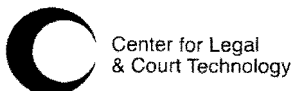


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## 9th Conference on Privacy & Public Access to Court Records

College of William & Mary Law School  
October 14-15, 2013

**October 14-15, 2013**  
*William & Mary Law School*  
*McGlothlin Courtroom*  
*Williamsburg, VA*



Center for Legal  
& Court Technology



*Hosted by the National Center for State Courts and the  
Center for Legal & Court Technology, with the assistance  
of the Administrative Office of the United States Courts  
and distinguished members of the state court system.*



Dear Colleagues:

It is our pleasure to welcome you to the *Center for Legal and Court Technology (CLCT)* and the *National Center for State Courts' Ninth National Conference on Privacy & Public Access to Court Records*.

We are pleased to again hold the conference at William & Mary Law School. For those of you who have not recently visited our state-of-the-art McGlothlin Courtroom, please see me to arrange a short demonstration. Meanwhile, we hope that you will make it a point to visit Colonial Williamsburg and its famous museums.

We thank the National Center for State Courts and the Administrative Office of the United States Courts and others on our planning committee for their assistance in helping to plan and support this conference. We also thank our generous sponsors, LexisNexis, the National Association of Professional Background Screeners, and Thomson Reuters (West) for their generous financial assistance.

After the Conference, you will be able to find conference documents on our website under *Conferences*. We hope that the depository will serve as a useful resource on court records privacy and access issues. If you have or know of materials that those interested in this topic would find beneficial, please email a link or the document itself to [rgreen@wm.edu](mailto:rgreen@wm.edu) and we will continue to build this resource.

If we can be of assistance during your stay in Williamsburg, please let the CLCT staff know, or contact us at 757-221-2494.

Thank you again for your participation, and we look forward to another productive conference.

Sincerely,

Fredric I. Lederer  
Chancellor Professor of Law &  
Director, the Center for Legal and Court Technology



October 14, 2013

Dear Participants,

LexisNexis is once again pleased to sponsor the Conference on Privacy and Public Access to Court Records. It is our hope that the next two days will shed light on some of the interesting privacy and public access issues surrounding court records and the information industry today, and provide a forum for discussion about how courts and companies like LexisNexis can work together to provide information products that benefit society.

LexisNexis takes privacy and security seriously, and is committed to earning and maintaining the trust of our customers, as well as that of regulators and policy makers. We understand and accept the responsibilities associated with safeguarding sensitive data. This information is restricted to legitimate customers for legally permissible uses. For more information about how LexisNexis safeguards information, please visit [www.lexisnexis.com/privacy](http://www.lexisnexis.com/privacy).

LexisNexis products that use public records provide valuable services that complement the important functions carried on by the nation's courts. Our products benefit the legal community, consumers, the government agencies that serve and protect them, and the organizations we all do business with. As our information economy evolves, collaboration and cooperation between the judiciary and information companies like LexisNexis is essential.

It is in that spirit that we are looking forward to the 9<sup>th</sup> Conference on Privacy and Public Access to Court Records.

Sincerely,

A handwritten signature in black ink that reads "E. Scott Wetzel". The signature is written in a cursive, slightly slanted style.

Scott Wetzel  
LexisNexis CourtLink  
Seattle, Washington USA



## THOMSON REUTERS

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October 7, 2013

Dear Colleagues:

Thomson Reuters is pleased to welcome you to the *9th Conference on Privacy and Public Access to Court Records*. It is our privilege to be a sponsor of this event, which presents a critical opportunity for jurists, academics, businesses and additional stakeholders to share views and experiences on balancing the individual's right to privacy with the public's right to access court records and related materials.

As many attendees are already aware, public access to court records serves the critical societal goal of providing individuals, government and non-government organizations alike the data, tools and solutions they need to pursue their rights, enforce laws, engage in litigation, prevent fraud, conduct due diligence and related purposes. However, much of that content inherently displays certain identifying information of individuals, whether they are litigants or third parties. Our joint challenge is to identify ways to balance these objectives. Thomson Reuters strives to use personally-identifiable content responsibly and with due regard for the privacy interests of clients, employees and individuals. However, we are certain that there is much that we can learn from one another and I am looking forward to sharing our experiences and viewpoints.

We would like to thank the National Center for State Courts and the Administrative Offices of the United States Courts, as well as our other co-sponsors, for organizing this important event. Most importantly, we would like to thank you for attending and for ultimately making this gathering possible.

Enjoy the conference!

