



UNITED STATES DISTRICT COURT
District of Rhode Island

POLICY CHANGE REGARDING SOCIAL SECURITY OPINIONS

Effective immediately, any non-government party in opinions issued in cases filed pursuant §205(g) of the Social Security Act, 42 U.S.C. §405(g) in the United States District Court for the District of Rhode Island, will be identified and referenced solely by first name and last initial.

Due to the prevalence of personal and medical information, the Federal Rules of Procedure limit remote electronic access to documents in social security cases. These restrictions do not, however, extend to dockets or court-issued opinions. Fed. R. Civ. P. 5.2(c)(2)(B). As a result, the opinions, which often contain a large amount of sensitive information, remain widely available to the public through a number of government and commercial sources, including the Federal Digital System (FDsys) document repository administered by the Government Publishing Office (GPO); PACER; the Court's website, and legal research databases such as Westlaw and LexisNexis. Additionally, unlike most documents accessible through PACER, opinions are often available through public internet search engines.

This results in a self-defeating scenario in which Fed. R. Civ. P. 5.2(c)(2)(B) restricts remote public access to social security cases because the information they contain is too sensitive to be broadly available, but then places no limits on public access to the opinions that contain much of the same information and are the likeliest documents to be circulated and scrutinized.

The Committee on Court Administration and Case Management of the Judicial Conference of the United States, after consultation with pertinent stakeholders, has recommended that federal courts adopt the above practice. This proactive measure will both protect the legitimate privacy interests of social security litigants and ensure that the public maintains access to the opinions (in compliance with Civil Rule 5.2(c)(2)(B) and the E-Government Act of 2002).

Questions regarding this notice should be directed to the Clerk's Office at (401) 752-7200.

May 7, 2018

Hanorah Tyer-Witek
Clerk of Court