



**NORTH CAROLINA  
ADMINISTRATIVE OFFICE  
of the COURTS**

**Office of the Director**

**Judge John W. Smith**  
Director

PO Box 2448, Raleigh, NC 27602  
T 919 890-1391 F 919 890-1915

March 1, 2010

The Honorable Joe Hackney  
The Honorable Marc Basnight  
Co-chairs, Joint Legislative Commission on Governmental Operations  
The Honorable Alma Adams  
The Honorable Martha B. Alexander  
The Honorable Nelson Cole  
The Honorable James W. Crawford, Jr.  
The Honorable R. Philip Haire  
The Honorable Verla Insko  
The Honorable Maggie Jeffus  
The Honorable Linda P. Johnson  
The Honorable William C. "Bill" McGee  
The Honorable Henry M. Michaux, Jr.  
The Honorable Bill Owens  
The Honorable Deborah K. Ross  
The Honorable Paul Stam  
The Honorable Joe P. Tolson  
The Honorable Larry Womble  
The Honorable Douglas Y. Yongue

The Honorable Charles W. Albertson  
The Honorable Tom Apodaca  
The Honorable Dan Blue  
The Honorable Daniel G. Clodfelter  
The Honorable James Forrester  
The Honorable Linda Garrou  
The Honorable Fletcher L. Hartsell, Jr.  
The Honorable David W. Hoyle  
The Honorable Clark Jenkins  
The Honorable Eleanor Kinnaird  
The Honorable Martin L. Nesbitt, Jr.  
The Honorable William R. Purcell  
The Honorable John Snow  
The Honorable R.C. Soles, Jr.  
The Honorable Richard Stevens  
The Honorable A.B. Swindell

North Carolina General Assembly  
State Legislative Building  
Raleigh, North Carolina 27601

Dear Representatives and Senators:

Please find the following report from the Conference of Clerks of Superior Court on the status of implementing protections against identity theft, pursuant to Senate Bill 1017, Session Law 2009-355, Section 4. A copy of this session law is attached.

North Carolina Clerks of Superior Court do not post images or copies of official records containing a person's social security or driver's license number on the Clerk of Superior Court's internet website available to the general public. Some Clerks choose to post a hyperlink to the Register of Deeds' public internet website for their county on the Clerk of Court website; however, the Clerk of Court is not responsible for the content of any official records that may be available through the Register of Deeds' website.

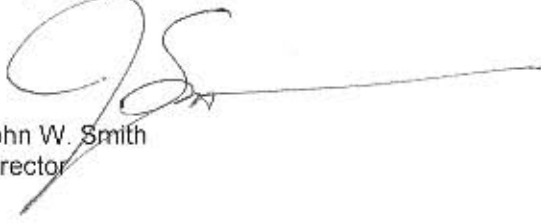
Each individual Register of Deeds may opt to provide accessibility to the NC Administrative Office of the Courts' civil case processing system (VCAP) through remote public access. There is no field within VCAP for NCDL numbers, however, there is a field for tax ID numbers.

The Conference of Clerks of Superior Court has consulted with the North Carolina Association of Register of Deeds (NCARD) and the NCARD submitted the attached memorandum and survey results (five pages total) as a response to the Conference's inquiry.

Please accept this report and the attached documentation as the official report regarding the study of the status of individual counties, judicial districts, Clerks of Superior Court and the Register of Deeds on the implementation of S.L. 2009-355.

If you have any questions, please do not hesitate to contact Barbara Moore of the North Carolina Conference of Clerks of Superior Court at (919) 890-1441 or [Barbara.D.Moore@aoc.nccourts.org](mailto:Barbara.D.Moore@aoc.nccourts.org).

Respectfully Yours,

A handwritten signature in black ink, appearing to be 'JS' followed by a long horizontal line.

John W. Smith  
Director

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**SESSION LAW 2009-355  
SENATE BILL 1017**

**AN ACT TO ENHANCE PROTECTIONS AGAINST IDENTITY THEFT AND TO PROTECT  
THE CREDIT OF CRIME VICTIMS DURING THE PENDENCY OF CRIME VICTIMS  
COMPENSATION FUND APPLICATIONS AND APPEALS.**

The General Assembly of North Carolina enacts:

**REPORT ON PROTECTIONS AGAINST IDENTITY THEFT**

**SECTION 4.** The Conference of Clerks of Superior Court shall, in consultation with the registers of deeds, annually study the status of the individual counties and judicial districts as to whether or not the clerks of superior court or the registers of deeds are implementing this act and report results of the study to the Joint Legislative Commission on Governmental Operations on or before March 1 of each year.

