



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

TO: All President Judges

FROM: Geoff Moulton *GM*
Court Administrator of Pennsylvania

DATE: October 6, 2021

RE: Case Records Public Access Policy of the Unified Judicial System of Pennsylvania

Effective January 1, 2022, the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* (“Policy”) will require filers to safeguard confidential information using only a Confidential Information Form. This change affects procedures in seven judicial districts and the appellate courts.

For your convenience, attached are the Court's Order, Policy and an explanatory report. These documents will also be posted on the UJS website at: <https://www.pacourts.us/public-records/public-records-policies>.

Overview of the Policy’s Amendments

Sections 7.0(A) and (C) require the use of a Confidential Information Form by filers to safeguard confidential information, as defined by the Policy. Previously, courts could permit the filing of any document in two versions, a “Redacted Version” and “Unredacted Version” rather than require the use of a Confidential Information Form. Beginning January 1, 2022, all filers throughout the courts in the Unified Judicial System shall utilize the Confidential Information Form to safeguard confidential information.

Section 9.0(H) provides that these amendments do not apply retroactively to documents filed with a court or custodian prior to the effective date of the amendments. Specifically, an “Unredacted Version” of a document filed pursuant to prior versions of this Policy is not publicly accessible.

Implementation Steps

Please review any local rules or orders that your court previously adopted and make any necessary changes to effectuate the Policy. Posted on the [Public Records Policies page](#) of the UJS website is a list of the current local rules and orders submitted to the AOPC. Please ensure AOPC receives a copy of any local rule or order amendments so that we may update the website appropriately.

To prepare court personnel, lawyers and court users for the upcoming transition, we recommend that courts currently employing the redacted/unredacted method publish notice of any rule or order amendments and a copy of the new Policy in appropriate physical locations (*i.e.*, filing offices) and on the court's website, in accordance with Section 12.0 of the Policy.

The AOPC will be making pertinent amendments to the educational items posted on the UJS website that inform the public, litigants and attorneys of the Policy's standards, such as the *Frequently Asked Questions* document, videos and info sheets that are listed in the "References" section of the [Public Records Policies page](#). We will advise once these changes are completed.

For those affected courts that use PACFile, AOPC/IT will be in contact regarding this transition to the use of Confidential Information Forms.

If you have any questions or concerns regarding the Policy or public access in general, please feel free to contact Deputy Court Administrator of Pennsylvania Andrea Tuominen at andrea.tuominen@pacourts.us or (717) 231-3289 or Deputy Chief Counsel David Price at david.price@pacourts.us or (717) 231-3293.

Attachments

cc: Andrea B. Tuominen, Esq., Deputy Court Administrator
David S. Price, Esq., Deputy Chief Counsel
Executive Administrators, Appellate Courts
District Court Administrators
Prothonotaries, Appellate and Trial Courts
Clerks of Courts
Clerks of Orphans' Courts