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February 4, 2016

Michael B. Johnson

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Via e-mail: michael.johnson@courts.state.mn.us

RE: Comment in Response to Solicitation of Written Input on Bulk Data Access

Dear Mr. Johnson:

I write on behalf of the Consumer Data Industry Association ("CDIA") to offer comments on bulk data access and to request an extension of the comment deadline. This comment is in response to a January 29, 2016 email noting that the Minnesota Supreme Court Advisory Committee on the Rules of Public Access to Records of the Judicial Branch ("Advisory Committee") is soliciting certain input on access to bulk data for its upcoming meeting on February 11, 2016.

Public record information collected from the judicial and executive branches of Minnesota help businesses and governments manage risk. This data protects society and reduces fraud. Bulk access to this data is often the most efficient and cost-effective way to send and receive public record information. Eliminating the mandate to provide data in bulk would greatly slow down the process of updating our records and not provide organizations with the most recent court record data, which could impact the ability of citizens to get an apartment or job.

CDIA is an international trade association, founded in 1906, of more than 130 corporate members. Its mission is to enable consumers, media, legislators and regulators to understand the benefits of the responsible use of consumer data which

creates opportunities for consumers and the economy. CDIA members provide businesses with the data and analytical tools necessary to manage risk. They help ensure fair and safe transactions for consumers, facilitate competition and expand consumers' access to a market which is innovative and focused on their needs. CDIA member products are used in more than nine billion transactions each year.

The value of commercial access to public records – and in bulk – has been proven many times over. Then-FBI Director Louis Freeh testified before Congress in 1999 and noted that in 1998, his agency made more than 53,000 inquiries to commercial on-line databases “to obtain public source information regarding individuals, businesses, and organizations that are subjects of investigations.” This information, according to Director Freeh, “assisted in the arrests of 393 fugitives, the identification of more than \$37 million in seizable assets, the locating of 1,966 individuals wanted by law enforcement, and the locating of 3,209 witnesses wanted for questioning.”¹

Bulk access to judicial records helps in other ways, too. The Association for Children for Enforcement of Support reports that public record information provided through commercial vendors helped locate over 75 percent of the “deadbeat parents” they sought.²

I hope these comments are helpful to you. The solicitation for comments on bulk access provided for just one week for comments. I hope that the Advisory Committee will allow comments beyond the one week deadline provided in the Jan. 29 email. Additional time for comments could allow for a more detailed airing of the issues presented by the solicitation for comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'E. Ellman', with a long horizontal flourish extending to the right.

Eric J. Ellman
Senior Vice President, Public Policy & Legal Affairs

¹ *Hearing before the Senate Comm. on Appropriations Subcomm. for the Departments of Commerce, Justice, and State, and the Judiciary and Related Agencies, March 24, 1999* (Statement of Louis J. Freeh, Director of the Federal Bureau of Investigation).

² *Information Privacy Act, Hearings before the Comm. on Banking and Financial Services, House of Representatives, 105th Cong., 2nd Sess. (July, 28, 1998)* (statement of Robert Glass).