

Summary of Interim Guidelines for the Protection of Personal Identifying Data (PID)
in Publicly Accessible Court Documents EFFECTIVE SEPTEMBER 1, 2009
(This document is a summary. For complete information, the full guidelines should be consulted.)

Purpose and Scope. The guidelines, approved by the Supreme Judicial Court, apply to civil and criminal cases in all Massachusetts courts. They are meant to protect against identity theft. The guidelines, available in clerks' offices or at <http://www.mass.gov/courts/sjc>, apply only to court documents that are publicly accessible.

Omission of PID. Unless an exemption applies, no document filed with a court should include a complete version of the personal information listed below. The filer should delete, e.g. white-out or black-out (sometimes called redacting), or omit data so that the document includes at most:

- (1) the last 4 digits of a social security number, taxpayer identification number, credit card or other financial account number, driver's license number, state-issued ID card number, or passport number. If the document has been drafted for the court, use three "x" characters, or the phrase "ending in," in place of the omitted digits.
- (2) the first initial of a person's mother's maiden name, if the name is identified as such.

Deletions should be marked with the filer's name, the date, and the phrase "PID Guidelines." The filer shall keep a complete copy and furnish it to any party or the court promptly upon request.

Exemptions. Deletion or omission of data is unnecessary if any of the following applies:

- (1) The information in the document is specifically required by law, court rule, standing order, court form, or court order.
- (2) In a criminal or youthful offender case, the information is the defendant's social security number, driver's license number, state-issued ID card number, passport number, or mother's maiden name identified as such.
- (3) The filer reasonably believes that the complete information is needed to resolve an issue before the court or to establish the identity of a person before the court. The filer should first consider giving the complete information to the parties, or to the person or entity to whom a requested court order would be directed, without filing it with the court.
- (4) The document is a transcript of the court proceeding, filed by a court reporter or transcriber; or is the official record of an agency adjudicatory proceeding or another court proceeding.
- (5) The document is produced directly by a non-party in response to a subpoena, or other court order; but a party should, where feasible, make and offer a copy of the document with the PID deleted.

Filer's Responsibility. It is solely the filer's responsibility to delete or omit data. The clerk should encourage compliance with the guidelines but need not review documents for compliance and should not reject for filing any non-compliant document.

Comments on Guidelines Welcomed. Please direct comments and suggestions to PIDGuidelines@sjc.state.ma.us or to PID Guidelines, Supreme Judicial Court, One Pemberton Square, Suite 2500, Boston, MA 02108.