

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION

Administrative Order No. 01 of 2017

***In Re: Adoption of Philadelphia Rule of Judicial Administration No. *404.
Philadelphia Municipal Court Traffic Division Public Access Policy***

ORDER

AND NOW, this 6th day of November, 2017, it is ORDERED and DECREED

that:

- (1) *Philadelphia Rule of Judicial Administration No. *404. Philadelphia Municipal Court Traffic Division Public Access Policy* is adopted effective January 6, 2018; and
- (2) The attached Philadelphia Municipal Court Traffic Division Fee Schedule is adopted effective January 6, 2018.

This Administrative Order is issued in accordance with Pa.R.J.A. 103 and shall be filed with the attached rule and Fee Schedule with the Office of Judicial Records (formerly the *Prothonotary, Clerk of Courts and Clerk of Quarter Sessions*) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this Administrative Order, rule and Fee Schedule shall be distributed to the Legislative Reference Bureau, together with a copy on a computer diskette, for publication in the *Pennsylvania Bulletin*, and shall become effective as noted above. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order, rule and Fee Schedule shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://courts.phila.gov>, and shall be incorporated in the compiled set of Philadelphia local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order, rule and Fee Schedule shall also be published in *The Legal Intelligencer* and will be submitted to *American Lawyer Media*, *Jenkins Memorial Law Library*, and the Law Library for the First Judicial District.

BY THE COURT:

/s/ *Gary S. Glazer*

Honorable Gary S. Glazer,
Administrative Judge,
Philadelphia Municipal Court Traffic Division

PHILADELPHIA RULE OF JUDICIAL ADMINISTRATION

Rule *404. Philadelphia Municipal Court Traffic Division Public Access Policy

- (a) **Case Records.** The policy of the Philadelphia Municipal Court Traffic Division (“Traffic Division”) is to provide unrestricted access to its case records except as provided by law and state and local rules. The “*case records*” of the Traffic Division consist of citations issued or filed as required by law and rules of court, any notices, orders and warrants issued by the Traffic Division and any other legal papers filed with the Traffic Division. However, the following Traffic Division case records shall not be accessible to the public:
- (1) Documents containing defendant’s employment and financial information which is provided as required by rules of court to enable the Traffic Division to enter and enforce installment payment orders, including *In Forma Pauperis* petitions; and
 - (2) Documents which contain any of the confidential information listed in subsection (b) below, unless the confidential information is redacted.
- (b) **Electronic Case Records and Confidential Information.** It is the policy of the Traffic Division to permit the public to access, inspect and obtain electronic case records of the Traffic Division that exist in its case management system, eTIMS and any supporting electronic program, to the fullest extent legally permitted and feasible, except as provided by law, state and local rules, applicable UJS policies, provided that the Traffic Division’s orderly and efficient case flow is not disrupted by the request for electronic case records. However, the following information is deemed confidential and shall not be accessible to the public:
- (1) social security numbers;
 - (2) operator license numbers;
 - (3) witness information for Traffic Court cases including name, address and other contact information;
 - (4) financial institution account numbers, credit card numbers, PINS or passwords used to secure accounts;
 - (5) notes, drafts, and work products related to court administration or any office that is the primary custodian of an electronic case record;
 - (6) information sealed or protected pursuant to court order;
 - (7) information to which access is otherwise restricted by federal law, state law, or state court rule; and
 - (8) information presenting a risk to personal security, personal privacy, or the fair, impartial and orderly administration of justice, as determined by the Court Administrator with the approval of the Administrative Governing Board of the First Judicial District.
- (c) **Request for Bulk Electronic Case Records or Data.** Standard reports will be made available to Requesters upon payment of the requisite fee. Requests for combined electronic case records (“bulk records”) shall be reviewed and approved on a case-by-case basis. Any request for bulk records that can be compiled using an existing report format shall be granted. Any request for bulk records or data which cannot be compiled using an existing report format will be granted if the request is not onerous, and the Traffic Division has available personnel and resources needed to compile the information requested without adversely impacting the operations of the First Judicial District or otherwise disrupting its orderly and efficient case flow. Requests for electronic case records will be subject to fees and costs adopted by the Traffic Division from time to time.

- (d) **Remote Access to Case Records and Electronic Case Records.** The Traffic Division is not required to provide remote access to case records or electronic case records. From time to time, however, the Traffic Division may provide electronic access to all or some such case records and/or electronic case records, in accordance with this rule and other applicable law, rules or regulations.
- (e) **Fees. Forms.** The Traffic Division shall adopt a Public Access Fee Schedule and Request Forms, which may be amended from time to time and which shall be posted on the FJD website, <http://www.courts.phila.gov>.

First Judicial District of Pennsylvania

Philadelphia Rule of Judicial Administration No. *404 Philadelphia Municipal Court Traffic Division Public Access Policy¹

PUBLIC ACCESS FEE SCHEDULE

Effective January 6, 2018

- 1) **Copies of Case Records.** Unless otherwise provided by applicable authority, \$0.25 shall be charged per page for Case Records of the Philadelphia Municipal Court Traffic Division, whether provided in a paper or electronic format, whether duplicated by photocopying or printing from electronic media.
- 2) **Historical Data File.** The sum of \$3,000 will be charged for a file consisting of agreed upon electronic data-fields spanning a five (5) year period, for each report type requested from the Municipal Court Traffic Division.
- 3) **Recurring Reports.** Recurring monthly reports are available at the cost of \$300 per month. A list of the available recurring (standard) reports may be posted on the website of the First Judicial District.
- 4) **Weekly Reports.** Recurring Reports which are provided on a monthly basis can also be provided on a weekly basis for an additional fee of \$85 per week.
- 5) **Daily Reports.** Recurring Reports which are provided on a monthly basis can also be provided on a daily basis for an additional fee of \$85 per day.
- 6) **Ad Hoc, Non-Recurring, Requests.** Will be provided at a cost based on a standard programming fee of @\$85 per hour, plus \$300 per report.
- 7) **Record requested on media such as CD, DVD or other memory devices are subject to a minimum fee of \$5 or actual cost. Postage will be added, at actual cost, if delivery is requested by U.S. mail or other expedited delivery.**

¹ The Case Management System of the Philadelphia Municipal Court Traffic Division is maintained by a third-party provider. The cost for requested data may be higher depending on the amount the third-party provider will charge the Traffic Division for producing the requested report. An estimate will be provided to the Requester for approval and pre-payment before the requested report is produced.