**EFFECTIVE DATE**

**SECTION 8.** This act becomes effective October 1, 2009.

In the General Assembly read three times and ratified this the 16th day of July, 2009.



TO: North Carolina Conference of Clerks of Superior Court

FROM: North Carolina Association of Registers of Deeds (NCARD)

SUBJECT: Redaction Study Report for the Joint Legislative Commission on Governmental Operations

During the 2009 Session of Legislature, SB 1017 (Session Law 2009-355) was passed to allow Registers of Deeds and Clerks of Superior Court the ability to remove, from an image or copy of an official record placed on an Internet web site, a person's social security or drivers license number contained in that record. The Registers of Deeds and the Clerks of Superior Court may apply optical character recognition technology or other available technology in order to, in good faith, identify and redact social security and drivers license numbers.

Upon passage, the North Carolina Association of Registers of Deeds (NCARD) and individual Registrars, made inquiries and gathered information regarding redaction. Several of the NCARD Committees, including, but not limited to, the NCARD Legislative Committee, the NCARD Executive Committee, and the NCARD Automation Technology Committee, met after passage of this Bill to ensure that compliance of this legislation could be achieved. Accordingly, there were concerns in the implementation of this Legislation. The main problems all Registrars and Counties faced were the pressing issues of money in an economically strapped economy, utilization of staff, additional redaction requirements over and above NCGS 132-10(g) and, a time frame to begin redaction. In gathering this information for a report to the Conference of Clerks of Superior Court prior to March 1, 2010, there were 100 of the 100 counties that replied to questions posed by the NCARD Automation Technology Committee. The redaction survey questions were:

1. How many redaction requests has your registry processed since NCGS 132-1.10 became effective on December 1, 2005? (This allowed to persons to request the Registers to removed information from their web sites by requesting, in writing, that the same be done.)
2. Are you already in the process of redacting? If so, for how long?
3. Are you planning to begin redacting? If so, when?

4. After consulting your vendor, county IT Department, or other service provider, please estimate two costs:
  - A. Redacting beginning with records on October 1 of this year (2009).
  - B. Redacting back to 1934, when Social Security began.
5. Does your office or your county have funding available to implement redaction?
6. If you do not have funding available, what is your view of whether the state should provide funding for the redaction has encouraged us to undertake?

In recapping the answers to the above questions, the following was realized from the 100 responses:

1. Total requests for redaction in 100 counties is 2,436.
2. Counties currently in process – 17. How long – varied from “upon request” to July 2005.
3. Plan to begin – 28. When – varied from “unknown, to next year.
4. Costs:
  - A. Beginning 10-01-2009 – costs varied from 0 to \$125,000.
  - B. Redacting back to 1934 – costs varied from 0 to \$920,000.
5. Funding available – only 20 counties have funding (most using Automation Enhancement and Preservation Fund). Only a couple of counties said it would be in their budgets.
6. No funding, view of whether state needs to provide funding – most counties replied in the affirmative as to asking for state funding for redaction of Internet records.

Pursuant to GS 132-1.10 Section 4, the NCARD hereby submits a recap to the Conference of Clerks of Superior Court on where the Registers of Deeds stand regarding the process of redaction. Upon obtaining information via a questionnaire posed to all 100 counties, the NCARD hereby submits those findings. (Attached copy of the replies of the 100 counties.)

Respectfully submitted, this 25<sup>th</sup> day of February, 2010.

