

FINAL REPORT

Amendment to Rule 206 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges

REMOVAL OF SOCIAL SECURITY NUMBER IN *IFP* PETITION

On October 22, 2009, effective immediately, upon recommendation of the Minor Court Rules Committee,¹ the Supreme Court of Pennsylvania approved an amendment to Rule 206 of the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges.

I. Background and Discussion

In the spring of 2007, the Court Administrator of Pennsylvania convened a working group to formulate a statewide public access policy for official case records of the magisterial district courts. The working group was asked to specifically address release of sensitive information, such as social security numbers (“SSNs”). Staff Counsel for the Minor Court Rules Committee (“Committee”) was a member of the working group.

The working group concluded that SSNs should not be included on forms filed with magisterial district courts if that information is unnecessary for the court’s adjudication of the case or collection of the information is not otherwise required by law. In light of that conclusion, the working group asked Staff Counsel if the Committee would consider removing the SSN requirement from the *in forma pauperis* (“IFP”) petition described in Rule 206E(vi).

The Committee members discussed the working group’s request and agreed that the Rules of Conduct, Office Standards and Civil Procedure for Magisterial District Judges should be consistent with any procedures adopted by the Court governing access to information in the official case records of the magisterial district courts. In addition, the Committee unanimously concurred that there was no judicial rationale for requesting SSNs. Therefore, the Committee recommended removal of the SSN requirement from the IFP petition.

II. Approved Rule Changes

Accordingly, the Committee proposed the deletion of the line in the IFP petition that requires entry of a petitioner’s SSN.

¹ Minor Court Rules Committee Recommendation 1-2009.

The Committee believes this amendment to be of a perfunctory nature. Therefore, the Committee respectfully recommended that the Court adopt this recommendation in accordance with Pa.R.J.A. No. 103(a)(3), without prior publication for public comment.