

**STATE OF TEXAS**

**RESOLUTION**

**of the**

**TEXAS JUDICIAL COUNCIL**

**Repeal of Statutes Requiring Sensitive Data**

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under Chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, Texans ranks 5<sup>th</sup> in the nation in the number of reported identity theft cases, with more than 25,000 Texans reporting being victims of identity theft each year; and

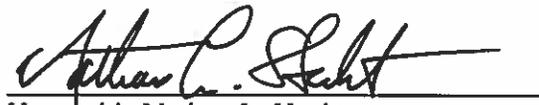
WHEREAS, thousands more Texans may be unaware that their information and bank accounts have been targeted; and

WHEREAS, the Supreme Court of Texas and Court of Criminal Appeals have recognized this threat and taken action to reduce the amount of information in court documents containing sensitive data that could be used for identity theft by prohibiting documents from containing this information unless “required by a statute, court rule, or administrative regulation”;<sup>1</sup>

WHEREAS, many statutes require the inclusion of sensitive data in court documents, including social security numbers, dates of birth, driver’s license numbers, tax identification numbers, bank account numbers, credit card numbers, other financial account numbers, names of minors, and names of victims; and

WHEREAS, the Judicial Council believes that sensitive data should not required to be included in court documents, or where necessary, that the information should be shielded from public inspection by inclusion in a separately sealed document.

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council urges the Legislature to repeal the provisions in statute that require sensitive data to be included in court documents, or where that information is necessary, require that sensitive data be filed in a separately sealed document.

  
Honorable Nathan L. Hecht  
Chair, Texas Judicial Council

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<sup>1</sup> Rule 21c, Texas Rules of Civil Procedure; Rule 9.9 and 9.10, Texas Rules of Appellate Procedure; Rule 5, Statewide Rules governing Electronic Filing in Criminal Cases.

Contact: David Slayton

Administrative Director, Office of Court Administration  
512-463-1625