



# Protecting Confidential Documents - Here's How

## Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts – Section 8.0 Confidential Document Form

Beginning January 6, 2018, unless required by applicable authority, the following documents are confidential and shall be filed with a court or custodian with the Confidential Document Form.

### What documents are confidential?

- Financial Source Documents
- Minors' Educational Records
- Medical/Psychological Records
- Children and Youth Services Records
- Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33
- Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c)
- Agreements between Parties as used in 23 Pa.C.S. § 3105

### How do I file with a Confidential Document Form?

The Confidential Document Form and detailed filing instructions can be found on the website or QR Code at the bottom of this page. The Confidential Document Form is not required in cases (e.g. juvenile, adoption) that are sealed or exempted from public access pursuant to applicable authority.

Parties and their attorneys shall be solely responsible for complying with the provisions of the policy and shall certify their compliance to the court. A certification is included on the Confidential Document Form, stating: "I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents."

Confidential documents submitted with the Confidential Document Form shall not be accessible to the public, except as ordered by a court. However, the Confidential Document Form or a copy of it shall be accessible to the public.

### What else do I need to know?

- A court or custodian is not required to review or redact any filed document for compliance with this section. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.
- Failure to comply with the requirements may allow the court to, upon motion or its own initiative, order the filed document sealed, redacted, amended or any combination thereof.
- A court may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

*Section 8.0 shall apply to all documents for any case filed by a party or their attorney with a court or custodian on or after January 6, 2018.*

For more information: Visit <http://www.pacourts.us/public-record-policies>.

