

In the Matter of Adopting	)	CHIEF JUSTICE ORDER
Out-of-Cycle UTCR Changes to	)	No. 03-074
Implement Section 1, Chapter 380,)	
Oregon Laws 2003 and Adding	)	ORDER ADOPTING OUT-OF-CYCLE UTCR
Proposed UTCR Changes Related	)	TO IMPLEMENT NEW LAW ON
to Personal Information and the	)	PROTECTING PERSONAL INFORMATION
Uniform Support Affidavit Form For	)	AND ADDING UTCR PROPOSALS ON
Consideration in the Current UTCR	)	PERSONAL INFORMATION AND UPDATE
Cycle	)	OF UNIFORM SUPPORT AFFIDAVIT FORM
	)	FOR CONSIDERATION IN CURRENT CYCLE

Whereas, chapter 380, Oregon Laws 2003 (“this Law”, 2003 House Bill 3015) was signed by the Governor on June 16, 2003, and, because of its emergency clause, became effective immediately, and

Whereas, sections 1 through 10, and 14 of this Law requires the State Court Administrator to establish procedures to protect the confidentiality of social security numbers submitted to courts in dissolution and summary dissolution proceedings initiated on or after January 1, 2004, and

Whereas, in addition to procedures the State Court Administrator establishes for courts, section 1 of this Law requires persons seeking to protect social security numbers to present the information to courts on a separate paper attached to an affidavit, and

Whereas, the purpose of this Law was to help protect against identity theft that can result in the financial detriment of citizens of this state, and

Whereas, a system set up to protect social security numbers should also be usable to protect similar personal identity and financial information that, by law, can be kept from the public when submitted to courts, but should not be used for personal contact information because the statutes regarding personal contact information require different specific protection procedures, and

Whereas, courts will be able to more easily implement this Law if the affidavit and separate paper used in the process are in a standard form, and

Whereas, implementation of this Law provides an opportunity to consider possible future rule changes that could allow courts to provide, on request, protection to the same type of personal information in existing case files, and

Whereas, an out-of-cycle change to the Uniform Trial Court Rules (UTCR) will both implement the statute on its effective date and provide a forum for people to make public comment about and propose changes to that implementation in the current UTCR cycle, and

Whereas, a proposed possible future change to UTCR to be considered in the current UTCR cycle will provide a forum for people to comment on possible creation of procedures to allow protection of the same personal information that is in existing case files, and

Whereas, the attached changes to the UTCR accomplish the purpose of this Law and the attached proposal presents possible additional changes for consideration in this year’s UTCR cycle; now, therefore,

I HEREBY ORDER, pursuant to ORS 1.002(2)(e), the following:

1. I adopt the amendments to the UTCR shown by the attachments to this order identified as A, B, C, D, E, F, and G. These changes are effective January 1, 2004. In addition, the State Court Administrator will publish these changes for public comment. I place these adopted changes on the agenda of the regular 2004 spring meeting of the UTCR Committee for review of any public comment received and so the UTCR Committee can recommend any appropriate changes based on that public comment. Changes recommended by the UTCR Committee may take effect with other 2004 changes to the UTCR on August 1, 2004.
2. I do not currently adopt the amendments to the UTCR shown by the attachments to this order identified as H, I, and J. However, I direct the State Court Administrator to publish these proposals for public comment. I place these proposals on the agenda of the regular 2004 spring meeting of the UTCR Committee for review of any public comment received and so the UTCR Committee can recommend appropriate action based on that public comment. Action recommended by the UTCR Committee may take effect with other 2004 changes to the UTCR on August 1, 2004.
3. I do not currently adopt the amendments to the UTCR shown by the attachments to this order identified as K. This proposal is intended to update the Uniform Support Affidavit in UTCR Form 8.010.5 and make it consistent with current law, but was not presented within the regular UTCR cycle at the time for proposing changes. Solely because of the importance of keeping the UTCR current with statute and because other changes are made to the same form by this order, I direct the State Court Administrator to publish this proposal for public comment. I place this proposal on the agenda of the regular 2004 spring meeting of the UTCR Committee for review of any public comment received and so the UTCR Committee can recommend appropriate action based on that public comment. Action recommended by the UTCR Committee may take effect with other 2004 changes to the UTCR on August 1, 2004.

This order takes effect immediately.

