Statement of Morgan McGinley,
President of the Connecticut Council
On Freedom of Information, to the
Judiciary Committee regarding
Raised Bill 605, March 10, 2008

Good afternoon, Mr. Chairman. I am Morgan McGinley. I recently retired as editorial page editor of The Day in New London and I speak today as president of the Connecticut Council on Freedom of Information, which supports Raised Bill 605. The council is a non-profit group consisting of editors and reporters who seek to make government more transparent by law.

Thank you to the committee for the opportunity to testify today and for the work the Judiciary Committee has done in helping to make the Connecticut courts more open and accountable. There simply is no understating the positive role this committee has played in rebalancing the authority of the various branches of government.

The Judicial Branch under the leadership of Chief Justice Chase Rogers and former Acting Chief Justice David Borden also deserves great credit for its efforts to explain the court system to the public, to make much more information available expeditiously and to turn the judicial ship around to ride an incoming tide of reform. Gov. Jodi Rell helped set the tone for more openness. We thank them for that.

In our view, Raised Bill 605 would set in place an excessively complex process of restoring the legislature's authority regarding the courts. But our group also recognizes the more important point: that 605 makes clear the constitutional principle of the legislature's rule-making authority with regard to the judicial branch. Again, for that reason, we support the bill.

The Connecticut Council on Freedom of Information has similarly worked towards this goal, so that the law, and not the particular people holding office at the time, establishes the rights of individual Connecticut citizens to know what government is doing in their behalf.

This is very important.

Personalities and temperaments of individual officials unavoidably influence the direction of various departments and branches of government. That's why it is critical to have the limits of their power defined by law and therefore holding sway over what may sometimes be contrary or secretive behavior of those public officials.

For as much as one might applaud a current regime as being open and in tune with the public, basing accountability on the particular personality holding office is a vexing problem. Defining the concept of openness by law is the better, more proper approach.

CFOI would rather see a constitutional amendment guaranteeing the transparency of the courts. But we believe Raised Bill 605 removes many of the ambiguities the courts themselves had created and asserts the legislature's rightful authority.

Most important, it champions the cause of the taxpayers who foot the bills and deserve to know what their government is doing.

Thank you.