

1 **Rule 4-202.09. Miscellaneous.**

2 **Intent:**

3 To set forth miscellaneous provisions for these rules.

4 **Applicability:**

5 This rule applies to the judicial branch.

6 **Statement of the Rule:**

7 (1) The judicial branch shall provide a person with a certified copy of a record if the
8 requester has a right to inspect it, the requester identifies the record with reasonable specificity,
9 and the requester pays the fees.

10 (2)(A) The judicial branch is not required to create a record in response to a request.

11 (2)(B) Upon request, the judicial branch shall provide a record in a particular format if:

12 (2)(B)(i) it is able to do so without unreasonably interfering with its duties and
13 responsibilities; and

14 (2)(B)(ii) the requester agrees to pay the additional costs, if any, actually incurred in
15 providing the record in the requested format.

16 (2)(C) The judicial branch need not fulfill a person's records request if the request
17 unreasonably duplicates prior records requests from that person.

18 (3) If a person requests copies of more than 50 pages of records, and if the records are
19 contained in files that do not contain records that are exempt from disclosure, the judicial branch
20 may provide the requester with the facilities for copying the requested records and require that
21 the requester make the copies, or allow the requester to provide his own copying facilities and
22 personnel to make the copies at the judicial branch's offices and waive the fees for copying the
23 records.

24 (4) The judicial branch may not use the form in which a record is stored to deny or
25 unreasonably hinder the rights of persons to inspect and receive copies of a record.

26 (5) Subpoenas and other methods of discovery under state or federal statutes or rules of
27 procedure are not records requests under these rules. Compliance with discovery shall be
28 governed by the applicable statutes and rules of procedure.

29 (6) If the judicial branch receives a request for access to a record that contains both
30 information that the requester is entitled to inspect and information that the requester is not
31 entitled to inspect, it shall allow access to the information in the record that the requester is
32 entitled to inspect, and shall deny access to the information in the record the requester is not
33 entitled to inspect.

34 (7) The Administrative Office shall create and adopt a schedule governing the retention and
35 destruction of all court records.

36 (8) The courts will use their best efforts to ensure that access to court records is properly
37 regulated, but assume no responsibility for accuracy or completeness or for use outside the
38 court.

39 (9)(A) Non-public information in a public record. The person filing a public record shall omit
40 or redact non-public information. ~~The person filing the record shall certify that, upon information~~
41 ~~and belief, all non-public information has been omitted or redacted from the public record.~~ The
42 person filing a private, protected, sealed, safeguarded, juvenile court legal, or juvenile court
43 social record shall identify the classification of the record at the top of the first page of a
44 classified document or in a statement accompanying the record.

45 (9)(B) A party may move or a non-party interested in a record may petition to classify a
46 record as private, protected, sealed, safeguarded, juvenile court legal, or juvenile court social or
47 to redact non-public information from a public record.

48 (9)(C) If the following non-public information is required in a public record, only the
49 designated information shall be included:

50 (9)(C)(i) social security number: last four digits;

51 (9)(C)(ii) financial or other account number: last four digits;

52 (9)(C)(iii) driver's license number: state of issuance and last four digits;

53 (9)(C)(iv) address of a non-party: city, state and zip code;

54 (9)(C)(v) email address or phone number of a non-party: omit; and

55 (9)(C)(vi) minor's name: initials.

56 (9)(D) If it is necessary to provide the court with private personal identifying information, it
57 must be provided on a cover sheet or other severable document, which is classified as private.