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Joe Stanton
Clerk, Massachusetts Appeals Court
John Adams Courthouse
One Pemberton Square, Room 1200
Boston, MA 02108

June 12, 2015

Re: Online Access to Court Records

Dear Clerk Stanton,

On behalf of the Boston Bar Association (BBA), I thank you for the opportunity to comment on the public accessibility of court records. I applaud the process being followed by the Trial Court Public Access to Court Records Committee (Committee), and am thankful for the opportunity to provide general comments on this issue for this hearing.

Historically, attorneys, pro se litigants, members of the press, and public were all able to access court docket information online at www.ma-trialcourts.org by requesting a username and password from the courts. However, with the installation of the new www.masscourts.org program, which requires a Board of Bar Overseers (BBO) number to log in, court dockets are now only accessible by attorneys.

The BBA is concerned that this change threatens equal access to justice for pro se litigants, who will have a harder time accessing case information. It also limits access for the public and members of the media, which is an issue the BBA thinks is important and will be studying in the future when the new rule is drafted and circulated for comment. We do note that the proposed shift places Massachusetts behind many states and the federal PACER system, which allow online public access to court dockets and documents.

The BBA hopes that the Committee will devise a rule providing broad online access to court dockets and documents consistent with its history of accessibility and the fair administration of justice.

We look forward to continuing to be part of the process once the Committee drafts a rule. Thank you for providing members of the bar with an opportunity to weigh in on this important issue, and please feel free to contact me should you have any questions or concerns.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Julia Huston', with a large, stylized initial 'J'.

Julia Huston
President