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TO: MEMBERS OF THE SPECIAL COMMITTEE ON REVIEW OF RECORDS
ACCESS OF CIRCUIT COURT DOCUMENTS

FROM: Representative Ed Brooks, Chair

RE: Special Committee Status and Bill Draft for Mail Ballot

DATE: March 9, 2011

This memorandum provides a final update on the status of the Special Committee on Review of Records Access of Circuit Court Documents and briefly sets forth some background for the content of WLC: 0102/1, relating to expungement of records.

On January 6, 2011, the Joint Legislative Council approved a mail ballot that reappointed the chairs and vice-chairs of several of its study committees, including the Special Committee on Review of Records Access of Circuit Court Documents. I was appointed Chair of the Special Committee, and Representative Kelda Roys, the former chair, was appointed Vice-Chair.

I have decided not to reconvene the committee for any additional meetings. In light of my own views on the study committee's charge, my prerogatives as chair, and my sense that the committee had thoroughly discussed the matters that I am interested in forwarding to the Joint Legislative Council, I directed staff to develop a bill draft. The draft includes provisions relating to some, but not all, of the topics that the committee, by some consensus, decided were significant to present to the Joint Legislative Council. The contents of the bill draft are fully explained in the Legislative Council Prefatory Note before the text in the draft.

I want to thank the committee members for their time and participation. The committee gathered valuable personal committee member experience and background information in the process of meeting on and discussing this very complex topic. Those discussions dealt with the serious issues relating to the public disclosure of court records and the effect of such disclosure on persons charged, acquitted, or convicted of offenses, the press, the public in general, employers, and landlords, amongst other interested parties. In addition to developing the basis for the bill draft language, the committee has performed a valuable service in laying the groundwork for future consideration of these issues.

Thank you.

EB:ksm

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