DATED this 24th day of December, 2003

Wallace P. Carson, Jr.
Chief Justice

ATTACHMENT A to CJO 03-074 Adopted UTCR Change

2.100 PROTECTED PERSONAL INFORMATION, NOT CONTACT INFORMATION, REQUIREMENTS AND PROCEDURES TO SEGREGATE WHEN SUBMITTING

(1) Purpose. This rule establishes:

- (a) Procedures for a person to identify and segregate protected personal information when submitting a document to a court in a case and to request the information be kept from inspection by the general public.
- (b) A process for a court, when it grants a request under this rule, to protect the segregated, protected personal information from nonprotected information in a uniform way with an appropriate record.

(2) Information covered. As used in this rule:

- (a) “Protected personal information” means specific individual facts that, unless segregated, would otherwise be in a submitted document to identify a person submitting the document or another person beyond that person’s name or to identify the financial activities of either and which the court is allowed or required by law to keep confidential.
- (b) “Protected personal information” includes, but is not limited to:
 - (i) Social security numbers, credit card numbers, bank or other financial account numbers, bank or other financial account locations, driver license numbers, financial account access numbers, or similar information that is used for financial transactions.
 - (ii) Maiden names, birth dates, and place of birth.
 - (iii) Facts about a person’s identity or the identity of the person’s financial activities that is other than contact information and that can be exempt from public inspection under the Oregon Public Records Law (OPRL, ORS 192.410 to 192.505).
 - (iv) Facts other than contact information that can otherwise be protected under specific law, including, but not limited to, information protected by existing court orders.
- (c) “Protected personal information” does not include entire documents, contact information, or, except as ordered by a court, information that is not both personal and related to a person’s identity beyond their name or their financial activities.
- (d) “Contact information” means: the name of a person submitting a document or of a person on whose behalf a document is being submitted; telephone numbers; personal or business addresses; e-mail addresses; employer identification and address; or similar facts that make it possible for another to contact a person who is named in a document.

(3) Relationship to other law. The following all apply to this rule:

- (a) Parties to proceedings under ORS 107.085 or 107.485 must segregate all social security numbers from all documents they submit related to the proceedings in the manner provided by this rule. These social security numbers are confidential in the custody of the court as section 1, chapter 380, Oregon Laws 2003 ('03 HB 3015) provides. Other than as this paragraph or an SLR 2.101 of a court provides, this rule is not the exclusive means for a court to protect personal information from public inspection.
- (b) All judicial districts must allow requests to segregate protected personal information under this rule as a way to keep it separate from information subject to public inspection. However, courts may use SLR to establish other procedures related to identifying and protecting information courts are allowed or required to keep confidential. But, SLR 2.101 is preserved for purposes of a court to:
 - (i) require use of forms or procedures under this rule as the exclusive way to identify specific protected personal information so a court can segregate the information and protect it from public inspection; and
 - (ii) establish requirements supplemental to this rule as necessary to help administer this rule.
- (c) Nothing in this rule precludes a court from protecting information by appropriate court order.
- (d) Nothing in this rule affects or applies to procedures for identifying and protecting contact information:
 - (i) Of crime victims that is submitted to courts for processing restitution payments when restitution is sought and the information about a crime victim is kept confidential under section 6(2)(b), chapter 575, Oregon Laws 2003 ('03 HB 2646).
 - (ii) That can be made confidential under ORS 25.020(8)(d), 109.767(5), 110.375, or 192.445.

(4) Procedure to follow. A person may only request protected personal information be segregated and protected under this rule when submitting it to a court in a case. The procedures under this rule may be used to identify and separately present protected personal information from any submitted document or form that is used to give information to a court. To do so, a person must do all of the following:

- (a) Place in the document from which the protected personal information is being segregated a written notation to the effect that the information is being separately submitted under UTCR 2.100.

