



Everything New Orleans

# The Times-Picayune

## Copeland secrecy ruling rejected

Saturday, June 03, 2006

From staff reports

The Louisiana Supreme Court faulted a St. Tammany Parish judge Friday for sealing the entire divorce record of restaurateur Al Copeland and ordered a public hearing to determine what, if any, information should remain secret.

The multimillionaire businessman's fourth wife, Jennifer Devall Copeland, filed for divorce on Feb. 17. The 22nd District Court sealed the entire case, making public only the number of the lawsuit, the date of the filing, the title of the case and the fact that it is a divorce matter. The divorce was granted April 4, lawyers involved in the case said.

The Times-Picayune challenged the secrecy ruling on April 24, but Judge Reginald Badeux of the 22nd District did not change the ruling. A three-judge panel of the 1st Circuit Court of Appeal in Baton Rouge upheld that decision. The panel included judges Burrell Carter, Robert Downing and Jimmy Gaidry.

But the state Supreme Court cited the "strong constitutional bias" in favor of open court proceedings, finding the court's "blanket order sealing the entire record in this case to be overbroad."

It set aside the order sealing the record and told Badeaux to conduct a hearing, saying any secrecy order he might grant should be "narrowly tailored to cause the least interference possible with the right of public access."

Lori Mince, attorney for The Times-Picayune, said the decision is a victory for the public.

"The courts of this state are public, they are funded with public money and they make decisions which affect our community in virtually every area. . . . For this reason, the Louisiana Constitution and the United States Constitution guarantee that the courts of this state shall be open.

"In this case, the trial court issued a blanket sealing order, and we are pleased that the Supreme Court has recognized that this order violates the Constitution."

Attorneys for Copeland could not be reached Friday for comment.