

**CARROLL COUNTY CLERK OF COURTS
WILLIAM R. WOHLWEND
LEGAL DEPT. 330.627.4886**

To: Area Attorneys

From: William R. Wohlwend, Clerk of Courts

Updates to the Rules of Superintendence for Public Access of Court Records which were scheduled to go into effect on May 1st have been delayed until July 1st of this year. These updates will allow public access to court records while the time delay gives the opportunity to set standards to protect personal information contained in those records.

Rules 44 through 47 speak to the definition of court records, various types of public access, restrictions involved in the public viewing of documents, as well as requesting and obtaining records. Rule 45 (D) addresses the omission of personal identifiers prior to submission of filing a case. This rule states it is the responsibility of the filing party to omit personal identifiers from case information. The **Clerk of Courts is NOT** required to review the case document to confirm the omission nor shall the Clerk refuse to accept or file a documents on this basis.

This rule does permit the court, however, to provide a separate form for personal information which will not be available to the public. For this reason the Carroll County Courts have developed a "Personal Identifiers" form. Please include all personal information you think is necessary or it available to you when filing any type of case involving "sensitive" information. Begin using this form immediately when filing a new case or new motions on old or pending cases. The Clerk of Courts office will not refuse cases for filing because of the contents of personal information or redact private information from cases after filing.

With your cooperation, we will be able to meet the Court's responsibility to the public when providing open records while protecting the private information of those individuals involved.

IN THE CAROLL COUNTY COMMON PLEAS COURT
CARROLLTON, OHIO

**RE: PROTECTION OF PERSONAL
AND PRIVATE INFORMATION
IN COURT RECORDS**

**JUDGMENT ENTRY
MISC. DOCKET**

Pursuant to Rule 45(D) of the Rules of Superintendence for the Courts of Ohio, effective July 1, 2009, the following information is defined as personal and private and is to be omitted from all case documents submitted to the court or filed with the Clerk of Courts:

- Social Security numbers, except for the last four digit;
- Financial account numbers, including but not limited to debit card, charge card and credit card numbers;
- Employer and employee identification numbers;
- Juvenile's name in an abuse, neglect, or dependency case, except for the juvenile's initials or a generic abbreviation such as "CV" for "child victim";
- Any other information deemed personal and private by any federal or state statute, regulation, executive order, or court ruling.

It is the responsibility of the filing party and counsel to remove personal and private information from the document file with the Clerk of Courts office. The responsibility of the filing party and counsel to remove personal and private information extend to and includes exhibits or addenda attached to filings, such as preliminary and final judicial reports which itemize state tax liens that use social security numbers or medical records.

The Clerk of Courts and deputy clerks shall have no responsibility for the removal of any personal and private information filed in a public document in the Carroll County Clerk of Courts Office.

Personal and private information must be submitted on a separate form which will be deemed by the Court as non-public record. The Clerk of Courts will provide a standard form for use by all parties. The information will be kept in a separate envelope within the case file marked:

| |
|---|
| <p>The enclosed personal and private information has been deemed by the court as non-public. It is for the use of the court, attorneys of record listed in the case and the clerk of courts office only. Any other person must have a court order to view the contents of this envelope.</p> |
|---|

Judgment entries that necessarily include personal and private information must be submitted to the Clerk of Courts office as follows: a copy that include the personal and private information for placement in the non-public envelope and a copy with the personal and private information redacted for placement in the public file. The copy not containing the personal and private information (for the public file) will have the notation "personal and private information redacted" at all places in the document where such information was removed. The court will sign both journal entries.

The Clerk of Courts will not remove any personal and private information from a file stamped document including records or transcripts transmitted to this court from another court, without a court order to do so. Any personal and private information in documents filed prior to July 1, 2009 is considered public. Any personal and private information in records or transcripts transmitted to this court from another court is considered public. A party or an attorney in a case, or any other person whose personal and private information is contained in a public record of this court may petition the court for the removal of personal and private information. If the request is granted, the personal and private information will be removed from the file-stamped document and placed in a separate envelope and deemed a non-public record. A redacted copy of the document will be placed in the public case filed.

Judge Dominick E. Olivito Jr.

IN THE COURT OF COMMON PLEAS
CARROLL COUNTY, OHIO

Case No. _____

vs.

Judge _____

Precipe regarding the Personal Identifiers exempt
from Public Record under O.R.C. 149.43 (A) (1);
and, or Sup. R 45 (D) (1)

Date ____/____/____

Personal Identifiers in the above titled case are exempt from disclosure under Federal and/or State public records law. The Personal Identifiers have been redacted, omitted or truncated pursuant Sup. 44(H), from the public filing; or the unredacted original or a duplicate has been filed, separately herein, within the attached sealed envelope; or has been delivered to the care of and recorded with the Court's evidence custodian.

(Please check the appropriate box below)

Personal Identifiers:

- Social Security Number *(except-last four digits permitted)*
- Financial institution account number *(inclusive: Debit, Credit, Charge Cards)*
- Employer Identification Number
- Tax or private proprietary business information

Victim/minor child identity

- Abuse, Neglect, Dependency case
(Juvenile initials or generic "CV" for child victim permitted)
- Juvenile court or Detention center related
- Domestic Violence or Shelter/Residential care facility related

Institutional information

- Confidential report
- Judicial or Probation officer notes
- Public safety, security information, computer codes or systems
- Medical or psychological evaluation
- Testing, Licensing, Employment exam. Scoring, questions or keys

(Contact)

(Number)

(Street)

(City)

(State)

(Zip Code)

Phone (____) _____

e-mail _____@_____

**COURT OF COMMON PLEAS
 CARROLL COUNTY, OHIO
 DOMESTIC RELATIONS DIVISION
 CIVIL AND CRIMINAL DIVISIONS**

_____, : Case No: _____
 Plaintiff(s) : **PERSONAL IDENTIFIERS**
 vs :
 _____ :
 Defendants(s) :

Pursuant to Ohio Rule of Superintendence 45(D)(1): "When submitting a case document to a court or filing a case document with a clerk of court, a party to a judicial action or proceeding shall omit personal identifiers from the document. Pursuant to Ohio Rule of Superintendence 44(H), "personal identifiers" means social security numbers, except for the last four digits; financial account numbers, including but not limited to debit card, charge card, and credit card numbers; employer and employee identification numbers; and a juvenile's name in an abuse neglect or dependency case, except for the juvenile's initials or a generic abbreviation such as "CV" for "child victim."

The following information is considered to be the confidential "personal identifiers" in this case, which will then be omitted from other documents filed in this case.

| NAME OF PARTY | PERSONAL IDENTIFIER INFORMATION |
|---------------------------------------|--|
| _____ | SSN: _____ |
| Financial Account Information: | Employer/Employee ID Numbers: |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

**IN THE CARROLL COUNTY COMMON PLEAS COURT
CARROLLTON, OHIO**

| | | |
|-----------|---|----------------|
| | : | Case No: _____ |
| Plaintiff | : | |
| vs. | : | |
| | : | |
| | : | |
| Defendant | | |

**Confidential Disclosure of Personal Identifiers
(Rule 45(D) of the Rules of Superintendence for the Courts of Ohio)**

REFERENCE LIST

| | COMPLETE PERSONAL IDENTIFIER Use this column to list the personal identifiers that have been redacted from the document that is to be placed in this case file. | CORRESPONDING REFERENCE Use this column to list the reference or abbreviation that will refer to the corresponding complete personal identifier. | LOCATION Use this column to identify the document or documents where the reference appears in place of the personal identifier. |
|-----------|---|--|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |

___ check if additional pages are attached.

Signature of person submitting the information