- (b) Complete an affidavit in substantially the form provided in UTCR Form 2.100.4a. The affidavit:
 - (i) Need not be notarized but must be signed by the requestor and contain language that the person knowingly gives the information under an oath or affirmation attesting to the truth of what is stated and subject to sanction by law if the person provides false information to the court.
 - (ii) Must describe generally the protected personal information and set out the legal authority for protecting the information.
 - (c) Complete an information sheet in substantially the form provided in UTCR Form 2.100.4b to duplicate the protected personal information sought to be segregated and attach the information sheet to the affidavit.
 - (d) File the completed forms and attachments with the court along with, but not attached to, the document from which the protected personal information is segregated.
 - (e) For purposes of UTCR 2.080, mail or deliver to parties a copy of the affidavit only, and not the information sheet or attachments to the information sheet.
- (5) More than once in a case. If a court segregates specific protected personal information from a specific document under this rule:
- (a) The court is under no obligation to look for or segregate the same protected personal information from other documents in the file for that case or other cases that were not specifically addressed by a request under this rule or from any documents subsequently submitted to the court except when procedures under this rule to segregate from the specific document are again used.
 - (b) As long as the specific protected personal information remains current, a person need not submit an affidavit and information sheet under this rule each subsequent time the already segregated information would be submitted in that case. The person may simply add a written notation to any document subsequently submitted to the effect that the information has already been submitted in that case under UTCR 2.100.
- (6) Court response. When a completed request is filed under this rule and the court grants the request to segregate, the court will do the following:
- (a) Separate the UTCR Form 2.100.4b from the affidavit and maintain that form and any attachments to it as not subject to public inspection unless there is a question about the court's legal authority to keep the specific information from public inspection. The requestor need not obtain the signature of a judge. As official custodian of the case file under the OPRL, the trial court administrator will resolve any question about whether, or the extent to which, information may be kept from disclosure under this rule unless statute or court order expressly provides otherwise. A request under this rule to keep information confidential, segregated, or exempt from public inspection is not subject to challenge and hearing except as specifically required by law.
 - (b) Keep the affidavit in the case file.

- (c) Send notice confirming that a request is granted or denied only if the person includes a self-addressed, postage prepaid postcard that the court can use for that task. The postcard must also include the following text, to be filled in as indicated for the court to mail:

"Dear _____ (*person requesting print your name here*), Your request of _____ (*insert date of request*) to segregate specific protected personal information from information the general public can inspect in the case file for case number _____ (*insert case number*) in the Circuit Court for _____ (*insert county*) County (*the court will check and complete the appropriate following response before mailing*):

☐ Was granted on _____ (*court will insert date*) and the segregated information sheet you submitted will be maintained separately from information available for public inspection. _____ (*initial of appropriate court employee*)

☐ Was denied in part or entirely because (*court will explain and provide contact information for further action*): _____."

- (7) Limits on protection. When the court grants a request under this rule, the court will protect the submitted Form 2.100.4b from being placed where the general public can inspect it. However, the following limits apply to this confidentiality:

- (a) A person may inspect the information sheet or attachments that person submitted.
- (b) A person other than the person who submitted the information sheet or attachments may inspect the information sheet or attachments with a currently effective release by the person whose information is protected. The release must be signed by the person giving the release, dated, and establish a period during which the release will be effective.
- (c) Any person who has a right by law to inspect the information sheet or attachments may do so. This includes Oregon Judicial Department personnel who require the information for their work.
- (d) Courts will share the information sheets and attachments with other government agencies as required or allowed by law, without court order or application under subsection (8) of this rule, for purposes of the business of those agencies. Those agencies are required to maintain the information as confidential as provided under ORS 192.502(10).
- (e) Courts will share the information sheets and attachments with the entity primarily responsible for providing support enforcement services under ORS 25.080 and under the requirements of 42 U.S. C. 666 without application under subsection (10) of this rule in any case in which spouse or child support is ordered.

- (8) Inspecting or copying protected personal information. Except as specifically provided in subsection (7) of this rule, any person who seeks to inspect or copy information segregated and kept from public inspection under this rule must make the request by using a form substantially like UTCR Form 2.100.8 and copy the requestor shown on the affidavit and parties to the case as required by UTCR 2.080. A court will only grant a

request if the person requesting has a right by law, including this rule, to see the information. The court will indicate on the form its response to the request and maintain a copy of all the request forms, with its response, in the case file as a public record.

(9) Denied requests. If a court denies a request under this rule:

- (a) For every piece of personal information on a UTCR Form 2.100.4b, the court will attach the affidavit and form to the document from which the information was segregated and place all in the case file.
- (b) For only some of the personal information on a UTCR Form 2.100.4b, the court will:
 - (i) created a copy of the form where the information to be protected is redacted,
 - (ii) protect the original form as otherwise provided in this rule, and
 - (iii) attach the affidavit and the redacted copy of the form to the document from which the information was segregated and place the affidavit and redacted copy of the form in the case file.

