

STATE OF MICHIGAN

IN THE 17th CIRCUIT COURT FOR THE COUNTY OF KENT

**IN RE: SOCIAL SECURITY NUMBER
PRIVACY POLICY**

**LOCAL ADMINISTRATIVE
POLICY 2008-02**

**At a session of said Court, held in the Kent County Courthouse
In the City of Grand Rapids in said County.
on September 24, 2008**

**Present: HON. PAUL J. SULLIVAN
Chief Circuit Judge**

To assure that the privacy of social security numbers gathered by the 17th Circuit Court in the course and scope of its duties is protected from unlawful disclosure in accordance with the Social Security Number Privacy Act, Act 454 of the Public Acts of 2004, MCL 445.81 et seq., and SCAO Administrative Order No. 2006-2 Privacy Policy, Access to Court Records, and the Administrative Policy of Kent County regarding the Privacy of Social Security Numbers,

IT IS HEREBY ORDERED:

- (1) That the Clerk of the Court shall be allowed to maintain public files containing social security numbers on documents filed with the Clerk subject to the requirements in this section;
- (2) That the Clerk of the Court is directed to:
 - (a) accept verified statements and other forms containing social security numbers intended for use by the Friend of the Court in domestic relations cases;
 - (b) no longer accept pleadings with a social security number unless otherwise allowed by court order, court rule or by statute;
 - (c) not display social security numbers for public display on the Court's website or case management system;
 - (d) insure that electronic transmissions containing the social security number be secure or encrypted;

Inspection or Viewing of Files

- (3) That the privacy policy does not apply to requests to view or inspect files. Courts are not required to remove court documents containing social security numbers in court files prior to allowing a person to inspect the file;
- (4) The Court will insure that there is no public access to any electronic file where a person's social security number has been stored prior to March 1, 2006. The Court, on or after March 1, 2006, shall only store the last four digits of a person's social security number in any electronic media where the public has or may have access to.

Filing Requirements After March 1, 2006

- (5) That no person shall file a document with the court that contains another person's social security number except when the number is required or allowed by statute, court rule, court order, or for purposes of collection activity when it is required for identification. A person who files a document with the court in violation of this directive is subject to punishment for contempt and is liable for costs and attorney fees related to protection of the social security number;
- (6) That dissemination of social security numbers is restricted to the purposes for which they were collected and for which their use is authorized by federal or state law. Upon receiving a request for copies of a public document filed on or after March 1, 2006, that contains a social security number pursuant to statute, court rule, court order, or for purposes of collection activity when it is required for identification, the court shall provide a copy of the document after redacting all social security numbers on the copy. This requirement does not apply to requests for certified copies or true copies when required by law or for requests to view or inspect files. This requirement does not apply to those uses for which the social security number was provided;

Filing Remedy

- (7) That a person whose social security number is contained in a document filed with the clerk on or after March 1, 2006, may file a motion asking the court to direct the clerk to redact the number on any document that does not require or allow a social security number pursuant to statute, court rule, court order, or for purposes of collection activity when it is required for identification.

Use of Social Security Number

- (8) The Court shall not use any person's social security number as a file number or other means of identifying a court file or document;

Disposal Procedures

- (9) Extra file copies, screen prints or any documentation that bears a social security number shall be shredded as opposed to disposing in a waste or recycle bin.

Retention Procedures

- (10) Retention and disposal of public and nonpublic records shall be governed by General Schedule 16 and the Michigan Trial Court Case File Management Standards. Such records shall be disposed of by shredding, tearing, or burning so that the records can not be identified to any specific person.

Mailing Practices

- (11) At any time a document is mailed to a person, regardless of the nature of the request, no part of a person's social security number shall be visible on or, without manipulation, from outside of the envelope or packaging;

Policy Violations

- (12) Court personnel who violate this Order shall be subject to discipline up to and including termination.

Date:

Paul J. Sullivan, Chief Judge

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