

## **Open Access to State Court of Bibb County's Courtrooms and Records**

The State Court of Bibb County is part of the judicial branch of government. As part of the judicial branch, the State Court of Bibb County is not subject to Georgia's Open Meetings Act. O.C.G.A. §50-14-1 et seq.; See Fathers Are Parents Too, Inc. v. Hunstein, 202 Ga. App. 716 (1992). Regardless, our courtrooms are presumptively open to the public, and the public can only be excluded in limited circumstances.

Georgia's Open Records Act, O.C.G.A. §50-18-70 et seq., applies to "Agencies," which has the same meaning as in Georgia's Open Meetings Act. The judicial branch is not encompassed within that definition. See Fathers Are Parents Too, Inc. v. Hunstein, 202 Ga. App. 716 (1992). The State Court of Bibb County, therefore, is not subject to Georgia's Open Records Act. Regardless, the Court's records "are public and are to be available for public inspection," unless sealed by the Court in accordance with the law. Rule 21 of the Uniform State Court Rules.

The Court recognizes the importance of protecting the confidentiality of certain information. In this regard, the Open Records Act provides guidance as to what information is confidential and should not be disclosed in records provided to the public. Pursuant to O.C.G.A. §50-18-72(20)(A), social security numbers and the day and month of birth are generally exempt from disclosure; however, the exemption does not apply to "the disclosure of the date of birth within criminal records." O.C.G.A. §50-18-72(20)(B)(x). Social Security Numbers in all court records are confidential and should not be disclosed to the public. Dates of Birth in civil records are confidential and should not be disclosed to the public. Dates of Birth in criminal records may be disclosed to the public.

Open access to the courtroom and to court records is beneficial to the public and to the judicial branch. Openness promotes the public's confidence in the integrity of the Court. According to Georgia laws applicable to the State Court of Bibb County, all activity of the Court in any courtroom is open to the public, unless ordered to be closed based on express findings. Additionally, all documents filed in any civil action, criminal action, administrative order, or Court minutes are public documents and are available for public inspection, unless sealed by the Court or determined to be confidential by the Court. Social Security Numbers are confidential. Dates of Birth in court records, other than criminal records, are confidential. The Court may review requests for information on a case by case basis, and, when necessary, will determine whether additional information in a court record is confidential.

When the Court receives a written request for information or documents, the Court will work with the party making the request to enable that party to search the Court's records and obtain the information. If necessary, Court personnel will, as soon as they can do so without neglecting their assigned duties, search court records to provide information that is not accessible to the public through the website or case management system.