



# **SUPREME COURT OF MISSOURI**

## **en banc**

June 28, 2022  
Effective July 1, 2023

In re:

(1) Repeal of subdivision 2.02, entitled "General Policy," of Court Operating Rule 2, entitled "Public Access to Records of the Judicial Department," and in lieu thereof adoption of a new subdivision 2.02, entitled "General Policy."

(2) Adoption of a new subdivision 19.10, entitled "Redaction Requirements," of Rule 19, entitled "Infractions, Misdemeanors or Felonies – General."

(3) Adoption of a new subdivision 55.025, entitled "Redaction Requirements," of Rule 55, entitled "Pleadings, Motions, and Hearings."

(4) Adoption of a new subdivision 84.015, entitled "Redaction Requirements," of Rule 84, entitled "Procedure in All Appellate Courts."

### **ORDER**

1. It is ordered that, effective July 1, 2023, subdivision 2.02 of Court Operating Rule 2 be and the same is hereby repealed and a new subdivision 2.02 is adopted in lieu thereof to read as follows:

COURT OPERATING  
RULE 2.02

GENERAL POLICY

(a) Policy. Records of all courts are presumed to be open to any member of the public for purposes of inspection or copying. This policy does not apply to records that are confidential pursuant to statute, court rule or order, or other law; judicial or judicial staff work product; internal electronic mail; memoranda or drafts; or appellate judicial case assignments.

(b) Obtaining Records. Court records shall be made available during the regular business hours of the court having custody of the records. Records, information, and services shall be provided at a time and in a manner that does not interfere with the regular business of the courts.

(c) Redaction of Confidential Information. Unless otherwise ordered by the court, any counsel, party, or other person offering a document for filing in any court shall redact information that is confidential pursuant to statute, court rule or order, or other law. Such confidential information can include, but is not limited to:

(1) Social security numbers, driver's license numbers, state identification numbers, taxpayer identification numbers, and passport numbers;

(2) Financial institution account numbers, credit or debit card numbers, personal identification numbers, or passwords used to secure any such accounts or cards;

(3) Names, addresses, and contact information of informants, victims, witnesses, and persons protected under orders of protection or restraining orders;

(4) Dates of birth;

(5) Names of individuals known to be minors; and

(6) Case numbers of confidential, expunged, or sealed records.

Filers should also exercise caution when filing documents that include medical records, employment history, financial records, proprietary information, or trade secrets.

(d) Responsibility for Redaction. The responsibility for redacting confidential information rests solely with the counsel, parties, or any other person filing the document. Courts will not review each case document to ensure compliance and will not refuse to accept or file a document on that basis.

(e) Manner of Redacting. On and after the Expanded Remote Access Implementation Date:

(1) All redactions shall be done in a manner that makes it clear that information has been redacted. If necessary to reference the redacted information in a redacted document, filers shall use generic descriptors.

(2) When a filer redacts information from a document offered for filing in any court, the filer also must contemporaneously file a confidential redacted information filing sheet that either:

(A) has the unredacted version of the document attached thereto; or

(B) sets out the information redacted from the document with an explanation as to where the information was redacted from in the document or the generic descriptors used in the document to reference the redacted information.

(3) All filers shall affirmatively certify compliance with the redaction requirements in Rules 19.10, 55.025, and 84.105 when a document is filed. This certification shall be accomplished through an automated process implemented in the electronic filing system for its authorized users or, for filers who are not authorized users of the electronic filing system, by a paper form attached to the document or on the document itself.

(f) Access to any Missouri judicial website, including but not limited to Case.net, by a site data scraper or any similar software intended to discover and extract data from a website through automated, repetitive querying for the purpose of collecting such data is expressly prohibited.

Court Operating Rule 2 imposes no obligation upon the judiciary to create a data element, make a data element available electronically, or produce non-standard reports.

2. It is ordered that effective July 1, 2023, subdivision 19.10 of Rule 19 be and the same is hereby adopted to read as follows:

#### 19.10 REDACTION REQUIREMENTS

(a) Redaction of Confidential Information. Unless otherwise ordered by the court, any counsel, party, or other person offering a document for filing in any court shall redact information that is confidential pursuant to statute, court rule or order, or other law. Such confidential information can include, but is not limited to:

(1) Social security numbers, driver's license numbers, state identification numbers, taxpayer identification numbers, and passport numbers;

(2) Financial institution account numbers, credit or debit card numbers, personal identification numbers, or passwords used to secure any such accounts or cards;

(3) Names, addresses, and contact information of informants, victims, witnesses, and persons protected under orders of protection or restraining orders;

(4) Dates of birth;

(5) Names of individuals known to be minors; and

(6) Case numbers of confidential, expunged, or sealed records.

Filers should also exercise caution when filing documents that include medical records, employment history, financial records, proprietary information, or trade secrets.

(b) Responsibility for Redacting. For all documents offered for filing in any court, the responsibility for redacting confidential information rests solely with the counsel, party, or other person filing the document.

(c) Manner of Redacting. All redactions shall be done in a manner that makes it clear that the information has been redacted. If necessary to reference the redacted information in a redacted document, filers shall use generic descriptors.

