

## **New Public Access Policy of the Unified Judicial System of Pennsylvania**

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The Pennsylvania Supreme Court has issued a new policy limiting public access to judicial records. This policy takes effect on January 6, 2018. The purpose of this policy is to make judicial information more accessible to the public statewide in a unified manner. It also restricts some information and changes the way confidential information is to be included in case filings. This process requires all confidential information to be disclosed on separate forms to allow the public to readily view the filings without the ability to view confidential information and documents. However, parties and attorneys on record will have access to the confidential information for that case. This creates two issues for attorneys. First, attorneys will be restricted from being able to view entire case records online, specifically confidential information on cases that they are not the attorney of record. Second, the new policy will create additional administrative and filing requirements for attorneys, and also create additional burdens on courts' administrative staff.

The Pennsylvania Supreme Court ordered the Administrative Office of Pennsylvania Courts (AOPC) to develop forms to be used for submitting confidential information and confidential documents. Instead of including confidential information or documents in the document being filed, they are to be filed separate but contemporaneously utilizing these forms. The new policy also requires attorneys to certify in writing their compliance with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts. Furthermore, the forms and any additional pages must be served to all

unrepresented parties and counsel of record. The exact certification language required in the rule is contained on the Confidential Document and Confidential Information Forms.

### **Confidential Information**

Unless required by applicable authority the following information is considered confidential and shall not be included in any document filed with a court, **except** on a Confidential Information Form filed contemporaneously with the document:

1. Social Security Numbers (Do not include any part of the number on the document.)
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits if it could not be identified otherwise
3. Drivers License Numbers
4. State Identification Numbers (SID)
5. Minor's names and dates of birth
6. Abuse victims' address and other contact information.

Any confidential information should only be included on the Confidential Information Form which should be signed to certify compliance. This process is the default rule. Courts may adopt a rule or order permitting the filing of any document in two versions. This would include a "Redacted Version" and "Unredacted Version". The Redacted Version will not include any of the information detailed above, while the Unredacted Version shall include the information. Whether using a Confidential Information Form or filing a redacted and unredacted version the attorney should indicate where in the document confidential information has been omitted. For example, the drafter could insert minors' initials or a generic reference in the document, while listing full names on the Confidential Information Form.

## **Confidential Document Form**

Unless required by applicable authority the following information is confidential and shall only be filed with a court under a cover sheet designated Confidential

Document Form:

1. Financial Source Documents
2. Minors' educational records
3. Medical/Psychological records
4. Children and Youth Services records
5. Marital Property Inventory
6. Income and Expense Statements as provided in Pa.R.C.P No. 1910.27(c)
7. Agreements between parties as used in 23 Pa.C.S. §3105.

Whenever filing these documents with a court, file them under the Confidential Document Form cover sheet and sign to certify compliance.

Both forms have been created by the AOPC and are available online for attorneys to print and use. The forms have also been reproduced below. If a party does not comply with the requirements above a court may impose sanctions including costs necessary to prepare a complaint document for filing in accordance with applicable authority.

However, these sanctions can easily be avoided by following the requirements stated above and the instructions disclosed on the Confidential Information and Confidential Document Forms.

**CONFIDENTIAL  
INFORMATION  
FORM**



**APPELLATE/TRIAL COURT  
CASE RECORDS**

**Instructions for Completing the Confidential Information Form**

The following information is confidential and shall not be included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

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. "Financial Account Numbers" include financial institution account numbers, debit and credit card numbers, and methods of authentication used to secure accounts such as personal identification numbers, user names and passwords.
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). "Minor" is a person under the age of eighteen.
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. **If necessary, this information must be provided on the separate Abuse Victim Addendum Form.**

Please note this form does not need to be filed in types of cases that are sealed or exempted from public access pursuant to applicable authority (e.g. juvenile, adoption, etc.).

- **The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.**
- Do not include confidential information in any other document filed with the court under this docket.
- If you need to refer to a piece of confidential information in a document, use the alternate references. If you need to attach additional pages, sequentially number each alternate reference – i.e. SSN 3, SSN 4, etc.
- This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

A court or custodian is not required to review or redact any filed document for compliance with *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

If a filed document fails to comply with the requirements of the above referenced policy, a court may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended or any combination thereof. A court may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

**CONFIDENTIAL  
INFORMATION  
FORM**



**APPELLATE/TRIAL COURT  
CASE RECORDS**

*Public Access Policy of the Unified Judicial System of Pennsylvania:  
Case Records of the Appellate and Trial Courts  
204 Pa. Code § 213.81  
[www.pacourts.us/public-records](http://www.pacourts.us/public-records)*

\_\_\_\_\_  
(Party name as displayed in case caption)

\_\_\_\_\_  
Docket/Case No.

Vs.

