



Supreme Court of Illinois

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TWO PROVISIONS DEFERRED AS AMENDED FILING RULE 138 TO PROTECT AGAINST IDENTITY THEFT GOES INTO EFFECT ON JULY 1

Illinois Supreme Court Rule 138, amended to protect against identity theft and the disclosure of sensitive information through electronic filing, goes into effect Monday, July 1 with two of its provisions being deferred.

A requirement that birth dates and the names of minor individuals be excluded from documents in civil cases has been deferred until January 1, 2014, and a public hearing will be scheduled on those provisions by the Illinois Supreme Court Rules Committee.

The delay will allow attorneys and state agencies that handle volumes of affected cases more time to adapt to the new requirements.

As Illinois courts move toward electronic filing, Supreme Court Rule 138 attempts to ensure that access to e-filed cases will not pose a threat to the privacy and security interests of parties and litigants.

Beginning July 1, social security numbers and taxpayer-identification numbers, driver's license numbers, financial account numbers, and debit and credit card numbers will be excluded from documents and exhibits in civil cases.

If such information is required to be filed by statute or by order of the court, the filing must be accompanied by a form titled "Notice of Personal Identity Information Within Court Filing." That form will provide the required personal identity information without redaction and the notice and any attachments, will be filed under seal and remain confidential except to the parties, the court and the clerk or as the court may order.

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