

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1595

Amending Civil Rule 90.1 and
Civil Rule 90.3 concerning
confidentiality of certain
information in family law cases.

IT IS ORDERED:

1. Civil Rule 90.1 is amended by adding new subsections (f), (g), and (h) as follows:

Rule 90.1. Dissolution of Marriage and Divorce Actions.

* * * *

(f) Confidential Information.

(1) *Social Security Numbers.* Social security numbers, when required, shall not become part of the public record and shall be provided to the court confidentially as follows:

(A) A petition for dissolution or a complaint and answer for divorce, custody, legal separation, or annulment must be accompanied by an information sheet stating the name, date of birth, and social security number of each party to the action and each child who is or may be subject to a child support order in the action, to the extent known. The information sheet is confidential and shall not be considered part of the public record. The clerk of court shall provide a copy of the confidential information sheet to the Child Support Services Division upon request or whenever the court provides a child support order to a child support agency as required by state law. The clerk of court may also disclose the social security numbers on the confidential information sheet to the Bureau of Vital Statistics upon entry of a

decree of divorce, dissolution, legal separation, or annulment of marriage, as required by state law. Further disclosure shall be authorized by court order only upon a showing of good cause.

(B) Once a complete confidential information sheet has been submitted to the court listing names, dates of birth, and social security numbers as required, the parties shall omit or redact social security numbers from documents subsequently filed in the action unless otherwise ordered by the court.

(C) A person whose interest in confidentiality may be adversely affected by disclosure of a social security number on a document filed in an action may move for an order requiring (i) the social security number to be redacted or the document to be treated as confidential, if the document has already been filed with the social security number included, or (ii) the document to be filed with the social security number redacted, if the document has not yet been filed.

(2) *Financial Account Numbers.* Unless otherwise ordered by the court, financial account numbers, when required under subsection (e) of this rule or when submitted in support of a motion, need not be provided in full. To protect against public disclosure of sensitive financial information, partial account numbers may be provided, as follows:

(A) a party may identify any credit card, bank card, or debit card account by using only the last four digits of the account number and the name of the issuing institution;

(B) a party may identify any bank, credit union, or other financial institution account by using only the last three digits of the account number and the name of the financial institution; and

(C) a person whose interest in confidentiality may be adversely affected by disclosure of a financial account number on a document filed in an action may move for an order requiring (i) the financial account number to be redacted or the document to be treated as confidential, if the document has already been filed with the financial account number included, or (ii) the document to be filed with the financial account number redacted, if the document has not yet been filed.

(g) **Qualified Domestic Relations Orders.** The party submitting a proposed Qualified Domestic Relations Order, or any similar order requiring the social security number of the beneficiary and alternate payee, shall submit a duplicate of the original proposed order with the social security number of the beneficiary and alternate payee redacted. The original proposed order is confidential and shall not be considered part of the public record. Only the redacted duplicate shall become part of the public case file.

(h) **Applicability.** Subsections (f) and (g) of this rule apply to documents filed with the court on or after October 15, 2006.

2. Civil Rule 90.3 is amended to read as follows:

Rule 90.3. Child Support Awards.

* * * *

(e) **Child Support Affidavit and Documentation.**

(1) Subject to the confidentiality requirements of Civil Rule 90.1(f), each parent in a court proceeding at which child support is involved must file a statement under oath which states the

parent's adjusted annual income and the components of this income as provided in subparagraph (a)(1). This statement must be filed with a party's initial pleading (such as the dissolution petition, divorce complaint or answer, etc.), motion to modify, and any response to a motion to modify. The statement must be accompanied by documentation verifying the income. The documents must be redacted to delete social security numbers and to provide only partial financial account information as provided in Civil Rule 90.1(f). The statement must state whether the parent has access to health insurance for the children and, if so, the additional cost to the parent of the children's health insurance. For any infraction of these rules, the court may withhold or assess costs or attorney's fees as the circumstances of the case and discouragement of like conduct in the future may require; and such costs and attorney's fees may be imposed upon offending attorneys or parties.

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(3) Unless the information has already been provided to the court under Civil Rule 90.1(f), a statement under subsection (e)(1) of this rule must be accompanied by a confidential information sheet as described in Civil Rule 90.1(f). Once a complete confidential information sheet has been submitted to the court listing names, dates of birth, and social security numbers as required, the parties shall omit or redact social security numbers from documents subsequently filed in the action unless otherwise ordered by the court. This paragraph applies to documents filed with the court on or after October 15, 2006.

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DATED: March 22, 2006

EFFECTIVE DATE: October 15, 2006

/s/
Chief Justice Bryner

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Carpeneti