

## Lisa Hobbs

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**From:** Karl [karlw1962@yahoo.com]  
**Sent:** Saturday, November 06, 2004 6:23 AM  
**To:** lisa.hobbs@courts.state.tx.us  
**Subject:** Comments on Public Access to Case Records Draft Rule

Dear Ms. Hobbs:

The following are comments to Rule 14. Public Access to Case Records:

1. Under section 14.1, I would request that the following statement be added: There is a presumption that all Court/Case records shall be made available to the public pursuant to the Texas Constitution.
2. I am in complete agreement regarding any limitations to data imaged or stored electronically.
3. Under Section 14.5 a. & b., The rule should be renamed as follows: "Denial of Public Access"
4. Under Section 14.5, As an officer of the Court, and in the interest of justice, I would request that the Rule be amended to allow licensed attorney's access to the actual court records without restrictions, unless the records are specifically sealed by the judge.
5. Under Section 14.5, the rule should be amended to require the clerk to publish the actual citations of Federal and/or State laws which the clerk is relying upon to deny public access to court records.
6. Under Section 14.5, public access should not be restricted based upon court rule.
7. I am opposed to Section 14.6 in its entirety. In the interest of justice, and pursuant to Federal and State law it is not lawful to restrict what a person can place in a pleading to a Texas Court. There are currently adequate remedies in place that allow a judge to strike pleadings or to seal court records where appropriate.
8. I would request that a Section be added that allow a member of the public to appeal a clerk's restriction of court records to the administrative judge in the county where the case records are located.
9. I am strongly opposed to Section 14.4 (h) that allows for identification of a requestor and believe that the public has a right to privacy in exercising their constitutional rights without unnecessary government interference.

Respectfully submitted,

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