ATTACHMENT B to CJO 03-074, Adopted UTCR Change

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR _____ COUNTY

_____ Division - _____
(court's address and phone number)

Case name: _____	)	CASE No. _____
_____)	
Plaintiff Name	)	UTCR 2.100 AFFIDAVIT,
V.	)	REQUEST TO SEGREGATE PROTECTED
_____	)	PERSONAL INFORMATION FROM
1 st Defendant Name	)	CONCURRENTLY FILED DOCUMENT

IMPORTANT NOTE TO PERSON COMPLETING THIS AFFIDAVIT: Except as specifically ordered by a court, this affidavit and UTCR form 2.100.4b **cannot be used for contact information** (addresses, telephone numbers, employer identification, and similar information that can be used to contact someone, *see UTCR 2.100*). The type of information that can be protected by this form is limited to what is listed in UTCR 2.100.

To the court: By this affidavit under UTCR 2.100, I request that the protected personal information in the form attached to this affidavit be segregated from information that the general public can see in the case noted above.

The protected personal information I request to be segregated is as follows:

A. The following is a general description of the protected personal information (<i>example description "my social security number" or "parent's bank account number". Do not include specific protected personal information here.</i>	B. The following is the legal authority by which I believe this information may be exempt from public inspection (<i>cite to statute, rule, case, etc.</i>). <i>Row numbers correspond to those in column A. Add rows in both columns as necessary.</i>
1.	1.
2.	2.
3.	3.
4.	4.

PERSON MAKING REQUEST MUST COMPLETE ALL THE FOLLOWING AS INDICATED:

1. *(Initial to confirm)* _____. The specific protected personal information described above is provided on the attached UTCR 2.100 segregated information sheet.
2. *(Initial to confirm)* _____. I have segregated the information described above from another document or form that I am submitting at the same time, *(describe document or form)* _____, to keep the protected information from being available to the general public. I appropriately noted in that other document the places where information has been provided in the attached information sheet rather than in that document. *(No fee is charged when information is segregated at time of submission.)*
3. I *(initial one)* _____ have OR _____ have not attached a self-addressed, stamped postcard with language required by UTCR 2.100 so that the court can inform me of its response to this request.
4. *(Initial to confirm)* _____ I understand that while the protected personal information may be withheld from the general public if this request is granted, it may still be available to some persons and government agencies as described in UTCR 2.100.
5. *(Initial to confirm, "na" if not applicable)* _____ If this document was prepared by someone who is not an attorney, I have attached a completed document preparation certification that applies to both this affidavit and the attached form as required by UTCR 2.010(7).
6. *(Initial to confirm)* _____ I have mailed or delivered copies of this request *(not including the attached UTCR Form 2.100.4b and its attachments)* to people required by UTCR 2.080.

I knowingly give the information in this affidavit, the attached information sheet, and any attachments to the information sheet under an oath or affirmation attesting to the truth of what is stated and subject to sanction by law if I knowingly provide false information to the court.

Date _____
OSB# *(if applicable)* _____

Signature _____
Type or print name _____

For office use:

Request _____ granted OR _____ denied (state reason) _____
_____.

Date: _____

TRIAL COURT ADMINISTRATOR

By _____

ATTACHMENT C to CJO 03-074, Adopted UTCR Change

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR _____ COUNTY

_____ Division - _____
(court's address and phone number)

Case name: _____

CASE No. _____

Plaintiff Name _____

V.

**UTCR 2.100 SEGREGATED
INFORMATION SHEET**

1st Defendant Name _____

ATTENTION COURT STAFF: Except as your trial court administrator tells you otherwise, this sheet and its attachments are:

- **to be separated from the attached affidavit, and**
- **NOT to be placed in any court file where they can be seen by the public, and**
- **NOT to be provided to any member of the public to see or copy.**

PLEASE follow UTCR and Judicial Department instructions for protecting information on this form. Ask your trial court administrator if you have questions.

The requestor **MUST** complete all of the following information:

1. Requestor information:
Name:
Address:

Telephone number:
Other contact information:
Relationship to case:

2. Protected personal information that is segregated:

Row number used to identify on affidavit	General description of the protected personal information (<i>same as on affidavit</i>)	Relates to (<i>Person's name</i>)	The following is the specific Protected Personal Information to be segregated (<i>give the specific fact, i.e. social security number, etc., that is being protected</i>). This can be a reference to an attachment. <u>Do not use for contact information</u> (addresses, telephone numbers, employer identification, and similar information that can be used to contact someone) unless specifically ordered by a court. The type of information that can be protected by this form is limited to what is listed in UTCR 2.100. Add rows as necessary.

