

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

RULE PROMULGATION ORDER 06-01

(Prom. Prob. R. 5.1 & Amend. 20, 109, 114, 204, 329, 330 & 414)

WHEREAS, Pursuant to D.C. Code § 11-946 the Board of Judges of the Superior Court approved promulgation of SCR PD 5.1 and amendment of SCR PD 20, 109, 114, 329, 330, and 414 at its monthly meeting on September 13, 2006; and

WHEREAS, these rules do not modify the Federal Rules of Civil Procedure;

NOW, THEREFORE, it is hereby,

ORDERED, that the Superior Court Rules of the Probate Division be and are hereby amended by adding to them a new rule, SCR PD 5.1 and by amendment of SCR PD 20, 109, 114, 329, 330 and 414, as set forth below; and it is further

ORDERED, that these rules shall take effect January 2, 2007 and govern all proceedings thereafter commenced and, insofar as is just and practicable, all pending proceedings.

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SCR-PD 5.1

Rule 5.1. Privacy requirements.

(1) All parties shall exclude the following personal identification from all filed documents except as provided below.

- (A) Social Security numbers and drivers license numbers: Except in the case of a testamentary writing, Social Security and driver's license numbers are to be excluded from public filings. If a person intends to file any document that includes an individual's social security number, the person shall file the document with the acronym "SSN" placed where the individual's social security number would have been included.
- (B) Dates of birth: Except in the case of a testamentary writing and as otherwise provided in Probate Rules 108 (a) (1), 221 (a) (4), 231 (a) (4) and (b) (1), and 408 (b) (1), dates of birth are to be excluded from public filings. If a person intends to file any document that includes

an individual's date of birth, the person shall file the document with the acronym "DOB" placed where the individual's date of birth would have been included.

- (C) Financial account numbers: Except in the case of a testamentary writing and as provided in Probate Rules 20 (a), 109 (e), 114 (b), 204 (a), 329 (a), 330 (b), 409 (f) and 414 (b), financial account numbers are to be excluded from public filings. Probate Form 27, as provided for in the foregoing rules, shall be maintained under seal. Upon motion and for good cause shown, the court may order the form unsealed. Except for Probate Form 27, any document filed that contains a financial account number shall include only the lasts four digits of that number.

(2) A person wishing to file a document containing the unredacted personal identification listed in subparagraphs (A) through (C) of paragraph (1) of this rule may file a motion for leave to file an unredacted document under seal.

(3) The responsibility for redacting this personal identification rests solely with counsel and the interested persons.

Comment: This Rule expresses the Court's concern about access to, and dissemination of, private information in the Court's public records to the detriment of individuals whose privacy is compromised simply because their otherwise private information is contained in court filings. The risk of invasion of privacy is heightened where the Court's public records are made available through the internet. Although the Rule does not expressly prohibit all use of personal identifiers and other private information, such as home addresses, it is the policy of the Court that parties not include home addresses and other private information in any court filings unless it is necessary to the matter being litigated or is otherwise expressly required by statute or other Rules of the Court, such as, for example, Civil Rules 16(a)(2), 10-I(b), and 4(1)(2), made applicable to Probate proceedings by Probate Rule 1(f).

SCR-PD 20

Rule 20. Exhibition of assets.

(a) Verification of assets. If financial accounts are reported in an account, a separate Probate Form 27 must be filed with the account including complete account numbers. At the time of audit of an account the fiduciary shall:

* * *

Rule 109. Inventory and appraisals.

(e) *Inventory form.* The inventory, accompanied by a separate Probate Form 27 with complete account numbers, if financial accounts are reported, shall be filed in the following form:

* * *

SCR-PD 114**Rule 114. Accounts of personal representative.**

(b) *Form of account.* The first accounting period of the estate shall begin at the date of death of the decedent. All accounts shall be typewritten or machine printed. The accounts and certificate under D.C. Code § 20-721 shall be on forms prescribed by the Register of Wills or formats consistent with the forms. If financial accounts are reported therein, a separate Probate Form 27 must be filed with the account including complete account numbers.

SCR-PD 204**Rule 204. Appraisals, inventories and accounts.**

(a) *Appraisals, inventory, and accounts.* The fiduciary shall file an appraisal, inventory and accounts. If financial accounts are reported in any of the foregoing documents, a separate Probate Form 27 must be filed with the document including complete account numbers.

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SCR-PD 329

Rule 329. Individual conservatorship plan and inventory.

(a) *Filing.* Within 60 days from date of appointment the limited conservator or conservator shall file with the Court, pursuant to D.C. Code § 21-2065 (b) and (c), an individual conservatorship plan, together with a complete inventory of the estate designated by the order of the Court, unless the person appointed as temporary conservator pursuant to D.C. Code § 21-2055(c) is appointed as permanent conservator, in which case the filing of a second inventory shall not be required. The plan and inventory shall be substantially in the format prescribed by Form II-N. The inventory shall be verified by oath or affirmation of the limited conservator or conservator. If financial accounts are reported therein, a separate Probate Form 27 must be filed with the inventory including complete account numbers.

SCR-PD 330

Rule 330. Accounts and reports of conservators.

(b) *Form of Account.* The first accounting period shall begin at the date of appointment of the conservator. All accounts shall be typewritten or machine printed on forms prescribed by the Register of Wills or in a format substantially similar to the prescribed forms. If financial accounts are reported therein, a separate Probate Form 27 must be filed with the account including complete account numbers.

SCR-PD 409

Rule 409. Inventory and appraisals.

(f) *Inventory form.* In supervised administration, the Inventory shall be filed in substantially the following format, and accompanied by a separate Probate Form 27 with complete account numbers, if financial accounts are reported therein. and in unsupervised administration the same form may be used:

* * *

SCR-PD 414

Rule 414. Accounts of personal representative in supervised administration.

(b) *Form of account.* The first accounting period of the estate shall begin at the date of death of the decedent. All accounts shall be typewritten on forms prescribed by the Register of Wills or as provided in SCR-PD 401. If financial accounts are reported therein, a separate Probate Form 27 must be filed with the account including complete account numbers.

* * *

SO ORDERED.

BY THE COURT:

October 24, 2006

/s/
Chief Judge Rufus G. King, III

Copies to:

**Judges
Magistrate Judges
Executive Officer
Clerk of the Court
David Luria, Esq.
Division Directors
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