

# The UNC Law Library's Redaction of its Digitized NC Supreme Court Briefs: A Case Study

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# Agenda

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- The Digitization Project
- Redaction
  - The Legal Considerations
  - The Ethical Considerations
  - The Practical Considerations
- The Redaction Decision
- The Redaction Procedure
- Future Plans and Considerations

# The Digitization Project

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- What?
  - Print collection of North Carolina Supreme Court briefs
  - Documents ranging from 1873-2000
- Why?
  - Requests for access
- The Issue
  - Privacy concerns
  - Practical obscurity

# Redaction: The Legal Considerations

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- Constitutional Law
  - Right to privacy
- Tort Law
  - Four privacy torts: public disclosure of private fact, false light, intrusion upon seclusion, and misappropriation
- Federal Law
  - HIPPA, FERPA, COPPA, Violence Against Women Act
- State Law
  - Public Record Law
    - Social Security number provision
  - Identity Theft Protection Act

# Redaction: The Ethical Considerations

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- Information protected by laws
  - Personally identifying information
  - Children's names
  - Rape victims' names
- Censorship
- Knowledge & Predictability

# Redaction: The Practical Considerations

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- Time
  - Slow process
  - No timeline
- Money
- Staff commitment
- Imperfect process
- Paving new territory

# The Redaction Decision

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- Three options
  - Not digitize
  - Redact
  - Delay
- What to redact?
  - Birth dates
  - Drivers license numbers
  - Social Security numbers
  - Children's names
  - Rape victim names

# The Redaction Procedure

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## Adobe Acrobat Pro XI: Search & Redact

1. Conduct search on folder of briefs
2. Save excel document of search results
3. Open briefs returned in search
4. Make a redaction determination
5. Redact identified sensitive information
6. Record
7. Review & Confirmation



# Future Plans & Considerations

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- Ongoing process
- New tools
- Sample reviews
- Message to the public