Sincerely,

Thomas C. Leighton

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**9th Conference on Privacy  
 & Public Access  
 to Court Records**

College of William & Mary Law School  
 October 14-15, 2013

**Sunday, October 13, 2013**

**6:00 – 7:30**                      **Welcome Reception**                      **Lobby – William & Mary School of Law**

**Monday, October 14, 2013**

<b>8:00-8:45 a.m.</b>	<b>Registration and Coffee Service</b>	<b>Law School Lobby</b>
<b>8:45 – 9:00 a.m.</b>	<b>Welcome &amp; Conference Overview</b>	<b>Fredric Lederer, Chancellor Professor, College of William &amp; Mary Law School and Director, Center for Legal &amp; Court Technology</b>
<b>9:00 – 10:30 a.m.</b>	<b>(1) State Policy Updates and "State PACERs"</b>	<b>Facilitator: Hon. John Dooley, Justice, Vermont Supreme Court</b> <ul style="list-style-type: none"> <li>• <b>Hon. William Cassel, Justice, Nebraska Supreme Court</b></li> <li>• <b>Michael Hagburg, Staff Attorney, North Dakota Supreme Court</b></li> <li>• <b>Judy Kreeger, Member of the Florida Commission on Court Technology</b></li> <li>• <b>Wendell Skidgel, Attorney Advisor, Administrative Office of the U.S. Courts</b></li> </ul>
<b>10:30 – 10:45 a.m.</b>	<b>Break – Coffee Service</b>	<b>Law School Lobby</b>
<b>10:45 a.m. – 12:15 p.m.</b>	<b>(2) Why Charge? Remote Access to Court Records</b>	<b>Facilitator: Alan Carlson, Chief Executive Officer, Orange County Superior Courts</b> <b>Panelists:</b> <ul style="list-style-type: none"> <li>• <b>Jay Harris, Senior Director, National Background Data, CoreLogic</b></li> <li>• <b>Wendell Skidgel, Attorney Advisor, Administrative Office of the U.S. Courts</b></li> </ul>
<b>12:15 – 1:30 p.m.</b>	<b>Lunch</b>	<b>Law School Lobby</b>



1:30 – 3:00 p.m.

**(3) Privacy, Technology, and  
the Trial Judge**

**Facilitator:** *Hon. Paul Anderson, Justice,  
Supreme Court of Minnesota  
Michael Johnson, Senior Legal Counsel, Legal  
Counsel Division, State Court Administration,  
Minnesota Judicial Branch*

**Panelists:**

- **Hon. Michael Merz**, *Magistrate Judge, Ohio  
Southern District Court*
- **Christina Ouska**, *Senior Trial Consultant,  
JuryScope, Inc.*
- **David Price**, *Staff Attorney, Administrative  
Office of PA Courts*
- **Heidi Salow**, *Vice President and Senior  
Privacy Officer, Intellectual Property &  
Science, Legal, Tax & Accounting, Thomson  
Reuters*

3:00 – 3:15 p.m.

**Break – Refreshments**

**Law School Lobby**

3:15 – 4:45 p.m.

**(4) The Right to Forget**

**Facilitator:** *Rebecca Green, Professor of the  
Practice of Law, William & Mary Law School*

**Panelists:**

- **Woodrow Hartzog**, *Professor, Samford  
University, Cumberland School of Law*

6:30 – 9:00 p.m.

**Conference Dinner (Optional)**

**Great Hall, Wren Building**  
*Advance Registration Required*



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## 9th Conference on Privacy & Public Access to Court Records

College of William & Mary Law School  
October 14-15, 2013

**Tuesday, October 15, 2013**

8:00 – 8:45 a.m.	Coffee Service	Law School Lobby
8:45 – 10:15 a.m.	(5) Abuse Prevention Orders and Privacy	Facilitator: <i>Rebecca Green, Professor of the Practice of Law, William &amp; Mary Law School</i> Panelists: <ul style="list-style-type: none"><li>• <i>Diane Graski, Principal Court Management Consultant, National Center for State Courts</i></li><li>• <i>Carla Heyl, Director, Legal Counsel Division, Minnesota State Court Administrator's Office</i></li><li>• <i>Paula Crouse, Senior Business Analyst, Nebraska Supreme Court</i></li><li>• <i>Cindy Southworth, Vice President, National Network to End Domestic Violence</i></li></ul>
10:15 – 10:30 a.m.	Break – Coffee Service	Law School Lobby
10:30 a.m. -12:00 p.m.	(6) Defining the File: What IS a Court Record and What Can the Public Access?	Facilitator: <i>Robert Deyling, Administrative Office of the U.S. Courts</i> Panelists: <ul style="list-style-type: none"><li>• <i>Hon. Donald Johnson, Criminal Court Judge, 19<sup>th</sup> Judicial District, Baton Rouge, Louisiana</i></li><li>• <i>Gregg Leslie, Legal Defense Director, Reporters Committee for Freedom of the Press</i></li></ul>
12:00 – 1:30 p.m.	Lunch	Law School Lobby

