

High Court to Post Same-Day Transcripts

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The Supreme Court announced yesterday that it will make same-day transcripts of its oral arguments available free on its Web site, the quickest and most complete public access to its proceedings the court has ever offered.

There is no sign that the court is about to yield to calls for live television coverage, which the justices have steadfastly refused. But, in the quiet, tradition-bound world of the Supreme Court, yesterday's decision was almost revolutionary, court analysts said.

"It's a tremendous opening to the outside world," said Richard Lazarus, a professor of law at Georgetown University and co-director of the school's Supreme Court Institute.

It was the biggest step the court has taken in the direction of greater public access since John G. Roberts Jr., himself a former Supreme Court oral advocate, took over as chief justice almost a year ago.

Coupled with another recent innovation, the identification in the transcripts of which justice is asking a particular question, the court's new policy "creates the potential for more intelligent speculation by more people than just those who were in the courtroom about how a particular case is going to come out," Lazarus said.

Previously, free transcripts were not posted on the court's site, <http://www.supremecourtus.gov>, until two weeks after oral argument. The only exceptions were certain recent high-profile cases, such as the 2000 presidential election cases, in which the court released same-day audiotapes of oral argument. There were just three such occasions in the 2005-2006 term.

Anyone who wanted a same-day transcript had to pay hundreds of dollars to the court's transcription service, Washington-based Alderson Reporting. That effectively limited access to a handful of law firms.

But recent progress in digital technology and a new arrangement with Alderson made it possible for the justices to adopt the new policy, which law professors, lawyers and reporters have been urging for years.

Formerly, Alderson provided services to the court free and recovered its costs by selling the transcripts. Now, the court will pay Alderson and give away the transcripts on its Web site, court spokeswoman Kathy L. Arberg said.

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