

SUPERIOR COURT OF CALIFORNIA

FILED
SAN MATEO COUNTY

COUNTY OF SAN MATEO

JUN 27 2007

Clerk of the Superior Court

By 
DEPUTY CLERK

SUPERIOR COURT OF CALIFORNIA,) STANDING ORDER
COUNTY OF SAN MATEO)
) DUTY OF FILING OR SUBMITTING PARTY
) REGARDING HANDLING OF CONFIDENTIAL
) OR SEALED DOCUMENTS AND
) INFORMATION; PUBLIC ACCESS TO
) ELECTRONICALLY IMAGED COURT
) RECORDS

WHEREAS, provisions of California statutes and the California Rules of Court provide for the protection and non-disclosure of documents that contain confidential or sealed or other personal information pertaining to parties or persons or entities who are otherwise associated with litigation; and

WHEREAS, the Court will handle and protect these documents to the extent possible from unauthorized access so long as they are properly marked and identified as confidential or sealed according to law and the Rules of Court; and

WHEREAS, the public is provided reasonable access to "court records", as defined in the California Rules of Court, Rule 2.502 and documents that are not properly protected and marked may be subject to such public access;

NOW THEREFORE PURSUANT TO CALIFORNIA RULES OF COURT, RULES 2.253(a) AND 2.254(a), IT IS HEREBY ORDERED THAT:

1. **Applicability of Other Rules and Orders.** Except to the extent modified by this Order, approved stipulation or other order of the court, all California Rules of Civil Procedure, Local Rules, and orders of the court shall continue to apply to cases which are subject to electronic filing. Electronic filing is subject to the provisions of California Rules of Court 2.250 – 2.260, as those Rules may be amended from time to time.

2. **Public Access and Privacy**

A. Personal Identifiers Except as provided in Rules of Court 2.500 through 2.506, an electronically filed document is a public document at the time it is filed unless it is sealed under rule 2.551(b) or made confidential by law. [See Rule of Court 2.254(d)]. In order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties must refrain from including, or must redact where inclusion is necessary, the following personal data identifiers from all pleadings and other papers filed with the court, including exhibits thereto, whether filed electronically or in paper, unless otherwise ordered by the court:

(1) **Social Security numbers.** If an individual's social security number must be included in a pleading or other paper, only the last four digits of that number should be used.

Standing Order on Handling of Confidential or Sealed Documents
And on Electronic Imaging of Court Records

- (2) **Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used.
- (3) **Dates of birth.** If an individual's date of birth must be included in a pleading or other paper, only the year should be used.
- (4) **Financial account numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used.

B. Privileged or confidential information. No party shall intentionally include within pleadings, nor attach as exhibits, any other matter that the party knows to be properly subject to a claim of privilege or confidentiality.

C. Filing of Sensitive Documents. A party wishing to file a document containing the personal data identifiers listed above, or material known to be subject to a claim of privilege, may file an unredacted document under seal as provided herein. The party must file a redacted copy for the public file.

D. Responsibility for Redaction. The responsibility for redacting personal identifiers and privileged or confidential information rests solely with counsel and the parties. The Clerk will not review each pleading or other paper for compliance. The court may impose sanctions for violation of these requirements.

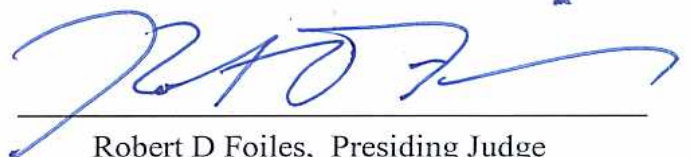
3. Marking of Confidential or Sealed Records. Every document that is placed in a court file must be marked filed, lodged or received and if a document is confidential by law or sealed by order of the court, that document must be placed in a sealed envelope and marked either confidential or sealed.

4. Public Access. Exhibits or attachments to a document that are filed or lodged with or otherwise presented to the court, which are not otherwise marked as confidential or sealed, may be subject to public viewing and access in the same manner as any court record accessible if the person was reviewing the file in the courthouse (California Rules of Court, Rule 2.503, et seq.).

5. Electronic Access. Documents that are part of a court record are reasonably made available to the public electronically under the Court's Electronic Imaging program as permitted by California Rules of Court, Rules 2.500, et seq. Documents that are not properly protected by being marked confidential or sealed by court order may be subject to public access as discussed in Section 2 above.

6. Expiration of Standing Order. This Standing Order is effective on July 1, 2007 and will expire on the effective date of Local Court rules that will implement the terms of this Standing Order as adopted by this Court.

Dated: JUN 27 2007



Robert D Foiles, Presiding Judge