

**2003 FINANCIAL REPORTS**

- 2003.1 Each judge shall file with the Commission on or before the first Monday in June of each year, on forms provided by the Commission, the reports of personal financial interest required by D.C. Code §11-1530, as amended, for the preceding calendar year.
- 2003.2 The Commission from time to time may require a judge to file pertinent supplemental information.
- 2003.3 These Rules govern access to the Annual Financial Reports filed by judges of the District of Columbia Courts, as required by D.C. Code §11-1530, as amended.
- 2003.4 These Rules apply to the processing of all requests for copies of the Annual Financial Reports of judges of the District of Columbia Courts, maintained by the D.C. Commission on Judicial Disabilities and Tenure (the Commission).
- 2003.5 The Commission's responsibility for monitoring the release of the Annual Financial Reports includes the following:
- (a) The Commission will monitor and grant or deny the release of copies of all Annual Financial Reports to ensure compliance with the statute and the Commission's Rules.
  - (b) The Commission will monitor and grant or deny requests for viewing all Annual Financial Reports at the office of the Commission, to ensure compliance with the statute and the Commission's Rules.
  - (c) As provided by D.C. Code §11-1530(a)(1c)(a)(c)(1), as amended, the Commission will review and, within the Commission's discretion, grant or deny any requests for the redaction of statutorily mandated information where the release of the information could endanger a judge or a member of the judge's family. It will review, and grant or deny any requests for waiver of costs associated with a request for the release of an Annual Financial Report. It will also provide guidance when questions not covered in these Rules arise.
  - (d) The Commission will not permit public access to any Annual Financial Report unless all of the Reports due for a calendar year have been received by the Commission. If extensions of time have been requested by judges in which to file Reports, none of the Reports for that calendar year will be available until all extension

deadlines have expired and all Reports have been received by the Commission.

- 2003.6 The Annual Financial Reports filed by judges are maintained by the Commission, and in accordance with the statute and the Commission Rules, the Reports are kept for three years subsequent to filing.
- 2003.7 All requesters who wish to review or obtain a copy of an Annual Financial Report must submit a Form CJDT 10A to the staff of the Commission. The form must be in writing and contain the following information:
- (a) the requester's name, occupation, telephone number, e-mail, and mailing address;
  - (b) the name and address of any other person or organization on whose behalf the inspection or copy is requested; and
  - (c) that the requester is aware of the prohibitions with regard to obtaining or viewing the Report.
  - (d) a list of the judges whose Reports are being requested.
- 2003.8 Requesters will be notified in writing of the Commission's decision to grant or deny a request for viewing or copying Reports. If the Commission grants a request, the requester will also be advised of the total reproduction cost for the Reports ordered.
- 2003.9 Requesters will be charged 25 cents per page to cover costs. Only entire Reports will be reproduced, requests for particular pages or sections will not be honored. The Commission only accepts checks or money orders, which must be made payable to the D.C. Treasurer.
- 2003.10 Requesters must provide a copy of the CJDT 10A form with the check or money order to the Commission. Once the form and payment are received the requester will be notified of the date when the requested Report(s) can be collected from the Commission office.
- 2003.11 Each CJDT 10A form received that results in the release or viewing of a Report will be filed and will be made available to the public throughout the period during which the Report is made available to the public.
- 2003.12 Annual Financial Reports may be viewed in the Commission office by appointment. Appointments must be made at least five working days in advance. Commission staff will provide the requester with a copy of the Report(s) requested, which may be redacted, if so approved by the Commission. In no case will the original file be removed from the Commission office for review by a member of the public. Requesters

wishing to view Reports must also complete a CJDT 10A and provide all of the information requested, and will be notified in writing of the Commission's decision to grant or deny the request.

- 2003.13 A copy of the requested Reports may be furnished without charge or at a reduced charge if it is determined that waiver or reduction of the fee is in the public interest. Requests for waivers must be presented in writing to the Commission.
- 2003.14 Annual Financial Reports will not be released to any individual who fails to properly complete a CJDT 10A form or pay costs.
- (a) Commission staff will take every step to ensure that the Reports are maintained securely.
  - (b) Commission staff will not release or allow the viewing of any Report until the Commission has approved the requester's CJDT 10A form, and until written notice has been given to the judge.
  - (c) In accordance with the Commission's direction, Commission staff will minimize security risks by redacting information not required by the statute including without limitation:
    - (1) spouse's and dependents' names;
    - (2) home addresses;
    - (3) social security numbers;
    - (4) financial account and bank account numbers;
    - (5) street addresses of personal properties, financial institutions, and business properties;
    - (6) ownership codes; and
    - (7) judge's signature.
- 2003.15 The Commission will immediately notify the judge in writing and by e-mail when a Form CJDT 10A is received requesting the release of the judge's Annual Financial Report(s) and will provide each judge with a copy of the requester's CJDT 10A form. A judge will have 10 days from receipt of the Commission's notification, to request a redaction.
- 2003.16 A Report that may be disseminated to the public after release to a requester, may be redacted pursuant to D.C. Code §11-1530(c)(1)(2), as amended, to prevent public disclosure of personal or sensitive

information that could endanger the judge or a member of the judge's family, directly, or indirectly, if possessed by a member of the public hostile to the judge or a member of the judge's family.

2003.17 The procedure for determining whether redaction is appropriate will be as follows:

- (a) When an Annual Financial Report is filed, the judge may request redaction(s) believed to be appropriate before release of a Report that may be disseminated to the public. Requests for redaction may also be made after a judge receives a notification of a request to view or copy a Report.
- (b) The judge must state with specificity what material is sought to be redacted. The judge must also state in detail the reasons justifying redaction. These reasons may include, but are not limited to:
  - (1) the purposes and need for an ongoing protective detail provided by the United States Marshals Service, or the D.C. Courts Security Division;
  - (2) particular threats or inappropriate communications;
  - (3) involvement in a high threat trial or appeal; or
  - (4) certain information on the form that could endanger the judge or a member of the judge's family directly or indirectly if possessed by a member of the public hostile to the judge or a member of the judge's family.

2003.18 The Commission will determine, whether information sought to be redacted could, if disseminated to the public, endanger the judge or a member of the judge's family directly or indirectly and grant or deny the request accordingly. Information that could facilitate the financial harassment of a judge or a member of the judge's family, such as identity theft, may be deemed information that could endanger a judge or a member of the judge's family.

2003.19 No redactions will be granted that eliminate disclosure of the existence, rather than extent, of an interest in an entity that would disqualify the judge from serving as a judge in litigation involving that entity, unless disclosure of that interest would reveal the location of a residence of the judge or a member of the judge's family, reveal the place of employment of the judge or a member of the judge's family.

- (a) Information may be redacted from a Report in accordance with such findings to the extent necessary to protect the judge who filed the Report and his or her family, and the redactions will remain in effect for 3 years.
- (b) The Commission staff will notify a judge in writing and by e-mail when a Report is actually released or reviewed and provide the judge with a copy of the released Report with any redactions. The staff will maintain a copy of the redacted material for as long as the original Report is maintained.
- (c) A request for redaction and its supporting documents, except for copies of the Annual Financial Report and any amendments thereto, are considered confidential and will only be used to determine whether to grant a request for redaction.