(continued on next page)



**1:30 – 3:00 p.m.**

**(7) Criminal Records and  
Privacy**

**Facilitator: Hon. Larry Smukler, Associate  
Justice, New Hampshire Superior Court**

**Panelists:**

- **Sharon Dietrich, Managing Attorney for  
Employment and Public Benefits, Community  
Legal Services, Pennsylvania**
- **Gregg Leslie, Legal Defense Director,  
Reporters Committee for Freedom of the  
Press**
- **Angela Preston, Vice President of Compliance,  
General Counsel, EmployeeScreenIQ**

**3:00 – 3:15 p.m.**

**Summary of proceedings and plans for follow-up**





# Speakers at a Glance

## **Anderson, Hon. Paul**

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# Speakers at a Glance

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## **Smukler, Hon. Larry**

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# Speakers at a Glance

## ***Southworth, Cindy***

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## Anderson, Hon. Paul H.

---

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**Minnesota Judicial Center, MN**  
**Email: [paul.anderson@courts.state.mn.us](mailto:paul.anderson@courts.state.mn.us)**

Justice Anderson is a Minnesota native; born May 14, 1943, Eden Prairie, Minnesota; raised on a dairy farm; graduated Eden Prairie High School 1961; Macalester College 1965; B.A. degree, cum laude with departmental honors in Political Science; University of Minnesota Law School, Juris Doctor degree 1968; VISTA (Volunteers In Service To America) volunteer attorney, New Haven Legal Assistance, New Haven, CT. 1968-69; Special Assistant Attorney General, State of Minnesota, 1970; Attorney, LeVander, Gillen & Miller, South St. Paul 1971-1992; Chief Judge, Minnesota Court of Appeals, 1992-1994; Associate Justice, Minnesota Supreme Court 1994-present. Justice Anderson is the recipient of numerous awards including the Macalester College Distinguished Citizen Award, the Minnesota Hispanic Bar Association "Access to Justice Award," the MSBA Civil Litigation Section's 2009 Advocate Award, the first ever MSBA Citizen Lawyer Award in 2009, and the Toastmasters 2010 Communication and Leadership Award. He is an avid bicyclist- MS TRAM (9 times), Tour de Wyoming (2), Cycle Utah, Cycle Montana, gourmet cooking, history, and civics. Project Home Volunteer. Justice Anderson has lectured in El Salvador, China, the Philippines and Russia. In March 2011, he completed a second lecture tour in China. In June 2012 Justice Anderson traveled to Libya and Tunisia where he lectured on election law and constitution drafting. He retired from the Minnesota Supreme Court at the end of May, 2013, having reached the mandatory retirement age of 70.

# Carlson, Alan

---

**Chief Executive Officer**  
**Orange County Superior Courts, CA**  
**E-mail: [acarlson@occourts.org](mailto:acarlson@occourts.org)**

Alan Carlson has more than 36 years of experience working in state and local justice systems across the country and internationally. He currently serves as the Chief Executive Officer of the Superior Court of California for the County of Orange, a large, urban, unified state trial court with 144 judicial officers serving over three million residents. His duties include court administrator, clerk of court, and jury commissioner.

Alan has been extensively involved with projects involving public access to court records. He is the principal author of the *CCJ/COSCA Guidelines for Public Access to Court Records* and assisted several states in drafting rules on public access. He was a member of both the Global Privacy and Information Quality Working Group and the Global Intelligence Working Group supporting justice information sharing.

Alan has also worked for the Justice Management Institute (JMI), the Superior Courts in San Francisco, Monterey, and Alameda counties, the California Administrative Office of the Courts, and the National Center for State Courts. Alan holds a JD degree from Hastings College of Law and a BS degree from the University of California at Berkeley.

# Cassel, Hon. William B.

---

**Nebraska Supreme Court**  
**Lincoln, NE**  
**Email: [William.cassel@nebraska.gov](mailto:William.cassel@nebraska.gov)**

Justice William B. Cassel is the newest and youngest member of the Nebraska Supreme Court. He previously served on Nebraska's intermediate appellate court and before that, as a general jurisdiction trial judge regularly serving 8 rural counties. Before joining the bench, he was a general practitioner in rural north central Nebraska. He is chair of the Supreme Court's Technology Committee and has pioneered numerous advances in legal technology at every stage of his career.

