



Court Records, and provides corrections in Appendix A of its filing. The Subcommittee concurs with these corrections.

2. Comment of Russell R. Winer. Mr. Winer urges the Court to reject recommendations to probate rules that would require only truncated social security numbers rather than the full number. Because the Probate Rules Committee has determined that full social security numbers are not necessary for purposes of adjudication or case management, the Subcommittee concurs with the Probate Rules Committee in its recommendation that the rule should not require them to be included in filings.
3. Comment of the Family Law Rules Committee. The Family Law Rules Committee raises no substantial issues in its initial comment, but identifies several unintentional omissions, inclusions of previously omitted text, and other formatting and scrivener's errors to rules and the accompanying forms. The rules committee provides corrections in Appendix A of its filing. The Subcommittee concurs with these corrections.
4. Comment of Media Organizations. Media Organizations raises several substantive issues.
  - a. Civil Procedure Rule 1.280(f). Media Organizations proposes clarifying language to this subdivision. The Subcommittee has no objection to the inclusion of this language.
  - b. Small Claims Rule 7.140(e)(3). Media Organizations proposes alternative language regarding assistance to self-represented litigants. The Subcommittee defers to the Small Claims Rules Committee, which drafted the proposed language. The Subcommittee also would point out that while the language proposed by Media Organizations is more clearly focused on the concept of minimization of unnecessary information, the language proposed by the Small Claims Rules Committee would contemplate that where personal information must be included the court may direct the self-represented litigant to the provisions of Rule of Judicial Administration 2.420 now under consideration which would allow a filer to move to have certain information determined to be confidential.

- c. Rules of Appellate Procedure. Media Organizations renews a standing concern with the use of the term “redaction” in proposed Rule 9.050. The Appellate Court Rules Committee filed a response on this issue. For the reasons set out below the Subcommittee concurs with the Appellate Court Rules Committee.
  - d. Family Law Rule 12.363(e). Media Organizations does not concur with proposed revisions to Rule 12.363(e). The Family Law Rules Committee filed a response on this issue. For the reasons set out below the Subcommittee concurs with the Family Law Rules Committee.
5. Response of the Family Law Rules Committee. The Family Law Rules Committee responded to the concern of Media Organizations regarding Rule 12.363(e). The Family Law Rules Committee urges the Court to adopt the rule as proposed, permitting the court to consider without a motion whether an evaluation of a minor child should be determined to be confidential. The Subcommittee recognizes that at times the court has an obligation to take such an action, potentially in this case “to avoid substantial injury to an innocent third party” as provided under Rule 2.420(c)(9)(A)(v). Furthermore the Subcommittee understands the recent and proposed procedures in Rule of Judicial Administration 2.420 were not intended to affect the power of a court to determine *sua sponte* that a particular court record is confidential, but only to clarify the responsibilities of the clerks of court and to codify a process through which a person can seek such a determination. Therefore the Subcommittee therefore concurs with the position of the Family Law Rules Committee on this issue.
6. Response of the Appellate Court Rules Committee. The Appellate Court Rules Committee filed a response on the issue of the use of the term “redaction,” in which the rules committee explains and documents that it has attempted to address this issue in its Second Amended Triennial Cycle Report in rules case SC08-147. The language proposed by the Appellate Rules Committee slightly modifies the proposal of the Access Committee. The Subcommittee defers to the Appellate Court Rules Committee.

Respectfully submitted this 1<sup>st</sup> day of July, 2009.

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## CERTIFICATE OF SERVICE

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### CERTIFICATE OF FONT COMPLIANCE

I certify this filing has been prepared in MS Word using 14-point Times New Roman font.

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