

6/15/07 Co. Co. Times Central

## Editorials

# Disclose court deal

**I**N MARCH 2006, the Contra Costa County Superior Court awarded a contract to the Santa Clara Legal Aid Society to provide attorneys for cases concerning poor families in juvenile dependency proceedings,

Attorneys for these cases, which usually deal with abuse or neglect allegations, normally come from the public defender's office and the county bar association. In an effort to cut court costs, the contract with the legal aid society was made and is expected to save the county \$1.5 million a year.

It might be a good deal for county taxpayers. Unfortunately, the public is not in a position to know because it is being denied information about details of the contract. That shortcoming needs to be corrected and may well be resolved thanks to a lawsuit by Public Defender David Coleman.

He has asked a justice from the state Court of Appeal to order Contra Costa Superior Court Executive Officer Ken Torre to provide documents regarding the contract. Torre has refused, saying the information is confidential.

Torre is off base. Terry Francke, general counsel for Californians Aware, an open-government advocacy group, said, "Since there's no statutory exemption for those (contract) records under the constitution, they're simply public."

Francke explained that some judicial case records are not public under the Public Records Act, but that business records, such as the contract between the Superior Court and the Santa Clara Legal Aid Society, are public.

Coleman wants court administrators to make public resumes of legal aid society attorneys and staff members who would be working in Contra Costa. He also wants disclosure of written correspondence between the courts and the legal aid society about the application and any kind of scoring information the courts used when selecting the agency.

These are reasonable requests. The public has a right to know the details of any business arrangement made by public agencies. The public interest in this situation should trump any claims of privacy rights regarding the resumes of the legal aid society attorneys.

Time and again, public officials have to be taken to court simply to obtain public information about public policy. It would be a lot better if public officials heeded the Public Records Act instead of trying to conceal public business.

We trust that once again the courts will side with the public and order the details of the court contract with the legal aid society to be fully disclosed.

