

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

In the Matter of the)
Protective Proceedings of)
)
BRET BYRON BOHN,)
)
Respondent.)
_____)



Case No. 3AN-13-2737PR

**ORDER DENYING PSYCHRIGHTS' REQUEST FOR DISCLOSURE OF
CONFIDENTIAL PROCEEDINGS AND COURT FILE**

James Gottstein, through his organization, PsychRights, filed an Administrative Rule 37.7 request for public access to confidential records in this case. After briefing from all the parties, the Court DENIES PsychRights' request, finding PsychRights failed to meet its burden to show good cause.

Proceedings for guardianship are confidential and can only be disclosed upon court order for good cause shown or to specifically listed parties.¹ PsychRights argues good cause exists because disclosure serves the public interest. Specifically, PsychRights argues its mission "to mount a strategic litigation campaign against forced psychiatric drugging and electroshock around the United States"² serves the public and that public intrigue³ in addition to "[v]ery [t]roubling [a]spects of [t]his [c]ase"⁴ show cause for disclosure. While disclosure would likely provide the public with a clarified

¹ Alaska Prob. R. 14(d); AS 13.26.013(a).

² PsychRights' Req. for Disclosure at 4.

³ *Id.* at 5.

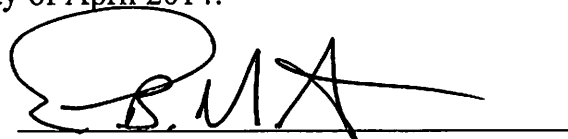
⁴ *Id.* at 6.

narrative of the case, the Court must consider the interests of Mr. Bohn's privacy and the effect disclosure would have on Mr. Bohn's continued care.

Mr. Bohn has a statutorily recognized right to privacy regarding his case file and guardianship proceedings. The burden is cast on the individual requesting disclosure to show good cause. The Court rejects the view that confidentiality yields to public access where the scope of the proceedings solely relate to Mr. Bohn's care. The Court will not order disclosure of highly sensitive and confidential court and medical records to simply address PsychRights' contention that Mr. Bohn's parents' had a "common sense" reaction to Mr. Bohn's prescribed course of medication or to satisfy PsychRights' inquiry as to whether Mr. Bohn is lucid enough to testify.⁵ Disagreement with the Court's findings or speculation as to anything allegedly unaddressed by the Court does not render the underlying proceedings public.

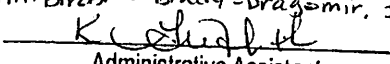
The Court finds that PsychRights has failed to meet its burden to show good cause exists for public disclosure of the court file. Any public disclosure is outweighed by Mr. Bohn's privacy rights, therefore, the Court DENIES PsychRights' request.

Dated at Anchorage, Alaska this 17 day of April 2014.



Erin B. Marston
Superior Court Judge

⁵ *Id.* 7-8.
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I certify that on 4/18/14 a copy of the following was mailed/ faxed/ hand-delivered to each of the following at their addresses of record. J. Gottstein, N. Russell, C. Perkins, E. Russo, W. A. Rose, M. Bivak, C. Brady-Dracomer, J.T. Bove, C. Slottee

Administrative Assistant
re-mailed to J. Gottstein 4/29/14. KG.