

October 29, 2007

Dear Mr. Melot,

I had to make a correction to the "Opinion" piece I emailed a few minutes ago. I just talked to Teresa at the transcription service (phone number 517-882-0060) and she gave the number of pages in the McCollum trial transcript - a different number from what I thought she told me a few days ago. She also told me what it would cost to get the transcript in the form of a computer file. So here is my corrected "Opinion":

An October 28 LSJ story says Ingham County Prosecutor Stuart Dunnings III "encourages residents to view court proceedings, which are open to the public." That's great if you have the time to sit through a 3-week trial. The Court could make public involvement much easier by making trial transcripts easily accessible.

In early October, I called the Ingham County Circuit Court to see if I could get a transcript of the Claude McCollum trial. I was told that the transcription was done not by court employees, but by a transcription service - a private firm that charges the Court for its service. I called the transcription service and the woman I talked to said I could get a copy for \$1.00 a page. Since the transcript was 1204 pages, I asked about a computer file and was told it could be emailed to me, but she didn't know if the charge would be any less. She said she would check with the Court.

When after a few days I had not received an answer, I sent a Freedom of Information request to the Court asking for the transcript in the form of a computer file. David Easterday, Court Administrator, replied saying the Circuit Court is not subject to the Freedom of Information Act. I checked, and he is correct. The Act specifically excludes the judiciary, although it says "It is the public policy of this state that all persons . . . are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as

public officials and public employees." Mr. Easterday said I could get a printed transcript from the Court for \$1.00 per page or directly from the transcription service for \$.30 per page. I could also get it from the transcription service as a computer file - for \$.30 a page. At 1204 pages, the computer file would cost \$361.20.

If the Court was subject to the Freedom of Information Act, they would not be allowed to charge any more than the actual cost incurred in getting the transcript to me, which would be pennies.

The McCullom case demonstrates the need for greater public oversight of our courts. Until the Freedom of Information Act is revised to extend to the judiciary, Michigan courts should post trial transcripts on their websites and make copies available at cost on request.

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