3. There are attachments to this information sheet: ____ Yes ____ No
If so, how many pages _____

For Office use:

ATTACHMENT D to CJO 03-074, Adopted UTCR Change

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR _____ COUNTY

_____ Division - _____
(court's address and phone number)

Case name: _____

Plaintiff Name _____

V.

1st Defendant Name _____

CASE No. _____

**REQUEST TO INSPECT UTCR 2.100
SEGREGATED INFORMATION SHEET**

By this form, I request to see or obtain a copy of part or all of a UTCR 2.100 Segregated Information Sheet (SIS) that is being withheld from the public. I have completed this form to provide the information the court requires of me to make this request. I understand the court will not automatically grant this request but will use applicable law to decide whether I have a right to see or copy the information I request. I understand this request will be a public record whether or not granted.

1. Information about me:

- a. My Name: _____
- b. My Address: _____
- c. My Telephone number: _____
- d. Other contact information for me: _____
- e. I believe I have a legal right to see the information because (*explain reasons*): _____

2. To identify the UTCR 2.100 Segregated Information Sheet (SIS) I am requesting:

- a. Name of person who submitted affidavit for SIS: _____
- b. Date affidavit submitted: _____
- c. Description of document from which information is segregated: _____
- d. General description(s) of protected personal information I am requesting to see (*use same general description as on affidavit in file*): _____
- e. Row number(s) of description of this information on affidavit: _____
- f. Name of person to whom information relates (*if known*): _____
- g. The affidavit for the SIS shows that the SIS includes other information I am not requesting to inspect or copy (*check one*) ____ Yes OR ____ No. (*If Yes, this other information will be redacted*)

3. Confirming additional requirements completed:

- a. *(Initial to confirm, "na" if not applicable)* ____ If this document was prepared by someone who is not an attorney, I have attached a completed document preparation certification that applies to both this affidavit and the attached form as required by UTCR 2.010(7).
- b. *(Initial to confirm)* ____ I have mailed or delivered copies of this request to the following people required by UTCR 2.080, *(List names)* _____.
- c. *(Initial to confirm)* ____ I understand that I will be responsible for any costs resulting from the court responding to this request except those costs for which I have obtained a waiver, and will advance money to cover those costs if requested by the courts.

I knowingly give the information in this request under an oath or affirmation attesting to the truth of what is stated and subject to sanction by law if I knowingly provide false information to the court.

Date _____
OSB# *(if applicable)* _____

Signature _____
Type or print name _____

For Office use:

Request to inspect ____ granted OR ____ denied *(state reason)* _____
Related comments: _____

Date: _____

TRIAL COURT ADMINISTRATOR
By _____

ATTACHMENT E to CJO 03-074, Adopted UTCR Change

UTCRC 2.080 is amended as follows (language that is in bold and underlined is added):

2.080 COMMUNICATION WITH COURT

- (1) Except as exempted by statute **or UTCRC 2.100**, when written communication is made to the court, copies must simultaneously be mailed or delivered to all other parties and indication made on the original of such mailing or delivery.
- (2) All written communication to the court shall refer to the title of the cause and the case number.

ATTACHMENT F to CJO 03-074, Adopted UTCR Change

UTCR 8.010 is amended to add the following new subsection (9) to that rule:

“(9) Parties to proceedings under ORS 107.085 or 107.485 must follow UTCR 2.100 to segregate all social security numbers from documents the parties submit in the proceedings so the numbers will be protected as required by section 1, chapter 380, Oregon Laws 2003 (‘03 HB 3015).”

Page 1 of UTCR Form 8.010.5 (the Uniform Support Affidavit) is amended as follows (change to line requesting social security number):

In the Matter of the Dissolution of Marriage/Separation of:

AND

Respondent.

)
)
) Circuit Court No. _____
)
)
) Uniform Support Affidavit of Petitioner/
) Respondent (Child/Spousal Support Case)
)
)
)

Schedule 1--Monthly Expenses and Rebutting Factors

Required

In addition, certain documentation **MUST** be attached as indicated on page 2.