(d) Redacted Information – How Provided. When a filer redacts information from a document offered for filing in any court, the filer also must contemporaneously file a confidential redacted information filing sheet that either:

(1) has the unredacted version of the document attached thereto; or

(2) sets out the information redacted from the document and explains either where the information was redacted from in the document or the generic descriptors used in the document to reference the redacted information.

(e) Certification. All filers shall affirmatively certify compliance with the redaction requirements in this Rule when a document is filed. This certification shall be accomplished through an automated process implemented in the electronic filing system for its authorized users or, for filers who are not authorized users of the electronic filing system, by a paper form attached to the document or on the document itself.

3. It is ordered that effective July 1, 2023, subdivision 55.025 of Rule 55 be and the same is hereby adopted to read as follows:

#### 55.025 REDACTION REQUIREMENTS

(a) Redaction of Confidential Information. Unless otherwise ordered by the court, any counsel, party, or other person offering a document for filing in any court shall redact information that is confidential pursuant to statute, court rule or order, or other law. Such confidential information can include, but is not limited to:

(1) Social security numbers, driver's license numbers, state identification numbers, taxpayer identification numbers, and passport numbers;

(2) Financial institution account numbers, credit or debit card numbers, personal identification numbers, or passwords used to secure any such accounts or cards;

(3) Names, addresses, and contact information of informants, victims, witnesses, and persons protected under orders of protection or restraining orders;

(4) Dates of birth;

(5) Names of individuals known to be minors; and

(6) Case numbers of confidential, expunged, or sealed records.

Filers should also exercise caution when filing documents that include medical records, employment history, financial records, proprietary information, or trade secrets.

(b) Responsibility for Redacting. For all documents offered for filing in any court, the responsibility for redacting confidential information rests solely with the counsel, party, or other person filing the document.

(c) Manner of Redacting. All redactions shall be done in a manner that makes it clear that the information has been redacted. If necessary to reference the redacted information in a redacted document, filers shall use generic descriptors.

(d) Redacted Information – How Provided. When a filer redacts information from a document offered for filing in any court, the filer also must contemporaneously file a confidential redacted information filing sheet that either:

(1) has the unredacted version of the document attached thereto; or

(2) sets out the information redacted from the document and explains either where the information was redacted from in the document or the generic descriptors used in the document to reference the redacted information.

(e) Certification. All filers shall affirmatively certify compliance with the redaction requirements in this Rule when a document is filed. This certification shall be accomplished through an automated process implemented in the electronic filing system for its authorized users or, for filers who are not authorized users of the electronic filing system, by a paper form attached to the document or on the document itself.

4. It is ordered that effective July 1, 2023, subdivision 84.015 of Rule 84 be and the same is hereby adopted to read as follows:

#### 84.015 REDACTION REQUIREMENTS

(a) Redaction of Confidential Information. Unless otherwise ordered by the court, any counsel, party, or other person offering a document for filing in any court shall redact information that is confidential pursuant to statute, court rule or order, or other law. Such confidential information can include, but is not limited to:

(1) Social security numbers, driver's license numbers, state identification numbers, taxpayer identification numbers, and passport numbers;

(2) Financial institution account numbers, credit or debit card numbers, personal identification numbers, or passwords used to secure any such accounts or cards;

(3) Names, addresses, and contact information of informants, victims, witnesses, and persons protected under orders of protection or restraining orders;

(4) Dates of birth;

(5) Names of individuals known to be minors; and

(6) Case numbers of confidential, expunged, or sealed records.

Filers should also exercise caution when filing documents that include medical records, employment history, financial records, proprietary information, or trade secrets.

(b) Responsibility for Redacting. For all documents offered for filing in any court, the responsibility for redacting confidential information rests solely with the counsel, party, or other person filing the document.

(c) Manner of Redacting. All redactions shall be done in a manner that makes it clear that the information has been redacted. If necessary to

reference the redacted information in a redacted document, filers shall use generic descriptors.

(d) Redacted Information – How Provided. When a filer redacts information from a document offered for filing in any court, the filer also must contemporaneously file a confidential redacted information filing sheet that either:

(1) has the unredacted version of the document attached thereto; or

(2) sets out the information redacted from the document and explains either where the information was redacted from in the document or the generic descriptors used in the document to reference the redacted information.

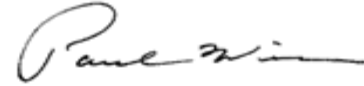
(e) Certification. All filers shall affirmatively certify compliance with the redaction requirements in this Rule when a document is filed. This certification shall be accomplished through an automated process implemented in the electronic filing system for its authorized users or, for filers who are not authorized users of the electronic filing system, by a paper form attached to the document or on the document itself.

5. It is ordered that notice of this order be published in the Journal of The Missouri Bar.

6. It is ordered that this order be published in the South Western Reporter.

7. The state courts administrator shall provide copies of this order to every presiding circuit court judge and circuit clerk and such other persons as the administrator deems appropriate.

Day – to – Day

A handwritten signature in cursive script, appearing to read "Paul Wilson".

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PAUL C. WILSON  
Chief Justice