

THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA

IN RE: PUBLIC ACCESS POLICY – CASE RECORDS-AMENDED

ADMINISTRATIVE REGULATION NO. 20 -2017

AND NOW, this 11th day of Dec, 2017, in accordance with the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, 204 Pa. Code Ch. 213 (hereinafter "PAP"), the Court of Common Pleas of Chester County, Pennsylvania issues the following administrative regulation.

I. Effective Date

Administrative Regulation No. 20 -2017 is effective as of January 6, 2018.

II. Confidential Information

A. Pursuant to Section 7.0 of the PAP, the following is considered to be "Confidential Information":

1. Social Security Numbers;
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified;
3. Driver License Numbers;
4. State Identification (SID) Numbers;
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (*see* 42 Pa.C.S. § 6355); and
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name. "Abuse Victim" is a person for whom a protection order has been granted by a court pursuant to Pa.R.C.P. No. 1901 *et. seq.* and 23 Pa.C.S. §6101 *et. seq.* or Pa.R.C.P. No. 1951 *et. seq.* and 42 Pa.C.S. §62A01 *et. seq.*

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- B. Confidential Information shall not be included in any document filed with the court, except on a Confidential Information Form or Abuse Victim Addendum. Confidential Information related to "Abuse Victim", as defined in II.A(6) above, if necessary, must be provided on an Abuse Victim Addendum completed in accordance with the separate instructions contained thereon. Persons shall utilize the "Confidential Information Form" and "Abuse Victim Addendum Form" designed and published by the Administrative Office of Pennsylvania Courts and located on the Public Records page of the Unified Judicial System's website at <http://www.pacourts.us/public-records/public-records-policies>. The Confidential Information Form and Abuse Victim Addendum shall be available in each filing office and on the court's website at www.chesco.org.
- C. All Confidential Information Forms and Abuse Victim Addenda filed with the court must be submitted on **blue** paper.
- D. All such forms must be filed contemporaneously with the document. The Confidential Information Form, and any additional papers, must be served on all unrepresented parties and counsel of record. The Abuse Victim Addendum, and any additional pages, however, shall only be provided to the court and shall remain confidential. Persons referring to Confidential Information in a document must use alternate references.
- E. The Confidential Information Form and Abuse Victim Addendum shall not be accessible to the public.
- F. This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

III. Confidential Documents

- A. Pursuant to Section 8.0 of the PAP, the following are considered "Confidential Documents":
1. Financial Source Documents;
 2. Minors' educational records;
 3. Medical/Psychological records;
 4. Children and Youth Services' records;
 5. Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33;
 6. Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c); and
 7. Agreements between the parties as used in 23 Pa.C.S. §3105.
- B. Confidential Documents must be filed with a Confidential Document Form. Persons filing Confidential Documents shall use the Confidential Document

Form designed and published by the Administrative Office of Pennsylvania Courts and located on the Public Records page of the Unified Judicial System's website at <http://www.pacourts.us/public-records/public-records-policies>. The Confidential Document Form shall also be available in each filing office and on the court's website at www.chesco.org.

- C. All Confidential Document Forms filed with the court must be submitted on **blue** paper.
- D. Confidential Documents shall not be accessible to the public, except as ordered by a court. The Confidential Document Form or a copy of it shall be accessible to the public.
- E. This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

IV. Certification of Compliance; Non-compliance

- A. Parties and their attorneys shall be solely responsible for complying with the provisions of the PAP and this Administrative Regulation and shall certify their compliance to the court, as required by Sections 7.0(D) and 8.0(D) of the PAP.
- B. The certification that shall accompany each filing shall be substantially in the following form: "I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents."
- C. If a filed document fails to comply with the requirements of the PAP and this Administrative Regulation, the court may, upon motion or *sua sponte*, with or without a hearing, order the filed document sealed, redacted, amended or any combination thereof. The court may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

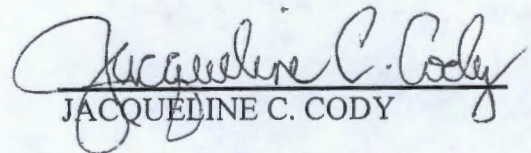
V. Requests for Public Access and Correction of Clerical Errors to Case Records

- A. Persons seeking access to case records shall make an oral or written request to the applicable custodian. As provided by Section 4.0 of the PAP, if the request for access is made orally, the custodian may require a written request.
- B. Persons making a written request for access or persons directed by a custodian to submit a written request shall utilize the Request for Access Form located on the Public Records page of the Unified Judicial System's website at

<http://www.pacourts.us/public-records/public-records-policies> and available in each filing office as well as on the court's website at www.chesco.org.

- C. Persons seeking to correct a clerical error in a case record may submit a Request for Clerical Error Correction Form to the appropriate filing office. The Request for Clerical Error Correction Form shall be the form located on the Public Records page of the Unified Judicial System's website at <http://www.pacourts.us/public-records/public-records-policies> and available in each filing office as well as on the court's website at www.chesco.org.

BY THE COURT:


JACQUELINE C. CODY