STATE OF OREGON

County of) ss.

I, _____, being first duly sworn under oath, depose and say that I am the _____ in the above-entitled matter and that the following are true to the best of my knowledge and belief:

1. Your Age: _____ Date of Birth: _____ Social Security No.: File under UTCR 2.100
2. Residence Address: _____
3. Name of Employer & Address: _____
4. Occupation: _____ Title: _____
5. Length of Employment: _____
6. Children born of or adopted during this relationship: _____

Child living with:

Child living with:				
Name of Child	Age	Me	Other Parent	Other

7. List all people living in your household (other than children named in item 6 above):

Name	Age	Relationship to You	Monthly Income

8. List your other dependents or children not listed in items 6 or 7 above:

Name	Age	Relationship to You	Monthly Income

9. ENTER THE FOLLOWING INFORMATION FROM SCHEDULES INDICATED:

- ENTER THE FOLLOWING INFORMATION FROM SCHEDULES INDICATED:
- | | | |
|--|---|--|
| A. TOTAL GROSS INCOME (From page 3, item 16.D.) | : | |
| B. TOTAL EXPENSES OF CHILDREN (From Schedule 1, item 1.) | : | |
| C. TOTAL MONTHLY EXPENSES (From Schedule 1, item 6.) | : | |

ATTACHMENT H to CJO 03-074, Not Adopted, Proposed For Public Comment
(Could take effect August 1, 2004)

1. Adopt following new UTCR :
 - 2.110 PROTECTED PERSONAL INFORMATION, NOT CONTACT INFORMATION, PROCEDURES TO SEGREGATE WHEN INFORMATION ALREADY EXISTS IN A CASE FILE
- (1) Purpose. This rule establishes:
 - (a) Procedures for a person to identify and segregate protected personal information when that information already exists in a document in a court case file and to request the information be kept from inspection by the general public.
 - (b) A process for a court, when it grants a request under this rule, to segregated and protected personal information from nonprotected information in the case file in a uniform way with an appropriate record.
- (2) Information covered. This rule may be followed to segregate and protect the same information already existing in a case file that could be segregated and protected at the time of submission under UTCR 2.100. The definitions in UTCR 2.100 apply to this rule.
- (3) Relationship to other law. The following all apply to this rule:
 - (a) This rule is not the exclusive means for a court to protect personal information in case files from public inspection.
 - (b) Courts may use SLR to establish other procedures related to identifying and protecting information courts are allowed or required to keep confidential. But, SLR 2.111 is preserved for purposes of a court to:
 - (i) require use of forms or procedures under this rule to identify specific protected personal information so that a court can segregate the information and protect it from public inspection; and
 - (ii) establish requirements supplemental to this rule as necessary to help administer this rule.
 - (c) Nothing in this rule affects or applies to procedures for identifying and protecting contact information:
 - (i) Of crime victims that is submitted to courts for processing restitution payments when restitution is sought and the information about a crime victim is kept confidential under section 6(2)(b), chapter 575, Oregon Laws 2003 ('03 HB 2646).
 - (ii) That can be made confidential under ORS 25.020(8)(d), 109.767(5), 110.375, or 192.445.
- (4) Procedure to follow. A person may only request protected personal information be segregated under this rule when the information is already in a document that has become part of a court case file. To do so, a person must do all the following:
 - (a) Complete an affidavit in substantially the form provided in UTCR Form 2.110.4a. The affidavit:
 - (i) Need not be notarized but must be signed by the requestor and contain language that the person knowingly gives the information under an oath or affirmation attesting to the truth of what is stated and subject to sanction by law if the person provides false information to the court.
 - (ii) Must describe generally the protected personal information and set out the legal authority for protecting the information.

