

2020 FORUM FOR STATE APPELLATE COURT JUDGES

28TH
ANNUAL
FORUM

Dangerous Secrets: Confronting Confidentiality in Our Public Courts

Pound Civil Justice Institute

The Forum is a one-day complimentary judicial education conference. Registrations are accepted on a first-come, first-served basis.

HOLD THE DATE: SATURDAY, JULY 11, 2020 – VIRTUAL

Program is complimentary for sitting state appellate and trial judges.

Space is limited: Request your spot at www.poundinstitute.org

DANGEROUS SECRETS: CONFRONTING CONFIDENTIALITY IN OUR PUBLIC COURTS

Saturday, July 11, 2020

A considerable range of American legal proceedings and certain out-of-court agreements are kept secret—sometimes with deadly results. During civil litigation, information is frequently sought from or about prior suits to save time and expense in discovery, to test the veracity of defense filings, and to assist similarly affected clients. Typically, defendants do not want adversaries to be able to share information produced in discovery, and they sometimes try to keep secret even the fact that there has been litigation. While proponents argue that the purpose of secrecy is merely to protect the parties' privacy, often it veils dangerous products and practices, to the detriment of consumers and workers. The news media have a great aversion to secrecy, and frequently petition to have court secrecy orders vacated, while consumer, civil rights, and employment advocates often ask courts to open their files so that they can gain information about, and publicize, dangerous products and practices.

At the 2020 Judges Forum, legal scholars, judges, practitioners, and members of the news media will discuss the nature and extent of secrecy in our publicly-financed American courts and in the larger environment of negotiation, and will consider means to combat dangerous secrecy in civil litigation.



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