federal Prosecutors Want to Shutter Public Access to Plea Agreements." *New Jersey Law Journal* (September 14, 2007).
- Cruz, Mike. "Online Access to Plea Deals in Question." *The (San Bernadino, CA) Sun* (October 11, 2007).
- Damien, Christopher. "[Riverside County Superior Court ends free online public criminal case searches after court order.](#)" *Palm Springs Desert Sun*. (July 12, 2021).
- Girdner, Bill. "[Florida High Court Strikes Clerk Redaction Rule, Affirms Principle of Timely Access.](#)" *Courthousenews.com* (January 21, 2021).
- Girdner, Bill. "[Maine Newspapers Challenge Rule Concealing Electronic Court Records.](#)" *Courthousenews.com* (February 3, 2021).
- Harmon, Amy. "As Public Records Go Online, Some Say They're Too Public." *New York Times* (August 24, 2001).

- Higgins, Michael. "Online Court Records Elusive; State Justices Hold Firm, Cite Privacy." *Chicago Tribune* 1 (February 11, 2001).
- Hoops, Stephanie. "Courts Unifying Computer Systems: Overhaul is Part of Statewide Revamping." *Ventura (California) County Star* (May 15, 2006).
- Horn, Dan. "Hamilton Co. Blocks Access to Records." *Cincinnati Enquirer* 2B (June 27, 2006).
- Liptak, Adam. "Web Sites Expose Informants, and Justice Dept. Raises Flag." *New York Times* 1 (May 22, 2007).
- Lovejoy, Steve. "Closing Online Records Belies Open Government." *Capital Times (Madison, Wisconsin)* A9 (October 24, 2007).
- Marimow, Ann E. ["Lawmakers are trying to create a database with free access to court records. Judges are fighting against it."](#) *The Washington Post* (December 4, 2020).
- Murphy, Chuck and Jeffrey A. Roberts. "Judicial Districts Object to Public Access to Files: The Records are Off-Limits in 19 Colorado Counties Despite a Panel's Directive in 2005 to Protect Public Access to Them." *Denver Post* C-01 (March 12, 2006).
- Nowak, Liesel. "Online Records Stir Debate: Documents Will Be Easier to Find, But at What Cost?" *Charlottesville Daily Progress* (March 11, 2007).
- "Privacy Controls Needed in Bankruptcy." *10 Consumer Bankruptcy News* 1 (February 22, 2001).
- Saunders, Rhys. "Juvenile Records Censored From Web Sites." *The (Farmington, NM) Daily Times* (June 10, 2007).
- Schwaneberg, Robert. "State Courts Slow to Put Documents on Internet; Cost, Privacy Cited Despite Fast Action by U.S. Judiciary." *The Newark (N.J.) Star-Ledger* 1 (September 3, 2007).
- Scolforo, Mark. "Courts Act to Ensure Unedited Case Files." *Pittsburgh Post-Gazette* B4 (July 29, 2006).
- Walbert, Mike. "Court: E-Mails by Official Not Public Record." *Arizona Republic* B5 (August 15, 2006).
- "Why the Public Should Have Full Access to Bankruptcy Records on the Internet." *9 Consumer Bankruptcy News* 5 (July 27, 2000).

Wickham, Shawne K. "No Public Access to J-One." *New Hampshire Sunday News* A11 (April 30, 2006).

WEB SITES

CCJ/COSCA Guidelines for Public Access to Court Records
[Final Project Report](#)

Electronic Privacy Information Center
[Privacy Laws](#)

[National Center for State Courts Privacy/Public Access to Court Records](#)