\_\_\_\_\_  
(Party name as displayed in case caption)

\_\_\_\_\_  
Court

This form is associated with the pleading titled \_\_\_\_\_, dated \_\_\_\_\_.

Pursuant to the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, the Confidential Information Form shall accompany a filing where confidential information is **required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter**. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

This Information Pertains to:	Confidential Information:	References in Filing:
<div>(full name of adult)</div> <div>OR</div> <div>This information pertains to a minor with the initials of _____ and the full name of _____</div> <div>(full name of minor)</div> <div>and date of birth: _____</div>	<div>Social Security Number (SSN): _____</div> <div>Financial Account Number (FAN): _____</div> <div>Driver's License Number (DLN): _____</div> <div>State of Issuance: _____</div> <div>State Identification Number (SID): _____</div>	<div>Alternative Reference: SSN 1</div> <div>Alternative Reference: FAN 1</div> <div>Alternative Reference: DLN 1</div> <div>Alternative Reference: SID 1</div>
<div>(full name of adult)</div> <div>OR</div> <div>This information pertains to a minor with the initials of _____ and the full name of _____</div> <div>(full name of minor)</div> <div>and date of birth: _____</div>	<div>Social Security Number (SSN): _____</div> <div>Financial Account Number (FAN): _____</div> <div>Driver's License Number (DLN): _____</div> <div>State of Issuance: _____</div> <div>State Identification Number (SID): _____</div>	<div>Alternative Reference: SSN 2</div> <div>Alternative Reference: FAN 2</div> <div>Alternative Reference: DLN 2</div> <div>Alternative Reference: SID 2</div>

**CONFIDENTIAL  
INFORMATION  
FORM**



**APPELLATE/TRIAL COURT  
CASE RECORDS**

Additional page (if necessary)

<b>This Information Pertains to:</b>	<b>Confidential Information:</b>	<b>References in Filing:</b>
<div>(full name of adult)</div> <div>OR</div> <div>This information pertains to a minor with the initials of _____ and the full name of _____</div> <div>(full name of minor)</div> <div>and date of birth: _____</div>	<div>Social Security Number (SSN): _____</div> <div>Financial Account Number (FAN): _____</div> <div>Driver's License Number (DLN): _____</div> <div>State of Issuance: _____</div> <div>State Identification Number (SID): _____</div>	<div>Alternative Reference: SSN _____</div> <div>Alternative Reference: FAN _____</div> <div>Alternative Reference: DLN _____</div> <div>Alternative Reference: SID _____</div>
<div>(full name of adult)</div> <div>OR</div> <div>This information pertains to a minor with the initials of _____ and the full name of _____</div> <div>(full name of minor)</div> <div>and date of birth: _____</div>	<div>Social Security Number (SSN): _____</div> <div>Financial Account Number (FAN): _____</div> <div>Driver's License Number (DLN): _____</div> <div>State of Issuance: _____</div> <div>State Identification Number (SID): _____</div>	<div>Alternative Reference: SSN _____</div> <div>Alternative Reference: FAN _____</div> <div>Alternative Reference: DLN _____</div> <div>Alternative Reference: SID _____</div>

**CONFIDENTIAL  
INFORMATION  
FORM**



**APPELLATE/TRIAL COURT  
CASE RECORDS**

Additional page(s) attached. \_\_\_\_\_ total pages are attached to this filing.

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.

\_\_\_\_\_  
Signature of Attorney or Unrepresented Party

\_\_\_\_\_  
Date

Name: \_\_\_\_\_

Attorney Number: (if applicable) \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

**NOTE: Parties and attorney of record in a case will have access to this Confidential Information Form. Confidentiality of this information must be maintained.**

**CONFIDENTIAL  
INFORMATION  
FORM**



**APPELLATE/TRIAL COURT  
CASE RECORDS**

**Abuse Victim Addendum**

The Abuse Victim Addendum shall accompany a filing where confidential information is being provided by an abuse victim, as defined in this policy, **in family court actions** (see Pa.R.C.P. No. 1931(a)), **as required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter.** This addendum, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This addendum, and any additional pages, must be served on all unrepresented parties and counsel of record.

Type of Family Court Action		
<input type="checkbox"/> Divorce, Annulment, Dissolution of Marriage	<input type="checkbox"/> Child Custody	
<input type="checkbox"/> Support	<input type="checkbox"/> Paternity	
	<input type="checkbox"/> Protection from Abuse	
This Information Pertains to:	Confidential Information:	References in Filing:
(full name of abuse victim)	AV Address: _____	Alternative Reference: AV 1 Address
	AV Employer's Name & Address: _____	Alternative Reference: AV 1 Employer's Name & Address
	AV Work Schedule: _____	Alternative Reference: AV 1 Work Schedule
	AV Other contact information: _____	Alternative Reference: AV 1 Other contact information

Attach additional page(s) if necessary.