# Deyling, Robert

---

## **Assistant General Counsel**

**Administrative Office of the U.S. Courts, D.C.**

**Email: [robert.deyling@ao.uscourts.gov](mailto:robert.deyling@ao.uscourts.gov)**

Robert Deyling is Assistant General Counsel at the Administrative Office of the United States Courts. He has extensive knowledge of state and federal court efforts to develop policies and court rules on privacy and public access to electronic records, and he assisted the Judicial Conference of the United States in its development of privacy policy guidance and court rules for the federal courts. Since 2001, he has assisted in organizing the Conference on Privacy and Public Access to Court Records, in conjunction with the Center for Legal and Court Technology at William and Mary Law School. Before coming to the Administrative Office in 1995, Bob was a Supreme Court Fellow in 1994-95, and a staff attorney for the U.S. Court of Appeals for the District of Columbia Circuit from 1991-94. He holds a B.A. degree from Stanford University and a J.D. degree from New York University School of Law.

# Dietrich, Sharon

---

## **Managing Attorney for Employment and Public Benefits**

**Community Legal Services, Inc., PA**

**Email: [sdietrich@clsphila.org](mailto:sdietrich@clsphila.org)**

Ms. Dietrich has been an attorney with the Employment Unit of Community Legal Services, Philadelphia, since 1987. She became CLS' Managing Attorney for Public Benefits and Employment in 1997.

A focus of Ms. Dietrich's work has been issues involving the employment of ex-offenders. These activities include: (1) representation of hundreds of ex-offenders who have been denied employment because of their criminal records; (2) participation as co-counsel in Nixon v. Commonwealth of Pennsylvania, a lawsuit successfully challenging the constitutionality of the Older Adult Protective Services Act, a Pennsylvania statute prohibiting the employment of many ex-offenders in nursing homes, home health care agencies, mental health and mental retardation facilities, and other long-term health care facilities; (3) participation as co-counsel in Johnson v. Locke, a national class action alleging that the Census Bureau's criminal background screening process violated Title VII; (4) participation as co-counsel in national class action litigation against the background screener HireRight for violations of the Fair Credit Reporting Act; and (5) contribution to Every Door Closed, a report from CLS and the Center for Law and Social Policy that discusses the cumulative civil law problems faced by ex-offenders.

In May 2002, Ms. Dietrich received an award from the Pennsylvania Prison Society in recognition of her work on behalf of ex-offenders. She also has received awards from the Philadelphia Bar Association

(2005), the Pennsylvania Bar Association (2006) and the National Legal Aid and Defender Association (2006).

## Dooley, Hon. John

---

### **Associate Justice**

**Vermont Supreme Court, VT**

**Email: [john.dooley@state.vt.us](mailto:john.dooley@state.vt.us)**

John Dooley is a Justice of the Vermont Supreme Court, having served in that capacity since 1987. He was born in Nashua, New Hampshire, graduated from Nashua High School (1961), Union College (Bachelor of Science in Electrical Engineering 1965) and Boston College Law School (Juris Doctor 1968). Prior to his current position, he was Secretary of Administration of the State of Vermont, legal counsel to Governor Madeleine Kunin, and Executive Director of Vermont Legal Aid, Inc. Justice Dooley has served as President of the Vermont Bar Association. He is chair of the Judiciary's Court Technology Committee, and was chair of the committee that produced Vermont's public access to court records rules in 2000, rules governing dissemination of electronic case records in 2002 and electronic filing rules in 2009. Justice Dooley has participated in the CLCT Conference on Privacy and Public Access to Court Records since its inception.

## Graski, Diane

---

### **Principal Court Management Consultant**

**National Center for State Courts, VA**

**Email: [dgraski@ncsc.org](mailto:dgraski@ncsc.org)**

Diana Graski is a member of NCSC's Technology team, providing support to the Children's Bureau's National Resource Center for Child Welfare Data and Technology; the National Information Exchange Model's Children, Youth, and Family Services domain; and leaders in the justice and human services communities who seek to improve program performance through appropriate information sharing. Di is a participant in the Global Standards Council's Services Task Team and Federated Identity and Privilege Management Task Team.



# Green, Rebecca

---

**Professor of Practice & Coordinator of the Election Law Program**  
**William & Mary Law School**  
**Assistant Director for Privacy and Technology**  
**Center for Legal and Court Technology (CLCT), VA**  
**Email: [rgreen@wm.edu](mailto:rgreen@wm.edu)**

Professor Rebecca Green serves as Professor of Practice, and Coordinator of the Election Law Program at William and Mary Law School. She is also an Assistant Director for Privacy & Technology at CLCT. Professor Green earned her J.D. from Harvard Law in 2001 and a Master's from Harvard in Chinese Legal History. After law school, she worked as a media lawyer in Boston at Hill & Barlow before moving to Williamsburg. Professor Green teaches courses in Media Law, Privacy, and Alternative Dispute Resolution, and coordinates CLCT's bi-annual Conference on Privacy and Public Access to Court Records.

