

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PROVIDENCE, SC

SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 98-12

RE: CONFIDENTIAL CASE FILES: PROCEDURE FOR ALL CASES FILED PRIOR TO
JULY 20, 1998

Any case filed prior to July 20, 1998, containing a court record which concerns the identify of a victim of child molestation sexual assault shall be maintained as a confidential file in accordance with R.I.G.L. 11-37-8.5. The following procedure shall be followed with respect to such cases.

Any individual seeking information beyond that allowed in my memo to all clerks of counties dated October 30, 1997, shall do so by motion to be heard by the Presiding Justice or a designee. Notice of said motion shall be provided by the individual seeking such information to all counsel of record in the case sought to be accessed.

The justice hearing the motion shall determine, depending on the extent of information requested, whether a public file shall be compiled. After making a determination, the hearing justice shall appoint an attorney or other qualified individual to select, copy, and/or redact the requested information from the existing file and compile a public file.

A "public file" contains documents with the name and identifying information of the child victim redacted. The public file shall not include in any form, redacted or otherwise, victim-specific documents relating to the child victim that are otherwise confidential in accordance with statute or policy. such excluded documents include, but are not limited to, school records, medical records, reports from the Department of Children, Youth and Families, reports or records of counselors, therapists, and social workers, or other similar victim-specific documents which are privileged by law or custom. All other documents, not victim-specific, shall be placed in the public file, in redacted form as necessary in accordance with this order.

"Redaction" is defined as the obliteration of victim-identifying information in the documents placed in the public file. The name and address of the victim shall be redacted along with any familial-identifying information such as the relationship, if any, between the child victim and the accused. A fictitious name may be substituted for the victim's actual name.

The cost of providing information on such cases shall be borne by the party making the request.

By order of:

Joseph F. Rodgers, Jr.
Presiding Justice

DATE: JUNE 29, 1998

