

NOTICE TO THE PUBLIC (As of January 1, 2008)

The impact of Assembly Bill 600, which added language to NRS 239B, providing for the protection of *personal information* in public documents will impact all those filing or submitting documents in the First Judicial District, Justice and Municipal Courts. NRS 239 is the Public Records chapter. The provisions in this chapter apply not only to the Courts, but also to a variety of public agencies. *Personal information* as defined in NRS 603A.040, natural person's first name or first initial and last name in combination with any one or more of the following data elements: 1. social security number, 2. driver's license or identification number, 3. account numbers in combination with any required code or password that would permit access to the person's financial account.

The new statute requires that affected agencies take necessary steps to provide notice of this change to individuals with whom it conducts business. In addition to information provided on this web site, hard copy notices will be posted in the public areas of our District, Justice and Municipal Courts.

Pursuant to NRS 239B.030, effective January 1, 2008, 1. "a person shall not include and a governmental agency shall not require...a person to include any *personal information* about a person on any document that is recorded, filed or otherwise submitted to the governmental agency on or after January 1, 2007. 2. If *personal information* about a person is required to be included in a document that is recorded, filed or otherwise submitted to a governmental agency on or after January 1, 2007, pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant, a governmental agency shall ensure that the *personal information* is maintained in a confidential manner and may only disclose the *personal information* as required..."

NRS 239B.030 further states agencies may require that each person filing or submitting a document provide an affirmation stating the document does not contain *personal information* about any person or, if the document contains any such *personal information*, identification of the specific law, public program or grant that requires the inclusion of the *personal information*. A governmental agency may refuse to record, file or otherwise accept a document which does not contain such an affirmation when required or any document which contains *personal information* about a person that is not required to be included in the document pursuant to a specific state or federal law, for the administration of a public program or for an application for a federal or state grant. Beginning January 1, 2008, the Clerk's Office will require that upon filing of a new matter, the party must submit an "Initial Appearance" Affirmation pursuant to NRS 239B.030 and state that on the filing of additional documents in the matter that an Affirmation will be provided only if the document contains *personal information*

The purpose of this "Initial Appearance" Affirmation is to ensure that each person who initiates a case, or upon first appearing in a case, acknowledges their understanding that no further affirmations are necessary unless a pleading or document which is filed contains *personal information*. The Affirmation becomes part of the actual document, so all subsequent copies of the document must also include the information or they would not be a true and accurate copy of the original.

The "Initial Appearance" Affirmation and Affirmation forms are posted on our website as a convenience for Court users.