Honorable Davis Brinson, President of the NC Association of Registers of Deeds

Honorable Kim Hargrove, Legislative Co-Chair, NCARD

Honorable Amanda Garrett, Legislative Co-Chair, NCARD

Honorable Laura Riddick, Chair, Automation Technology Committee, NCARD

County	# Requests	In process?	How long?	Begin redaction?	When?	Redaction costs		Funds?	State funding?
						10/1/2009	Back to 1934		
Alamance	6	no	n/a	no	n/a	don't know	don't know	no	Bad idea, waste of money
Alexander	no info	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Alleghany	1	no	n/a	n/a	couple mo	not available	\$10,000	ATF	State should provide
Anson	0	no	n/a	n/a	if required	0	\$19,000	no	State should
Ashe	2	yes	10/1/2009	n/a	n/a	not separately	\$32,000 - 33,000	yes	no response
Avery	5	no	n/a	unknown	unknown	\$24,500	\$130,418	yes	state funding
Beaufort	no web	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Bertie	0	no	n/a	near future	with funding	no costs yet	no costs yet	no	state should find funds
Bladen	6	no	n/a	yes	Jul-10	\$23,826 to 1969	web 1969	budget	state should fund some
Brunswick	6	no	upon request	no	by request	no costs yet	no costs yet	no	state provide funding
Buncombe	50	no	upon request	if required	with funding	n/a	n/a	no	state should fund
Burke	0	n/a	n/a	n/a	unknown	not in future	n/a	n/a	if state requires, need assistance
Cabarrus	35	no	n/a	yes	upon cost	n/a	\$150,000	yes	state should fund - using auto \$
Caldwell	17	no	n/a	yes	Jul-10	no costs yet	\$68,889.26	no	funding single barrier
Camden	0	no	n/a	not yet	n/a	\$15,000	no costs yet	no	no response
Carteret	1	no	n/a	no	if required	no costs yet	no costs yet	yes	funding supplied by state
Caswell	7	no	n/a	no	if required	no costs yet	no costs yet	no	funds from State
Catawba	no info	no	n/a	no	n/a	no costs yet	no costs yet	no	no response
Chatham	10	no	no	no	n/a	n/a	\$55,000	no	state should supply funds
Cherokee	3	no	n/a	no	if required	no costs yet	no costs yet	no	funds from state
Chowan	0	no	n/a	no	no on line	no costs yet	no costs yet	no	no response
Clay	4	no	n/a	no	n/a	\$23,500	\$47,000 - 67,000	no	state should help
Cleveland	no info	n/a	n/a	n/a	n/a	n/a	\$70,000	n/a	no response
Columbus	0	no	n/a	yes	with funding	\$24,500	\$164,994	no	funds from state
Craven	2	no	n/a	yes	not sure	n/a	\$.0191 per image	no	state should provide
Cumberland	53	no	n/a	yes	1/1/2010	no cost	\$221,900	yes	no response
Currituck	0	no	n/a	unknown	unknown	no cost	\$17,593.58	no	state should provide
Dare	0	no	n/a	only if found	n/a	\$16,000	\$21,166	no	funds from state
Davidson	6	yes	2 years	unknown	unknown	\$20,000 + 4,000	\$.035/\$100,000	possibly	counties use tech fund
Davie	0	no	n/a	yes	2010	no costs yet	\$40,000	yes	no response
Duplin	21	yes	10/1/2009	yes	10/1/2009	no costs yet	\$5,000	yes	n/a
Durham	20	yes	upon request	no	n/a	\$40,000	\$80,000	no	state should fund
Edgecombe	0	no	n/a	no	with funding	\$1,636.80	\$26,256.22	no	funds from state
Forsyth	17	no	n/a	yes	upon bid	no costs yet	tech fees	yes	charge for satisfactions
Franklin	5	no	n/a	no	n/a	\$.0341 image	\$38,392.88	no	funds from state
Gaston	6	no	n/a	yes	looking	no costs yet	no costs yet	yes	no response
Gates	0	no	n/a	no	with funding	no costs yet	\$11,795.00	no	state funding
Graham	0	no	n/a	no	vendor block	n/a	n/a	no	state provide funds
Granville	3	no	n/a	no	n/a	\$.0341 imabe	\$29,551.33	no	state provide funds
Greene	0	no	n/a	n/a no web	n/a	n/a	n/a	no	funding should be provided
Guilford	30	yes	Jul-07	no	n/a	\$70,000	waiting cost info	no	state should assist
Halifax	3	no	n/a	no	funding	\$.0341 image	\$26,910.29	no	state funding
Harnett	7	no	n/a	yes	year	no cost	no costs yet	yes	state funding
Haywood	6	yes	12/1/2005	n/a	n/a	\$25,200	\$196,828	no	state to provide funding
Henderson	0	yes	11/1/2009	n/a	n/a	office staff	office staff	yes	state funding
Hertford	0	no	n/a	no	n/a	\$11,000.00	no records 2000	n/a	no response
Hoke	9	no	n/a	n/a	n/a	n/a	n/a	n/a	no comment
Hyde	0	no	n/a	yes	if required	0	0	no	state should fund
Iredell	16	yes	10/1/2009	yes	unknown	0	\$71,000-127,000	no	state should fund

