

Statement about Supreme Court Decision
February 27, 2008

We are disappointed with today's ruling of the Michigan Supreme Court. Opening up settlement information to public view will most certainly put a chilling effect on parties trying to settle cases.

The City's decision to appeal was based on the Michigan Court Rules and the sound legal principle of confidentiality for parties who seek to resolve lawsuits through the mediation process. This ruling discourages the City from entering into the time honored and cost effective process of mediation. Mediation resolves cases and saves the taxpayers millions of dollars.

The Michigan Supreme Court has made it much more difficult - not only for the City but all individuals - to resolve lawsuits in the future since the personal information of people involved in litigation is no longer safeguarded from disclosure to the general public. Medical records, tax information, and many other types of records needed in order to have frank discussions between opposing parties, will now be less available in mediation.

The City of Detroit recognizes the tremendous pressure placed on the Court by the news media, which lobbied so heavily in their newspapers for this result. We are hopeful that one day this very serious legal issue can be re-visited in an environment that is not so politically charged.

John Johnson, Corporation Counsel
City of Detroit