



SERVING CLERKS. UNIFYING EFFORTS. IMPROVING JUSTICE.

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The Honorable Chairs of the House of Representatives Appropriations Subcommittee on Justice and Public Safety, Senate Appropriations Subcommittee on Justice and Public Safety, and Joint Legislative Oversight Committee on Justice and Public Safety

North Carolina General Assembly  
State Legislative Building  
16 West Jones Street  
Raleigh, NC 27601

Dear Representatives and Senators,

Please find the following report from the Conference of Clerks of Superior Court in consultation with the registers of deeds in regards to the requirement under NCGS § 7A-809 related to the study of counties and judicial districts' use and implementation of G.S. 132-1.10 (f1).

G.S. § 132-1.10(f1) was rewritten by S.L. 2017-158. Thus, subsection (f1) now provides broader discretion to redact personal identifying information (PII) from images and copies of official records made available to the public by Clerks and Registers of Deeds. Specifically, subsection (f1) has been modified to expand discretionary redaction of PII in three ways.

First, it expands the types of PII which may be redacted from just social security numbers and drivers license numbers to "any of the identifying and financial information listed in subsection (f)." The types of PII listed in G.S. § 132-1.10(f) include "the person's social security, employer taxpayer identification, drivers license, state identification, passport, checking account, savings account, credit card, or debit card number, or personal identification (PIN) code or passwords." Second, subsection (f1) now provides for discretion to redact PII from "images or copies of publicly accessible official records" notwithstanding whether they have been placed on an Internet website available to the general public or not. Previously, subsection (f1) only permitted PII to be redacted once Clerks or Registers of Deeds made records available to the general public on an Internet website. Third, subsection (f1) now allows the North Carolina Administrative Office of the Courts (NCAOC) to redact PII in addition to Clerks and Registers of Deeds.

The new legislation has enabled NCAOC, on behalf of Clerks, to begin removing PII from criminal and civil indexes and data extracts provided to the public. Specifically, social security numbers and drivers license numbers have been removed from: (1) public access terminals displaying criminal and infractions case information, (2) criminal and infractions case indexes made available under contracts for remote public access per G.S. § 7A-109(d), and (3) criminal data extracts provided to the public. Work is in progress to remove social security numbers from: (1) public access terminals displaying non-criminal case information, (2) non-criminal case indexes made available under contracts for remote public access per G.S. § 7A-109(d), and (3) non-criminal data extracts provided to the public. Please note that governmental entities requesting data extracts or remote access still receive unredacted versions showing social security numbers and



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drivers license numbers.

While Clerks are not yet publishing court records or indexes on an Internet website, NCAOC has already acquired both manual and automated redaction software for forms in preparation therefor. NCAOC is also configuring a new document management system to include a metadata field indicating whether a document contains PII or not. This metadata will aid in alerting Clerks to the presence of PII in a document. Also, this metadata will be used to automate redaction workflows, thereby facilitating the creation of publicly-accessible versions of documents without PII. Unredacted versions of documents will remain accessible to law enforcement personnel, judicial officials, and parties to a case and their counsel as required by subsection (f1). These advance preparations will serve to protect PII when Clerks start transitioning to a paperless environment and publishing court records on the Internet for public access. North Carolina Clerks of Superior Court may 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.

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 inquiry results as a response to our coordination efforts.

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 G.S. 132-1.10(f1).

If you have any questions or concerns, please do not hesitate to contact me at [Jamie.L.Lassiter@nccourts.org](mailto:Jamie.L.Lassiter@nccourts.org) or 919-890-1440.

Respectfully Yours,

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North Carolina Conference of Clerks of Superior Court