County	# Requests	In process?	How long?	Begin redaction?	When?	Redaction costs		Funds?	State funding?
						10/1/2009	Back to 1934		
Jackson	no info	n/a	n/a	n/a	n/a	n/a	\$15900-28,350	n/a	no response
Johnston	223	yes	10/1/2009	n/a	n/a	no cost	\$40,000	yes	no response
Jones	0	no	n/a	not sure	n/a	unknown	\$6,170	no	state should absorb
Lee	7	no	n/a	no	if requested	n/a	n/a	yes	yes
Lenoir	1	no	n/a	yes	if funded	\$5,000	unknown	no	state should provide
Lincoln	2	no	n/a	next year	unknown	\$12,210.00	61,000.00	no	would drain Auto fund
Macon	2	no	n/a	no	n/a	n/a	office staff	no	no
Madison	3	no	n/a	yes	unknown	no costs yet	no costs yet	no	state should provide
Martin	no info	n/a	n/a	n/a	n/a	n/a	\$20,400	n/a	no comment
McDowell	5	no	n/a	no	if requested	\$24,500	\$151,891.20	no	state should fund
Mecklenburg	24	no	n/a	no	n/a	\$30,000	\$670,000	no	state funding
Mitchell	3	no	n/a	yes	unknown	no costs yet	no costs yet	no	no comment
Montgomery	0	no	n/a	no	with funding	n/a	\$17,101.00	no	if state makes mandatory
Moore	10	no	n/a	yes	2010	\$1,050.00	\$54,000+5,000	no	state funding
Nash	1	yes	1 week	n/a	n/a	n/a	n/a	no	banks should pay
New Hanover	18	no	n/a	n/a	n/a	0	\$170,000	no	charge for satisfactions
Northampton	no web 0	no	not on line	n/a	unknown	no response	no response	no	state should help
Onslow	10	yes	Dec-09	yes	Jul-10	unknown	\$52,883 - \$94,414	no	state should help
Orange	11	yes	upon request	undecided	unknown	no costs yet	no costs yet	no	state should help
Pamlico	2	no	n/a	no	unknown	no costs yet	no costs yet	no	state should provide
Pasquotank	3	no	upon request	yes	Oct-09	\$33,670	n/a	no	help with some state funds
Pender	0	yes	2004	n/a	unknown	no costs	no costs	yes	state should provide
Perquimans	2	yes	web site	no	unknown	n/a	n/a	no	state funding
Person	4	no	if found	no	2010	n/a	\$28,716.00	no	state funding
Pitt	no info	n/a	n/a	n/a	n/a	no costs yet	no costs yet	n/a	n/a
Polk	0	no	n/a	yes	when asked	new system	\$19,900.00	no	state will have to fund
Randolph	24	no	by request	no	unknown	n/a	\$36,000-\$61,000	no	state funding
Richmond	0	no	n/a	no	n/a	\$22,075	unknown	no	state to help with funding
Robeson	4	yes	12/1/2005	n/a	n/a	n/a	n/a	no	no response
Rockingham	10	no	undecided	no	with funding	unknown	unknown	no	state should help
Rowan	35	yes	months	n/a	n/a	n/a	\$75,523	no	increase auto or separate funding
Rutherford	no info	no	n/a	no	n/a	n/a	n/a	no	no response
Sampson	1	no	n/a	when req.	if required	n/a	\$48,000.00	no	all or partial funding
Scotland	0	no	n/a	no	unknown	\$0.191 per image	\$13,082	no	state should provide
Stanly	6	no	n/a	no	n/a	n/a	\$27,368.00	no	state funding
Stokes	5	no	n/a	yes	2010	n/a	\$0.4 image	yes	state funding
Surry	1500	yes	2005	yes	process	n/a	\$34,404	no	state should fund
Swain	0	no	n/a	yes	if requested	n/a	n/a	no	grants for smaller counties
Transylvania	0	no	n/a	yes	unknown	\$24,550+\$6,300	\$115,058	no	state funding
Tyrrell	0	no	n/a	no	n/a	n/a	n/a	n/a	no web site
Union	0	no	n/a	yes	unknown	\$0.04	\$160,000	no	state funding
Vance	0	no	n/a	no	n/a	\$20,800	0	no	GS 13201.10(g) is adequate
Wake	108	no	n/a	yes	with funding	\$125,000	\$920,000	no	yes
Warren	0	no	n/a	no	n/a	n/a	n/a	n/a	no response
Washington	0	no	n/a	unknown	unknown	n/a	n/a	n/a	n/a
Watauga	3	no	n/a	no	with funding	\$36,000	\$35,993.97	yes	state funding
Wayne	47	no	n/a	yes	unknown	n/a	n/a	no	state funding
Wilkes	no web 0	no	not on line	if required	unknown	n/a	n/a	yes	auto fund - state should fund
Wilson	1	no	n/a	yes	with funding	\$19,205	\$34,287	no	state funding
Yadkin	4	no	n/a	unknown	unknown	n/a	\$30,700	yes	no response

County	# Requests	In process?	How long?	Begin redaction?	When?	Redaction costs		Funds?	State funding?
						10/1/2009	Back to 1934		
Yancey	0	no	n/a	no	no web site	n/a	n/a	no	state funding
	2436								