# Hagburg, Michael

---

**Staff Attorney**  
**North Dakota Supreme Court**  
**Email: [mhagburg@ndcourts.gov](mailto:mhagburg@ndcourts.gov)**

Mike Hagburg is a staff attorney with the North Dakota Supreme Court. His primary responsibility is to staff the Joint Procedure Committee, which reviews and considers amendments to North Dakota's procedural rules. He also assists the work of the state's Court Technology Committee and the Odyssey User Group. He has been involved in the development of all of North Dakota's current rules on access to court records, records privacy protection, interactive television, and electronic filing and service. Before coming to the Court in 2001, he was in private legal practice. He holds a B.A. degree from the University of Minnesota and a J.D. degree from the University of North Dakota, School of Law.

# Harris, Jay

---

**Senior Director**  
**National Background Data by CoreLogic**  
**Email: [jwharris@corelogic.com](mailto:jwharris@corelogic.com)**

Jay Harris undertook leadership of CoreLogic's National Background Data in March, 2013. NBD is among the country's leading public records aggregators and resellers. As business head of NBD, he is charged

with expanding opportunities for a national retail background screening clientele to obtain accurate, actionable public records data and related applications.

An attorney by training, Mr. Harris has worked with CoreLogic and its predecessor organizations for nine years. His prior experience with CoreLogic SafeRent, a resident screening firm, included leadership roles for sales management (corporate and federal), law and government affairs, strategic alliances, and product development.

Prior to joining CoreLogic SafeRent, Mr. Harris was Vice President of Property Management for the National Multi Housing Council/National Apartment Association Joint Legislative Staff. There he conducted a variety of business initiatives and lobbied on state and federal legislative and regulatory changes to benefit the apartment industry and its residents. Among his areas of responsibility were resident screening and collections, consumer privacy and the Fair Credit Reporting Act, risk management and insurance, human resources, and fair housing and accessible design.

An experienced federal government relations professional, Mr. Harris also represented the mortgage lending business on Capitol Hill and before the federal regulatory agencies for nearly a decade before coming to the rental housing and consumer data industries. Areas of specialty included the Community Reinvestment Act and the Fair Housing Act.

A graduate of The Johns Hopkins University and George Mason University School of Law, Mr. Harris is a member of the Virginia State Bar. He has been credentialed in both national data privacy and affordable housing management certifications.

## Hartzog, Woodrow

---

**Assistant Professor**  
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Woodrow Hartzog is an Assistant Professor at the Cumberland School of Law at Samford University. He is also an Affiliate Scholar at the Center for Internet and Society at Stanford Law School. His research focuses on privacy, human-computer interaction, contracts, and robotics. His work has been or is scheduled to be published in numerous scholarly publications such as the *Columbia Law Review*, *California Law Review*, and *Michigan Law Review* and popular publications such as *The Atlantic* and *The Nation*. He has been quoted or referenced in numerous articles and broadcasts, including *NPR*, *the New York Times*, *the Los Angeles Times*, *USA Today*, and *Bloomberg*. He previously worked as a trademark

attorney at the United States Patent and Trademark Office and in private practice. He has also served as a clerk for the Electronic Privacy Information Center.

## Heyl, Carla

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**Director**  
**SCAO, Legal Counsel Division**  
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Carla Heyl is the Director of the Legal Counsel Division of the State Court Administrator's Office. She has been an assistant attorney general for the State of Minnesota, general counsel/deputy state auditor for the State of Minnesota, and litigation management attorney for the League of Minnesota Cities. She is a 1987 cum laude graduate of the University of Minnesota Law School.

## Johnson, Hon. Donald R.

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**Criminal Court Judge**  
**19<sup>th</sup> Judicial District Court, Baton Rouge, LA**  
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Judge Johnson served on the bench of Baton Rouge City Court from 1993-1999. Since 1999, he has served on the 19<sup>th</sup> Judicial District Court, Baton Rouge, Louisiana. Currently, he serves on the District Court as a Criminal Court Judge. He has also served as a Drug Court Judge and a Civil Court Judge. Prior to becoming a Judge, he served as an Assistant District Attorney for the Parish of East Baton Rouge and practiced law. Judge Johnson has earned the following degrees:

- Bachelors of Science Degree in Mechanical Engineering from Southern University in Baton Rouge, Louisiana; 1977
- Juris Doctor Degree from Louisiana State University (LSU), Baton Rouge, 1982
- Master of Criminal Justice, Loyola University, New Orleans; 2003
- Master of Justice Management; University of Nevada, Reno; 2008
- Master of Judicial Studies; University of Nevada, Reno; 2009
- Ph.D. Candidate; University of Southern Mississippi, Hattiesburg; 2014