- (iii) Must specifically identify the case file, document in the case file, and the page number of the page that is sought to be redacted.
 - (iv) Must be accompanied by a copy of that page sought to be redacted showing specifically the protected personal information to be redacted.
 - (b) Complete an information sheet in substantially the form provided in UTCR Form 2.100.4b to duplicate the protected personal information sought to be segregated and attach the information sheet to the affidavit.
 - (c) File the completed forms and attachments with the court.
 - (d) Pay the required fee set by Chief Justice Order. *(Note: Fiscal analysis has shown this fee will be need to be set at \$25.00 for each page sought to be redacted in order to recover court costs.)*
 - (e) For purposes of UTCR 2.080, mail or deliver to parties a copy of the affidavit only, and not the information sheet or attachments to the information sheet.
- (5) Court response. When a completed request is filed under this rule and granted by the court, the court will do the following:
- (a) Segregate and protect the specifically identified protected personal information from the specific location in the specific document that is the object of the request unless there is a question about the court's legal authority to keep the specific information from public inspection. The requestor need not obtain the signature of a judge. As official custodian of the case file under the OPRL, the trial court administrator will resolve any question about whether, or the extent to which, information maybe kept from disclosure under this rule unless statute or court order expressly provides otherwise. A request under this rule to keep information confidential, segregated, or exempt from public inspection is not subject to challenge and hearing except as specifically provided by law.
 - (b) Separate and maintain the information sheet and any attachments as not subject to public inspection. Once the information sheet is separated, place the affidavit in the case file.
 - (c) Replace any page from which the specific information is removed with a redacted copy of the page and keep the original, unmodified page with the information sheet and its attachments. Any substitute page from which the specific information is removed will include a notation of the date and responsible individual and that the redacting was done under this rule. Courts will separate information and redact documents under this rule according to the State Court Administrator's direction, or as otherwise specifically provided by law.
 - (d) Send a notice confirming completion of work, that work cannot be completed for some reason, or that a request is denied, only if the person includes a self-addressed, postage prepaid postcard that the court can use for that task. The postcard must also include the following text to be filled in as indicated for the court to mail:
- "Dear _____ (*person requesting print your name here*), Your request of _____ (*insert date of request*) to segregate specific personal information from information the general public can inspect in the case file for case number _____ (*insert case number*) in the Circuit Court for _____ (*insert county*) County (*court will check and complete the appropriate following response*):
- ☐ Was completed on _____ (*insert date*). _____ (*initial of appropriate court employee*)
 - ☐ Could not be completed because (*explain and provide contact information for further action*): _____.
 - ☐ Was denied because (*explain and provide contact information for further action*): _____."

- (6) Time limits, court authority to refuse request based on resources. This rule sets no time limit for courts to segregate information from existing court records when requested under this rule. Courts have a reasonable time given their ordinary workload and resources available. And, notwithstanding other parts of this rule, a court is not required to segregate information from existing court records based on a request under this rule if the workload created would adversely affect the resources available for a court to perform its ordinary duties.
- (7) Parts of UTCR 2.100 that apply to this rule. The following subsections of UTCR 2.100 are applicable to this rule: (2), (5), (7), (8) and (9)

ATTACHMENT I to CJO 03-074, Not Adopted, Proposed For Public Comment
(Could take effect August 1, 2004)

UTCR 2.080 as amended by CJO 03-0*** is further amended as follows:

2.080 COMMUNICATION WITH COURT

- (1) Except as exempted by statute [*or*] , UTCR 2.100 , **or UTCR 2.110**, when written communication is made to the court, copies must simultaneously be mailed or delivered to all other parties and indication made on the original of such mailing or delivery.
- (2) All written communication to the court shall refer to the title of the cause and the case number.

ATTACHMENT J to CJO 03-074, Not Adopted, Proposed For Public Comment
(Could take effect August 1, 2004)

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR _____ COUNTY

Division - _____

(court's address and phone number)

Case name: _____

Plaintiff Name

V.

1st Defendant Name

CASE No. _____

**UTC R 2.110 AFFIDAVIT, REQUEST TO
REDACT PROTECTED PERSONAL
INFORMATION FROM DOCUMENT EXISTING IN
CASE FILE**

IMPORTANT NOTE TO PERSON COMPLETING THIS AFFIDAVIT: Except as specifically ordered by a court, this affidavit and UTC R Form 2.100.4b **cannot be used for contact information** (addresses, telephone numbers, employer identification, and similar information that can be used to contact someone, see UTC R 2.110). The type of information that can be protected by this form is limited to what is listed in UTC R 2.100.

To the court: By this affidavit under UTC R 2.110, I request that the protected personal information in the form attached to this affidavit be redacted from a document in the case file for the case noted above that the general public can see.

