

HOUSE BILL 2340
BEFORE THE HOUSE JUDICIARY COMMITTEE
FEBRUARY 2, 2015
PRESENTED BY: JOSHUA NASBE, OFFICE OF THE STATE COURT ADMINISTRATOR

The Oregon Judicial Department requested House Bill 2340 to limit the amount of personally identifiable information that is contained in certain court documents. One component of the Department's transition to an electronic court environment involves providing remote, electronic access to court documents. While providing this access promotes transparency and efficiency, it also increases the possibility that information in those documents can be misused. House Bill 2340 operates to protect the personal information of litigants in an electronic world.

House Bill 2340 amends several statutory provisions that require the inclusion of complete Social Security Numbers (SSN), Taxpayer Identification Numbers (TIN), and driver license numbers, by truncating these numbers in specific judgments and orders.

House Bill 2340 also modifies the contents of a criminal judgment by prohibiting the inclusion of the victim's name and address. With this information excluded from the face of the judgment, the Oregon Judicial Department would retain the ability to efficiently make criminal judgments available electronically, without broadly disseminating personal information about the victim. However, incorporating these efficiencies in those courts utilizing our legacy case management system has proven more challenging than anticipated. As a result, we will need to continue working on this portion of House Bill 2340. The Department is committed to making court documents available electronically in a responsible manner and we look forward to working with the Legislative Assembly to accomplish this goal.

Section Analysis

Section 1 amends the law relating to civil judgments containing a money award to require the inclusion of only the last four digits of a judgment debtor's TIN. This approach is consistent with the treatment of SSN in these judgments.

Section 2 amends the law relating to the payment of restitution and compensatory fines to victims of crime by prohibiting the judgment from including the name and address of the victim.

Section 3 amends the law relating to lien record abstracts to conform to the amendments in section 1 by requiring only the inclusion of the last four digits of the TIN in lien record abstracts. This approach is consistent with the treatment of SSN in lien record abstracts.

Section 4 amends the law relating to paternity and support judgments and orders to include only the last four digits of a party's SSN and driver license number. This approach is consistent with the treatment of SSN and driver license numbers in civil judgments containing a money award.

Section 5 amends an additional statute relating to paternity determination by requiring those documents to include only the final four digits of a party's SSN. This approach is consistent with the treatment of SSN in civil judgments containing a money award.

Sections 6 and 7 contain an emergency clause and make the amendments operative January 1, 2016, while allowing the Chief Justice of the Oregon Supreme Court to adopt rules prior to that time.

Thank you for your time and for considering our proposal.