

IN THE
SUPREME COURT OF ILLINOIS

In re: Identity Protection Policy

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M.R. 24929

ORDER

In the exercise of this Court's general administrative and supervisory authority, it is hereby ordered that, effective immediately, the following Identity Protection Policy is adopted for all judicial branch officials and employees.

**Illinois Judicial Branch
Identity Protection Policy**

I. Purpose

This Identity Protection Policy is created to protect social security numbers from unauthorized disclosure. This policy adopts requirements, consistent with the intent of the Identity Protection Act (5 ILCS 179/1 *et seq.*), regulating the disclosure of social security numbers in the performance of judicial branch duties.

II. Requirements

(a) No judicial branch officer or employee may:

(1) Publicly post or publicly display in any manner an individual's social security number.

(2) Require an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted.

(3) Print an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision to the contrary, social security numbers may be included in applications and forms sent by mail in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract or policy or to confirm the accuracy of the social security number.

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(b) Except as otherwise provided in this policy, no judicial branch officer or employee may:

(1) Collect, use or disclose a social security number from an individual, unless (i) required to do so under State or federal law, rules, or regulations, or (ii) the collection, use or disclosure of the social security number is otherwise necessary for the performance of judicial branch duties and responsibilities.

(2) Require an individual to use his or her social security number to access an Internet website.

(3) Use the social security number for any purpose other than the purpose for which it was collected.

(c) The prohibitions in subsection (b) do not apply in the following circumstances:

(1) The disclosure of social security numbers to agents, employees, contractors, or subcontractors or disclosure to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and if disclosing to a contractor or subcontractor, prior to such disclosure, the judicial branch officer or employee must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under the Identity Protection Act will be achieved.

(2) The disclosure of social security numbers pursuant to a court order, warrant or subpoena.

(3) The collection, use or disclosure of social security numbers in order to ensure the safety of judicial branch employees, persons sentenced to terms of probation, wards of the state, and all persons working in or visiting a judicial branch facility.

(4) The collection, use or disclosure of social security numbers for internal verification or administrative purposes.

(5) The disclosure of social security numbers to any entity for the collection of delinquent child support or of any State debt or to a government agency to assist with an investigation or the prevention of fraud.

(6) The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

III. Implementation

Judicial branch officers/managers shall train those employees having access to social security numbers in the course of performing their duties with respect to the requirements of this policy.

Judicial branch officers/managers should direct that only employees who are required to use or handle information or documents that contain social security numbers have access to such information or documents.

Each judicial branch operating unit at the circuit court level, including chief judge and circuit clerk offices, is invited to develop procedures and protocols appropriate for that particular office and consistent with this policy.

State judicial branch managers shall develop procedures and protocols unique to their offices and consistent with this policy. Upon approval by the state judicial branch manager, a copy of such procedures and protocols shall be submitted to the AOIC Director.

Order entered by the Court.