Judge Johnson has received certifications in a plethora of areas including, but not limited to: Traffic Issues in the 21<sup>st</sup> Century, November 2008; Judicial Philosophy and American Law, April 2008; Impaired Driving Case Essentials, September 2007; The Fourth Amendment: Licensing Laws, March 2007; Financial Statements in the courtroom, November 2006; Judicial Development Dispute Resolution Skills, August 2006; Conducting the Trial, August 2006; Civil Mediation, August 2006; Effective Cash Flow Management, July 2006; Dispute Resolution, July 2006; Planning and Presenting Effective Presentations,

January 2006; When Justice Fails: Threats to the Independence of the Judiciary, February 2005; General Jurisdiction; and SPSS Training and Education Services, Introduction to Statistical Analysis, August 2008; Introduction to SPSS, May 2008; Advanced Techniques: Regression, January 2007; Advanced Statistical Analysis, November 2007; and lastly, certified by the National Drug court Institute, George Washington University School of Law, Judicial Training for Drug Court, October 1998. Judge Johnson has been facilitating with the University of Phoenix since October 2012. Previously, he taught at the National Judicial College in Reno, Nevada.

## Johnson, Michael

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**Senior Legal Counsel**  
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Michael Johnson has been a staff attorney with the Minnesota State Court Administrator's Office for 31 years. He has staffed Minnesota's advisory committees on public access to court records and assists and trains court staff on access issues. Related efforts include drafting and negotiating hardware, software and data access and non-disclosure contracts and orders. He received his J.D. from William Mitchell College of Law and his BA from the University of Minnesota. He and his wife Ann have a son, Kevin, 18.

## Kreeger, Hon. Judith

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**Senior Circuit Judge, FL**  
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Judge Judith L. Kreeger, a Senior Circuit Judge, served as a Circuit Judge in the 11<sup>th</sup> Judicial Circuit (Miami-Dade County) for 17-1/2 years, during most of which she served in the Family Division. She recently chaired the Florida Supreme Court's Florida Courts Technology Commission and previously chaired its Access to Court Records Committee. She also served as a member of the Florida Supreme Court's Ad Hoc Workgroup on Access to Court Records, the legislative committee and the Florida Supreme Court Committee on Privacy and Court Records. She served on the Florida Supreme Court's Steering Committee on Children and Families in the Courts, and chaired its Pro Se and Case Management Subcommittees. She has organized and taught numerous portions of continuing judicial education and continuing legal education programs. She has authored articles about the conflict between rights of privacy and public records laws. She served as a member of the Advisory Committee for the National Center for Courts and the Media.

Judge Kreeger has received a number of awards during her judicial career, including the Community Service Award from Greater Miami Jewish Federation, the Jurist of the Year award from the Florida Academy of Matrimonial Lawyers, and a certificate of appreciation from her colleagues and the staff of the Family Division of the Circuit Court.

Before her service on the bench, Judge Kreeger practiced law with her husband, Julian Kreeger, as a partner in the firm of Kreeger and Kreeger for 20 years.

## Leslie, Gregg

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**Legal Defense Director  
Reporters Committee for Freedom of the Press  
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Gregg Leslie has been a staff attorney with the Reporters Committee since 1994 and the Legal Defense Director since 2000. He is responsible for the Reporters Committee's appellate amicus curiae practice, in which the committee files dozens of briefs each year in courts around the country. He also serves as editor of the Reporters Committee's news publications and guides and supervises calls to the committee's reporter hotline. Gregg has served as a member of the American Bar Association's Fair Trial and Free Press Task Force, as chairman of the D.C. Bar's Media Law Committee and as a steering committee member of the D.C. Bar's Arts, Entertainment, Media and Sports Law section. He is often interviewed by reporters on First Amendment and free press issues, and regularly speaks on panels on these issues as well.

## Merz, Hon. Michael

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**Magistrate Judge  
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Magistrate Judge Michael R. Merz is a life-long resident of Dayton, Ohio, where he was born in 1945. He is a 1967 graduate of Harvard College (A.B. cum laude) and received his J.D. degree from Harvard Law School in 1970.

From 1970 to 1977, Judge Merz practiced law with the Dayton firm of Smith & Schnacke. Appointed a Judge of the Dayton Municipal Court in 1976, he was elected to that position in 1977 and re-elected in 1979. He was appointed United States Magistrate Judge in 1984 and in March 2011, while serving his fourth term, retired and was recalled to service. He served as Chief Magistrate Judge of the Southern District from 2004 to 2008.