**CONFIDENTIAL  
INFORMATION  
FORM**



**APPELLATE/TRIAL COURT  
CASE RECORDS**

**Abuse Victim Addendum**

Additional page (if necessary)

<b>Type of Family Court Action</b>		
<input type="checkbox"/> Divorce, Annulment, Dissolution of Marriage <input type="checkbox"/> Support	<input type="checkbox"/> Paternity	<input type="checkbox"/> Child Custody <input type="checkbox"/> Protection from Abuse
<b>This Information Pertains to:</b>  <div style="border: 1px solid black; height: 100px; margin-top: 10px; display: flex; align-items: center; justify-content: center;">             (full name of abuse victim)           </div>	<b>Confidential Information:</b> AV Address: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> AV Employer's Name & Address: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> AV Work Schedule: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> AV Other contact information: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div>	<b>References in Filing:</b> Alternative Reference: AV __ Address  Alternative Reference: AV __ Employer's Name & Address  Alternative Reference: AV __ Work Schedule  Alternative Reference: AV __ Other contact information

  

<b>Type of Family Court Action</b>		
<input type="checkbox"/> Divorce, Annulment, Dissolution of Marriage <input type="checkbox"/> Support	<input type="checkbox"/> Paternity	<input type="checkbox"/> Child Custody <input type="checkbox"/> Protection from Abuse
<b>This Information Pertains to:</b>  <div style="border: 1px solid black; height: 100px; margin-top: 10px; display: flex; align-items: center; justify-content: center;">             (full name of abuse victim)           </div>	<b>Confidential Information:</b> AV Address: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> AV Employer's Name & Address: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> AV Work Schedule: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> AV Other contact information: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div>	<b>References in Filing:</b> Alternative Reference: AV __ Address  Alternative Reference: AV __ Employer's Name & Address  Alternative Reference: AV __ Work Schedule  Alternative Reference: AV __ Other contact information



**Instructions for Completing the Confidential Document Form**

The following documents are confidential and shall be filed with a court or custodian with the "Confidential Document Form":

1. Financial Source Documents as listed on the form
2. Minors' educational records
3. Medical/Psychological records are defined as "records relating to the past, present, or future physical or mental health or condition of an individual"
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)
7. Agreements between the parties as used in 23 Pa.C.S. §3105

For each confidential document, list the paragraph, page, etc. where the document is referenced in the filing. Please note, this form does not need to be filed in types of cases that are sealed or exempted from public access pursuant to applicable authority (e.g. juvenile, adoption, etc.)

- **Please only attach documents necessary for the purposes of this case.**
- Complete the entire form and check all that apply.
- This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

A court or custodian is not required to review or redact any filed document for compliance with the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*. A party's or attorney's failure to comply shall not affect access to case records that are otherwise accessible.

If a filed document fails to comply with the above referenced policy, a court may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended or any combination thereof. A court may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

**CONFIDENTIAL  
DOCUMENT FORM**



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This form is associated with the pleading titled \_\_\_\_\_, dated \_\_\_\_\_.

Pursuant to the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, the Confidential Document Form shall accompany a filing where a confidential document is required by law, ordered by the court, or is otherwise necessary to effect the disposition of a matter. This form shall be accessible to the public, however the documents attached will not be publicly accessible, except as ordered by a court. The documents attached will be available to the parties, counsel of record, the court, and the custodian. **Please only attach documents necessary for the purposes of this case.** Complete the entire form and check all that apply. This form and any additional pages must be served on all unrepresented parties and counsel of record.

Type of Confidential Document	Paragraph, page, etc. where the confidential document is referenced in the filing:
<input type="checkbox"/> Financial Source Documents	
<input type="checkbox"/> Tax Returns and schedules	
<input type="checkbox"/> W-2 forms and schedules including 1099 forms or similar documents	
<input type="checkbox"/> Wage stubs, earning statements, or other similar documents	
<input type="checkbox"/> Credit card statements	
<input type="checkbox"/> Financial institution statements (e.g., investment/bank statements)	
<input type="checkbox"/> Check registers	
<input type="checkbox"/> Checks or equivalent	
<input type="checkbox"/> Loan application documents	
<input type="checkbox"/> Minors' educational records	
<input type="checkbox"/> Medical/Psychological records	
<input type="checkbox"/> Children and Youth Services' records	
<input type="checkbox"/> Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33	
<input type="checkbox"/> Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c)	
<input type="checkbox"/> Agreements between the parties as used in 23 Pa.C.S. §3105	

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.

\_\_\_\_\_  
Signature of Attorney of Unrepresented Party

\_\_\_\_\_  
Date

Name: \_\_\_\_\_

Attorney Number: (if applicable) \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_