

## CONFIDENTIAL INFORMATION CHECKLIST – CRIMINAL LAW

Certain information in your filing may be sensitive or confidential, which should not be available to the public. Confidential information must be protected by taking the following steps.

**STEP ONE:** Check to see if your pleading contains *any* of the following confidential information:

1. Social Security Numbers
2. Financial Account Numbers
  - a. EXCEPTION: 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
3. Drivers License Numbers
4. State Identification (SID) Numbers
5. Minors' names and dates of birth
  - a. EXCEPTION: when a minor is charged as a defendant in a criminal matter (see 42 Pa. C.S.A. §6355)
6. Abuse victim's address and other contact information in family court actions defined by Pa. R.C.P. 1931(a), including:
  - a. employer's name
  - b. employer's address, and
  - c. work schedule
  - d. EXCEPTION: Victim's name is NOT confidential

*This type of information is commonly found in:*

- Expungement Order & Petition
- DUI cases
- License Suspension
- IDSI cases (inclusive of Tender Years & Closed Circuit Filings)
- Incest cases
- Open Lewdness cases
- Sexual Exploitation of Children cases
- Recklessly Endangering Another Person (REAP) cases
- Juvenile Court pleadings (BUT see exception noted above)

*General Documents to Review for Confidential Information:*

- Affidavit of Probable Cause
- Photo Array Signature
- Interview of Victim
- Information/Complaint
- Guilty Plea
- Jury Selection Transcript
- Trial Transcripts

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**STEP TWO:** If your pleading **DOES NOT CONTAIN** any of the confidential information listed above, you may file it normally like any other pleading **with a signed Certificate of Compliance**, which states: “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.”

**PLEASE NOTE:** Pro se parties and attorneys are responsible for identifying and protecting confidential information in their pleadings. Failure to comply with these protections does not affect pending litigation. However, upon its own motion or a motion by another party, the court may impose appropriate sanctions for failing to comply.

**STEP THREE:** If your pleading **DOES CONTAIN** any of the confidential information listed above, you must complete a Confidential Information Form (CIF) and remove any confidential information from your pleading.

If you have already prepared your pleading to be filed, and it contains any of the confidential information listed above, you should **white out or black out that information in your pleading** and ensure that information is transferred to the attached CIF.

Even if you use the CIF, your confidential information **will not be protected unless it is redacted or left out of your pleading**. While most pleadings filed with the Clerk of Courts can be viewed by the public, any CIF attached to a pleading will NOT be available to the public.

**STEP FOUR:** Once you complete the CIF, attach it to its corresponding pleading.

**STEP FIVE:** Complete the Certificate of Compliance referenced in **STEP TWO**.

**STEP SIX:** File your pleading, the CIF, and Certificate of Compliance with the Clerk of Courts.