



# PACFile® Bulletin

The Unified Judicial System of Pennsylvania Web Portal

Bulletin # 1-21

December 30,  
2021

## Public Access Policy: Submitting Confidential Information

Effective January 1, 2022, an amendment to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania: Appellate and Trial Courts* (“Policy”) will require all filers to safeguard confidential information by using a Confidential Information Form.



The full text of the Policy is located at:

<http://www.pacourts.us/public-records/public-records-policies>

As before, and detailed in Section 7.0 of the Policy, certain types of information (i.e., social security numbers, driver license numbers, financial account numbers, etc.) should not be included in appellate and trial court (Common Pleas) filings.

Prior to January 1, 2022, each of the appellate and trial courts adopted one of the following methods in which they would accept filings containing confidential information:

- ◆ The submission of a Confidential Information Form, which accompanied a filing that was redacted with alternative references (ex. using the reference ‘SSN 1’ within the filing in place of a person’s social security number). This method was chosen by 60 Common Pleas Judicial Districts.
- ◆ The submission of a redacted and unredacted version of the same filing where the confidential information in the redacted version was typically blacked out. This method was chosen by seven Common Pleas Judicial Districts and all three appellate courts.

Beginning on January 1, 2022, regardless of court, all filings containing confidential information specified in Section 7.0 of the Policy must use the Confidential Information Form and the appropriate alternative references.



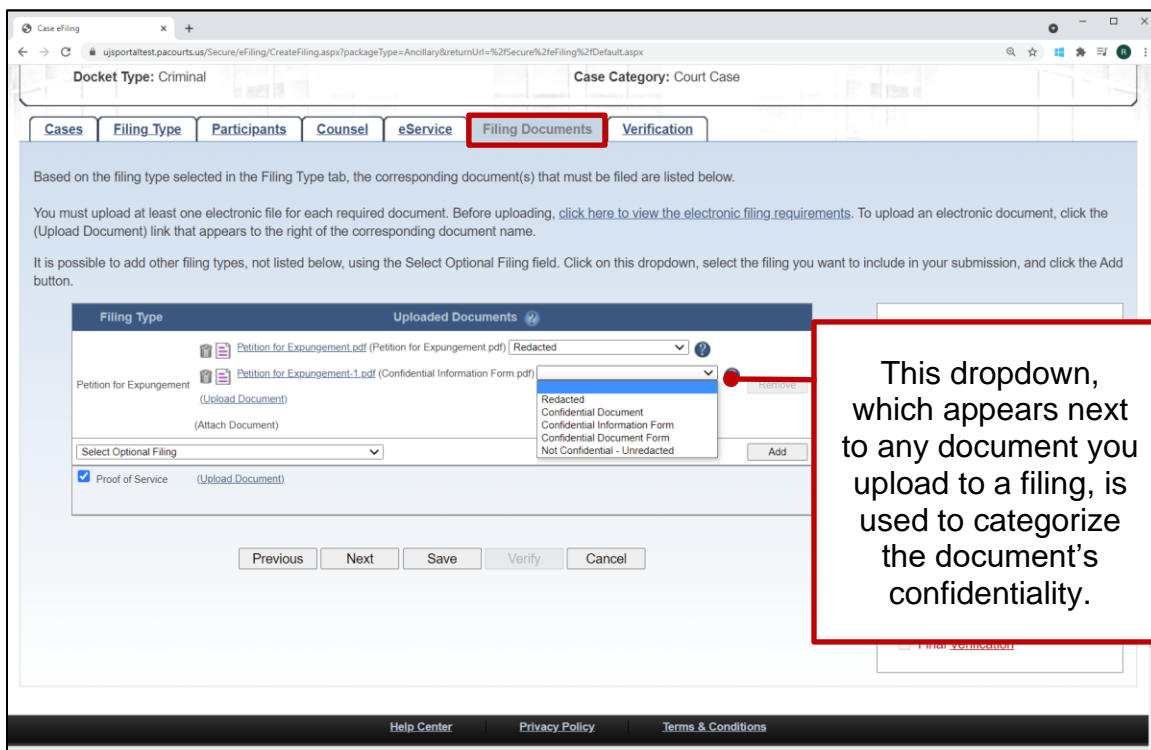
December 30,  
2021

You can use the link on pg. 3 to access the form. For additional assistance, a video about the Confidential Information Form can be found using the following link:


<https://www.pacourts.us/public-records/public-records-videos>

**New Filings: Categorizing a document's confidentiality**

As before, when you create a PACFiling, you must categorize any document you upload as it relates to the Policy. This step occurs in the Filing Documents tab. The list below defines the appropriate use of these options beginning on January 1, 2022:



- ❖ **Not Confidential – Unredacted** – The document contains no confidential information or redactions based on Section 7.0 of the Policy and is not considered a confidential document under Section 8.0.
- ❖ **Redacted** – The document contains confidential information (i.e., social security numbers, driver license numbers, financial account numbers, etc.)



December 30,  
2021

that has been redacted based on Section 7.0 of the Policy. The sensitive information must be redacted and replaced with alternative references, which are indirect citations that refer to the unredacted information on a corresponding Confidential Information Form. When a redacted document is added to a filing, a Confidential Information Form must be uploaded separately and categorized as 'Confidential Information Form'.

- ◆ **Confidential Information Form** - Refers to the standardized document that contains any sensitive information (i.e., social security numbers, driver license numbers, financial account numbers, etc.) that was redacted in a corresponding document based on Section 7.0 of the Policy. When a Confidential Information Form is added to a filing, the redacted document must be uploaded separately and categorized as 'Redacted'.
- ◆ **Confidential Document** – The document is considered wholly confidential based on Section 8.0 of the Policy. These documents (i.e., financial source documents, a minor's educational records, medical records, etc.) contain sensitive information that is visible to any reader. When a confidential document is added to a filing, a Confidential Document Form must be uploaded separately and categorized as 'Confidential Document Form'.
- ◆ **Confidential Document Form** - Refers to the standardized cover page that identifies the submission of one or more documents considered wholly confidential by Section 8.0 of the Policy (i.e., financial source documents, a minor's educational records, medical records, etc.). When a Confidential Document Form is added to a filing, the confidential document(s) should be uploaded separately and categorized as 'Confidential Document'.

Note: As before, safeguarding confidential information and documents specified in the Policy is the sole responsibility of the filer (ex. attorney, pro se filer, etc.). Consequently, the burden is on the filer to understand the Policy and use the Confidential Information Form or Confidential Document Form as needed.

You can access the Confidential Information Form and Confidential Document Form using the following link:



<http://www.pacourts.us/public-records/public-records-forms>