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Date: 2/21/2015 9:46 AM
Subject: ADM 2014-09

Dear Justices,

I commend and support Justice Markman's comments on this rule change. In my view, there should be no "unpublished opinions" in the sense that they are not precedent. The rule change should be to make unpublished decisions just as valuable as anything that was printed. With the expanded scope of internet coverage, and the move to electronic filing, access to all decisions is readily available.

One presumes (and hopes) that the "unpublished" decisions get the same amount of care and judicial thought as those that are published. If the original purpose was save paper and the number of printed volumes, the rule could leave it as an electronic only decision, but still valid on the point decided. Perhaps only the most interesting get published, though now-a-days, who looks at the printed book?

Of course, for any decision that is cited in a brief, one should explain why it's mentioned, and if there is a better decision than the one a writer was considering, it is time to rethink which one to cite. Whether it is published or unpublished shouldn't matter anymore.

Sincerely,

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