Judge Merz has taught at the University of Dayton, School of Law and for the Ohio Judicial College. Within the legal community, Judge Merz served seven years on the Ohio Supreme Court's Rules Advisory Committee and has chaired the Ohio State Bar Association's Judicial Administration and Federal Courts Committees. He was founder and later President of the Carl D. Kessler Inn of Court and served as President of the Harvard Law School Association of Ohio in 1989-1990. He was Sixth Circuit Trustee of the Federal Magistrate Judges Association 1998-2000 and the magistrate judge representative on the Sixth Circuit Judicial Council from 2006-2009. Judge Merz was named an Honorary Life Fellow of the Ohio State Bar Foundation in 2008 and became a Life Fellow of the American Bar Foundation in 2009. In 2012 Judge Merz received the Dayton Bar Association Legacy of Excellence award and in 2013 the American Bar Association's Robert B. Yegge Award for Outstanding Contribution to Judicial Administration.

Judge Merz's civic activities have included Chairman of the United Way of Greater Dayton, President of the Board of Trustees of the Dayton Public Library, and President of the Montgomery County Historical Society. He was given the City of Dayton's Outstanding Service Award in 1982. He served from 2004 to 2009 on the National Review Board of the United States Conference of Catholic Bishops. He also serves as a director of the East End Community Service Corp. and the Dayton Metro Library Foundation. Judge Merz is married to Marguerite LeBreton Merz and has two adult sons, Peter and Nicholas.

## Ouska, Christina

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**Senior Trial Consultant**  
**JuryScope**  
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Christina Ouska is a Senior Trial Consultant with JuryScope, Inc. With a background in business and a legal education, Ms. Ouska brings a unique perspective to jury consulting. Since joining JuryScope, Ms. Ouska has gained trial consulting experience in several areas, including: intellectual property, contract disputes, antitrust, criminal matters, class actions, securities, product liability, insurance coverage, and employer/employee disputes.

Some representative matters she has contributed to include: *Case IH v. Kinze Mfg.* (Patent Litigation – Wilmington, DE); *DTB v. ATP* (Antitrust Litigation – Wilmington, DE); and *Ion Geophysical v. Sercel* (Patent Litigation – Eastern District of Texas).

Ms. Ouska has consulting experience in finding a representative cross-section of a venue's demographic for research purposes, conducting research through mock trials and litigation focus groups, organizing and conducting shadow juror interviews, preparing witnesses for trial, and post-trial juror interviews. She has presented on various topics related to trial consulting to various law firms and bar associations

and is a regular presenter for West Legal Education Center. Ms. Ouska works out of Minneapolis/St. Paul, Minnesota.

Ms. Ouska graduated from University of Minnesota's Carlson School of Business with a bachelor of science in human resources/industrial relations, international business and French. She then earned her J.D. from the William Mitchell College of Law. She is a non-practicing member of the State Bar of Minnesota.

## Preston, Angela

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**Vice President of Compliance, General Counsel**  
**EmployeeScreenIQ**  
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Angela Preston, JD, is vice president of compliance and general counsel for EmployeeScreenIQ, a global provider of employment background screening. Angela has broad industry experience including more than 20 years as a licensed attorney and 13 years as a leader and expert in the background screening industry. She has extensive expertise in employment law, privacy law, EEO law and the Fair Credit Reporting Act. Throughout her career she has specialized in government affairs, compliance best practices and policy initiatives. She currently serves on the Board of Directors of the National Association of Professional Background Screeners (NAPBS), and frequently represents the association when meeting with the FTC, the EEOC and members of Congress. She is actively involved in the Society for Human Resource Management (SHRM) and ASIS International, the preeminent organization for security professionals. Preston, a frequent speaker and educator to the industry, is also a member of the Ohio State and Columbus Bar Associations.

In her role with EmployeeScreenIQ, Preston has direct oversight of compliance programs, and provides guidance in complex legal matters including state and federal legislation, EEO law, client education, adjudication, pre/adverse action process, NAPBS Accreditation and client and vendor contract management. Preston is committed to best practices and enjoys lending her legal expertise to clients and business partners. You can follow her on twitter @angelabosworth, connect with her on LinkedIn <http://www.linkedin.com/in/angelabosworth>, and follow her frequent blog posts at <http://www.employeescreen.com/iqblog/>.

# Price, David

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## **Staff Attorney**

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Mr. Price is a staff attorney with the Administrative Office of Pennsylvania Courts (AOPC). He is currently assigned to assist the Judicial Automation staff in the maintenance of the Common Pleas Criminal Court Case Management System which is a statewide case management and processing system for the Criminal Division of the Courts of Common Pleas. In addition, he was the Chair of AOPC's Public Access Ad Hoc Committee which crafted a policy concerning public access to electronic case records of the Unified Judicial System which was adopted by the Supreme Court of Pennsylvania effective January 1, 2007. He was involved in the creation of a public access policy to the official paper case files of the Magisterial District Courts which was also adopted by the Supreme Court of Pennsylvania effective July 1, 2010. Prior to his employment with AOPC, Mr. Price was an Assistant District Attorney for Susquehanna County, Pennsylvania. He received his J.D. from Widener University School of Law and his B.A. from the University of Pittsburgh at Johnstown.