The protected personal information I request to be segregated is as follows:

A. The following is a general description of the protected personal information (<i>example description "my social security number" or "father's bank account number". <u>Do not include specific protected personal information here.</u></i>	B. The following is the legal authority by which I believe this information may be exempt from public inspection (<i>cite to statute, rule, case, etc.</i>). Row numbers correspond to those in column A. Add rows in both columns as necessary.
1.	1.
2.	2.
3.	3.
4.	4.

PERSON MAKING REQUEST MUST COMPLETE ALL THE FOLLOWING AS INDICATED:

1. *(Initial to confirm)* ____ . The specific protected personal information described above is provided on the attached UTCR 2.100 segregated information sheet.
2. The specific protected personal information is in the document in the case file that the following Identifies:
 - a. Case file number where found _____.
 - b. Description of document containing the information: _____.
 - c. Page number *(identification)* of the page(s) containing the information: _____.
 - d. A copy of the object page(s) showing specifically the information to be redacted is attached *(required)*: ☐ Yes ☐ No
3. I have attached the required fee of \$_____ per page for all of the _____ *(number of pages)* pages I have requested be redacted for a total amount of \$_____ *(total amount of check or money order attached)*.
☐ Yes ☐ No
4. I *(initial one)* ____ have OR ____ have not attached a self-addressed, stamped postcard with language required by UTCR 2.110 so that the court can inform me of its response to this request.
5. *(Initial to confirm)* ____ I understand that while the protected personal information may be withheld from the general public if this request is granted, it may still be available to some persons and government agencies for purposes described in UTCR 2.100.
6. *(Initial to confirm, writ NA if not applicable)* ____ If this document was prepared by someone who is not an attorney, I have attached a completed document preparation certification that applies to both this affidavit and the attached form as required by UTCR 2.010(7).
7. *(Initial to confirm)* ____ I have mailed or delivered copies of this request *(not including the attached UTCR Form 2.100.4b and its attachments)* to people required by UTCR 2.080.

I knowingly give the information in this affidavit, the attached information sheet, and any attachments to the information sheet under an oath or affirmation attesting to the truth of what is stated and subject to sanction by law if I knowingly provide false information to the court.

Date _____
OSB# *(if applicable)* _____

Signature _____
Type or print name _____

For office use:

Segregation _____ granted OR _____ denied (state reason) _____.

Date: _____

TRIAL COURT ADMINISTRATOR
By _____

ATTACHMENT K to CJO 03-074, Not Adopted, Proposed For Public Comment
(Could take effect August 1, 2004)

1. Page 1 of UTCR Form 8.010.5 (the Uniform Support Affidavit) is amended as follows (language added is in bold and underlined, language deleted is in brackets and italics):

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

In the Matter of [*the Dissolution of Marriage/Separation of*]:

_____	)	)	Circuit Court No. _____
Petitioner,))	
	)	)	Uniform Support Affidavit of: [<i>Petitioner/</i>
AND	)	)	<i>Respondent (Child/Spousal Support)</i> Case)
))	<input type="checkbox"/> Petitioner
_____))	<input type="checkbox"/> Respondent <input type="checkbox"/> Co-petitioner
Respondent.	)	)	(Child or Spousal Support Case)

This form is a SWORN AFFIDAVIT (under oath) required for support determinations. It must be signed before a notary public, [*maybe made available to the other party, and may be filed in court. The form consists of this part, on pages 1 through 4, and any attachments requested on those pages. If either party seeks spousal support or any change from the uniform child support guidelines, you must also complete the following and the attachments requested therein and submit all of them with this form:*

Schedule 1--Monthly Expenses and Rebutting Factors *Required]* **filed with the court and served upon the other party (or their attorney). If no party seeks spousal support or a deviation (change) from the uniform child support guidelines, you need only complete the affidavit (pages 1 through 6) and any attachments requested on those pages. If any party seeks either spousal support or any deviation (change) from the uniform child support guidelines, you must complete not only the Affidavit (pages 1 through 6) and any attachments requested on those pages, but also the attached "Schedule 1- Monthly Expenses and Rebutting Factors Required."** In addition, certain documentation MUST be attached as indicated on page 2.

STATE OF OREGON)
) ss.
County of _____)

I, _____, being first duly sworn under oath, depose and say that I am the _____ in the above-entitled matter and that the following are true to the best of my knowledge and belief:

2. The information at the bottom of each page of UTCR Form 8.010.5 (the Uniform Support Affidavit) is amended as follows (language added is in bold and underlined, language deleted is in brackets and italics):