



# ACCESS/ Rhode Island

Chief Justice Paul Suttell  
General Chief Clerk Deborah Boisclair  
c/o Rhode Island Supreme Court  
Frank Licht Judicial Complex  
250 Benefit Street  
Providence, RI, 02903

*SENT VIA EMAIL TO AKRISS@COURTS.RI.GOV AND DBOISCLAIR@COURTS.RI.GOV*

October 1, 2024

Dear Chief Justice Suttell and Clerk Boisclair,

We're writing on behalf of Access Rhode Island, a non-profit coalition of government transparency advocates in the state. Our members include local newsrooms, civil rights groups and other democracy-focused organizations.<sup>1</sup>

According to a Sept. 13 article in the Providence Journal, the state judiciary plans to begin making court records accessible online to all members of the public next spring.<sup>2</sup> The platform re:Search by Tyler Technologies reportedly will be used. While we applaud the court's intentions and look forward to increased accessibility to court records, we are unaware of any public hearing or other opportunity to provide guidance on how this system could best be implemented. Please consider this a request to provide that opportunity. Members of the public and organizations like ours can share important guidance on how the new system could be successfully launched and done so in a way that maximizes transparency.

Such guidance is critical if we are to avoid the missteps made in other states. We recently surveyed users of re:Search and other Tyler products and found numerous complications. While it's not clear whether these challenges stem from the technology itself, policies governing the use of the technology, or a combination of the two, they are nevertheless limitations to the public's right to know. Concerns expressed from those in other states include:

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<sup>1</sup> More information about Access Rhode Island can be found at [accessri.org](https://accessri.org). Members include representatives from the ACLU Rhode Island, New England First Amendment Coalition, the League of Women Voters of Rhode Island, the University of Rhode Island, Common Cause Rhode Island and the Rhode Island Press Association.

<sup>2</sup> See "Will Washington Bridge Lawsuit Documents Be Publicly Available? What's Being Done," Providence Journal, Katherine Gregg, <https://www.providencejournal.com/story/news/politics/2024/09/13/as-the-washington-brd-big-bridge-lawsuit-takes-shape-ri-is-moving-to-remote-access-to-court-documents/75180177007/> (last visited Sept. 27, 2024).

- Policies that unduly restrict access to certain public information court officials deem too sensitive to make available online.
- Search function limitations that make it impossible to find relevant records and reoccurring error messages resulting from queries.
- Providing case documents as a PDF or other file formats that do not allow text searching.
- Lack of resources and training for court staff to help users troubleshoot issues arising from the software.

Of the six New England states, only Maine is currently using re:Search.<sup>3</sup> Users there are experiencing a wide range of challenges that can only be overcome by visiting individual courthouses — an unfortunate necessity that defeats the purpose of online access and enables an inequitable system where court access is available to only those with the ability to travel. In Maine, users of re:Search are encountering the following:

- Basic system functions such as alerts and saved cases are not operable.
- Not all courts in the state are using the system so users are limited to case information in only certain districts.
- Inconsistent search results where the same query can lead to different listings of cases.
- Showing the existence of court records but not allowing users to access them. When records are available, only the first few pages are typically provided with a fee required to obtain the complete document.
- A list of motions in a particular case but no information on which party filed those motions.
- The absence of all criminal records, except for traffic violations which are categorized as “criminal.” Only civil court records are available online.

We expect many if not all issues like these can be avoided with proper planning and sufficient public input. Online access to court records in Rhode Island presents tremendous potential for judicial transparency and equitable access to government. We look forward to an opportunity to discuss the new system in more detail and to provide guidance ahead of its launch.

Thank you for your consideration.

*Scott Pickering*

**Scott Pickering**  
*President*  
 Access Rhode Island



**Justin Silverman**  
*Executive Director*  
 New England First Amendment Coalition

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<sup>3</sup> See “Maine: Online Access to Court Records,” New England First Amendment Coalition, Sawyer Loftus, <https://youtu.be/XA42u03UnM> (last visited Sept. 27, 2024). Relevant discussion begins at 10:51.