# Rasmussen, Jennifer

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## **Deputy State Court Administrator for IT**

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From 2006-2013 Jennifer was the Senior Project Manager with Nebraska Interactive, network manager for the State of Nebraska. In this capacity she provided specialized expertise in web application software development for government services. Jennifer managed the Nebraska Supreme Court IT initiatives for state-wide trial court Internet based systems including eFiling and ePayments from the concept through the implementation phase. Currently she is the Deputy State Court Administrator for Information Technology with the State of Nebraska, with responsibilities for managing Judicial Branch technology at state and county levels, providing support and enhancement for the statewide case management system (JUSTICE), and administering other technology projects.



# Salow, Heidi

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Heidi Salow is Vice President and Senior Privacy Officer at Thomson Reuters. She has extensive experience in matters involving privacy, data security, intellectual property, e-commerce, social media, online copyright liability and protection, trademark law, mobile technology and mobile applications, legal risks associated with various website offerings, vendor management, records retention, data loss prevention, data classification methodologies, regulatory/legislative advocacy, legal compliance, risk management, corporate governance and corporate brand strategy.

Heidi has spent most of her 18-year career in private practice and as in-house counsel at a Fortune 50 corporation. She was one of the first members of Sprint Nextel's Office of Privacy, where she handled complex privacy, data security and intellectual property matters for four years. Subsequently, she joined DLA Piper's Privacy and e-Commerce practice and later became a Partner at Greenberg Traurig LLP. In addition to compliance counseling, her experience includes legislative advocacy, public policy and negotiating intellectual property licensing, outsourcing, cloud computing and partnership agreements. Heidi has represented numerous companies on regulatory, legislative and public policy matters before Congress, the Administration, and U.S. federal and state agencies.

# Skidgel, Wendell

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Wendell Skidgel, Jr., is the Attorney Advisor for the Public Access and Records Management Division at the Administrative Office of the United States Courts. He has extensive knowledge of PACER and the Federal Court's CM/ECF system. He previously served as the I.T. Director for the United States Bankruptcy Court for the District of Massachusetts. Prior to attending law school, he was the Systems Manager for the First Circuit Court of Appeals. He holds a J.D. from Boston University School of Law and Bachelor's degrees in Mathematics and Computer Science from Eastern Nazarene College.

# Smukler, Hon. Larry M.

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**Associate Justice**

**New Hampshire Superior Court, NH**

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Justice Larry M. Smukler was appointed to the New Hampshire Superior Court in 1992, after serving for three years as the chairman of the state's Public Utilities Commission (PUC). He introduced e-mail, word processing, spreadsheet and statistical analysis software to PUC operations and has been chairman of the court system's technology committee since he came on the bench. Justice Smukler has been instrumental in development of the court system's case management system and he presided over the first trial in New Hampshire to use an Internet-based electronic filing system paid for by the parties to the case. He is now chairman of a court committee developing policy for public access to electronic court records.

# Southworth, Cindy

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**Vice President of Development & Innovation**

**National Network to End Domestic Violence**

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Cindy Southworth is the Vice President of Development and Innovation at the National Network to End Domestic Violence (NNEDV). Cindy leads the communications, development, technology, and international efforts of NNEDV. She joined NNEDV in 2002 when she founded the Safety Net Project to address all things technology and Violence Against Women. Through the Safety Net Project Cindy works with private industry, state and federal agencies, and international groups to improve safety and privacy for victims in this digital age. She has testified before Congress and is on many task forces and committees that address justice, privacy, technology, and safety in the Justice, Elections, Defense, and Human Services arenas. Cindy has Master's Degree in Social Work and has worked to end violence against women for 20 years at national, state, and local advocacy organizations. She has spent the past 12 years focusing on how technology can increase victim safety and how to hold stalkers accountable for misusing technology. She is a co-Chair of the Technology Committee of the National Taskforce To End Sexual And Domestic Violence Against Women and is a member of both the [Anti-Spyware Coalition](#) and the US Department of Justice, Office of Justice Program' Global Justice Information Sharing Initiative's [Privacy and Information Quality Working Group](#). Cindy is recognized as the international expert on helping victims use technology safely, addressing technology stalking and data privacy for victims.

**9th Conference on Privacy and Public Access to Court Records**  
**Center for Legal and Court Technology**  
**College of William & Mary School of Law, Williamsburg, VA**  
**October 14-15, 2013**

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## 9th Conference on Privacy and Public Access to Court Records

Center for Legal and Court Technology

College of William & Mary School of Law, Williamsburg, VA

October 14-15, 2013

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**9th Conference on Privacy and Public Access to Court Records**  
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- Moderator
- ◆ Panelist
- Sponsor