

THE STATE OF NEW HAMPSHIRE

JUDICIAL BRANCH

NH CIRCUIT COURT

www.courts.state.nh.us

ESTATE CASES

INSTRUCTIONS FOR SELF-REPRESENTED PARTIES FOR FILING CONFIDENTIAL INFORMATION

IMPORTANT: Do not file confidential documents or confidential information unless required, or unless these are material to the proceeding. When using the self-represented electronic filing program (TurboCourt), if you must input confidential information/documents, the e-filing program will guide you. Follow the program instructions **carefully**.

Confidential Documents (Electronic Filing Rule 11):

- a) Electronic Filing Rule 11 lists numerous documents which must be kept confidential when filed with the court. See page 2 of this sheet for a list of those documents. If you need to file any of those documents in your case, you must select the correct document name from the drop down list at the end of the filing program. If you do not see the correct document name, select Other (Confidential).
- b) Electronic Filing Rule 11 also states that if you are filing a document that you would like the court to keep confidential which is not on the list on page 2 of this sheet, you must file it along with a Motion to Seal the document. In this motion, you must list the reasons you believe the document should be kept confidential. See Instructions for Motion to Seal.

Confidential Information (Electronic Filing Rule 12):

- a) Electronic Filing Rule 12 lists several types of information which must be kept confidential when filed with the court. See page 2 of this sheet for the full list of those types of information.
- b) Any time you file any information listed in Rule 12, you must do so on a separate form called a Confidential Information Sheet. By doing this, the information will be accessible only to the court and parties and counsel on the case.
- c) If you are using the self-represented e-filing program and a question in the program asks you to list this type of confidential information, as long as you carefully follow the instructions in the program, the confidential information will be populated onto the Confidential Information Sheet.
- d) If you are filling in information on any form not created through the filing program or if you are uploading a document, be sure NOT to include any of the Rule 12 confidential items on that form or document. Instead, follow Rule 12 carefully to avoid allowing those confidential items to be seen anywhere except on the Confidential Information Sheet.
- e) If you think you must include information which you consider to be confidential, that is not part of Electronic Filing Rule 12, you must ask permission of the court to keep the document confidential. To do that, you must file a Motion to Seal the document and explain why you think the document should be confidential. See Instructions for Motion to Seal.

Electronic Filing Rule 11(c) -- Confidential Documents:

(c) "Confidential documents" means documents that are not to be accessible to the public pursuant to state law, administrative or court rule, court order or case law including, but not limited to, the following:

- (1) Certain documents relating specifically to small claim cases, such as, but not limited to:
 - (A) Confidential Information Sheets;
 - (B) Statements of Assets and Liabilities.

Instructions for Self-Represented Parties for Filing Confidential Information – Estate Cases

- (2) All documents filed with or issued by the court in guardianship cases under RSA 463 or RSA 464 *except*:
 - (A) A Certificate of Appointment of Guardian;
 - (B) An Order on Appointment of Guardian;
 - (C) A Motion/License to sell Real Estate or Personal property in Guardianship or Conservatorship;
 - (D) A Motion/License to Mortgage Real Estate;
 - (E) A Return/Notice of Sale;
 - (F) An Appointment of Resident Agent.
- (3) Certain documents relating to *case types other than* small claim cases or guardianship cases, such as, but not limited to:
 - (A) Records pertaining to juvenile delinquency, children in need of services proceedings, or abuse/neglect proceedings;
 - (B) Financial affidavits in family law proceedings;
 - (C) Guardian ad litem reports in family law proceedings;
 - (D) Qualified Domestic Relations Orders in family law proceedings;
 - (E) Plaintiff and Defendant Information Sheets in domestic violence and stalking proceedings;
 - (F) Vital Statistics forms;
 - (G) Personal data sheets;
 - (H) Records pertaining to termination of parental rights proceedings;
 - (I) Records pertaining to adoption proceedings;
 - (J) Records pertaining to mental health proceedings;
 - (K) Information related to competency determinations.
 - (L) Death certificates.

Electronic Filing Rule 12(c) -- Confidential Information

(c) It is the responsibility of the filing party to ensure that confidential information is omitted or redacted from documents before the documents are filed, except when the filing party is completing certain required fields in a system-generated form. See Rule 12(d)(1). It is not the responsibility of the clerk or court staff to review narratives contained within system-generated documents or uploaded documents filed by a party to determine whether appropriate omissions or redactions have been made. "Confidential Information" means:

- (1) Information that is not to be accessible to the public pursuant to state law, administrative or court rule, court order, or case law including, but not limited to, the following:
 - (A) Information that would compromise the confidentiality of juvenile delinquency proceedings, children in need of services proceedings, or abuse/neglect proceedings;
 - (B) Information that would compromise the confidentiality of termination of parental rights proceedings;
 - (C) Information that would compromise the confidentiality of adoption proceedings;
 - (D) Information that would compromise the confidentiality of mental health proceedings.

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- (2) Information sealed by the court;
- (3) Financial information that provides identifying account numbers on specific assets, liabilities, accounts, credit card numbers or Personal Identification Numbers (PINs) of individuals including parties and non-parties;
- (4) The following personal identifying information of a party: social security number, date of birth (except a defendant's date of birth in a criminal case), mother's maiden name, a driver's license number, a fingerprint number, the number of other government-issued identification documents or a health insurance identification number;
- (5) The following personal identifying information of a non-party: social security number, date of birth, mother's maiden name, a driver's license number, a fingerprint number, the number of other government-issued identification documents or a health insurance identification number, street address or telephone number;
- (6) Personal identification information included on a warrant;
- (7) Information that is not to be accessible to the public pursuant to federal law.