



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS

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Director

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September 4, 2012

The Honorable Phil Berger
Co-Chair, Joint Legislative Committee on Governmental Operations

North Carolina General Assembly
State Legislative Building
Raleigh, North Carolina 27601

Dear Representatives and Senators:

Please find the following report from the Conference of Clerks of Superior Court on the status of implementing protections against identity theft, pursuant to G.S. 7A-809.

North Carolina Clerks of Superior Court do not post images or copies of official records containing a person's social security or driver's license number on the Clerk of Superior Court's internet website available to the general public. Some Clerks choose to post a hyperlink to the Register of Deeds' public internet website for their country on the Clerk of Court website; however, the Clerk of Court is not responsible for the content of any official records that may be available through the Register of Deeds' website.

Each individual Register of Deeds may opt to provide accessibility to the NC Administrative Office of the Courts' civil case processing system (VCAP) through remote public access. There is no field within VCAP for NCDL numbers, however, there is a field for tax ID numbers.

The Conference of Clerks of Superior Court has consulted with the North Carolina Association of Register of Deeds (NCARD) and the NCARD submitted the attached memorandum and survey results (five pages total) as a response to the Conference's inquiry.

Please accept this report and the attached documentation as the official report regarding the study of the status of individual counties, judicial districts, Clerks of Superior Court and the Register of Deeds on the implementation of G.S. 132-1.10(f1).

If you have any questions, please do not hesitate to contact Barbara Moore of the North Carolina Conference of Clerks of Superior Court at (919) 890-1441 or Barbara.D.Moore@aoc.nccourts.org.

Respectfully Yours,

A handwritten signature in black ink, appearing to read "John W. Smith".

John W. Smith
Director



TO: North Carolina Conference of Clerks of Superior Court

FROM: North Carolina Association of Registers of Deeds (NCARD)

SUBJECT: Redaction Study Report for the Joint Legislative Commission on Governmental Operations

During the 2009 Session of Legislature, SB 1017 (Session Law 2009-355) was passed to allow Registers of Deeds and Clerks of Superior Court the ability to remove, from an image or copy of an official record placed on an Internet web site, a person's social security or drivers license number contained in that record. The Registers of Deeds and the Clerks of Superior Court may apply optical character recognition technology or other available technology in order to, in good faith, identify and redact social security and drivers license numbers.

Upon passage, the North Carolina Association of Registers of Deeds (NCARD) and individual Registrars, made inquiries and gathered information regarding redaction. Several of the NCARD Committees, including, but not limited to, the NCARD Legislative Committee, the NCARD Executive Committee, and the NCARD Automation Technology Committee, met after passage of this Bill to ensure that compliance of this legislation could be achieved. Accordingly, there were concerns in the implementation of this Legislation. The main problems all Registrars and Counties faced were the pressing issues of money in an economically strapped economy, utilization of staff, additional redaction requirements over and above NCGS 132-10(g) and, a time frame to begin redaction. In gathering this information for a report to the Conference of Clerks of Superior Court, there were 100 of the 100 counties that replied to questions posed by the NCARD Automation Technology Committee. The redaction survey questions were:

1. How many redaction requests has your registry processed since NCGS 132-1.10 became effective on December 1, 2005? (This allowed to persons to request the Registers to removed information from their web sites by requesting, in writing, that the same be done.)
2. Are you already in the process of redacting? If so, for how long?
3. Are you planning to begin redacting? If so, when?

4. After consulting your vendor, county IT Department, or other service provider, please estimate two costs:
 - A. Redacting beginning with records on or after October 1 of the year 2009.
 - B. Redacting back to 1934, when Social Security began.
5. Does your office or your county have funding available to implement redaction?
6. If you do not have funding available, what is your view of whether the state should provide funding for the redaction has encouraged us to undertake?

In recapping the answers to the above questions, the following was realized from the 87 responses: (these values are from the report submitted 2/25/2010)

1. Total requests for redaction in 87 counties is 58,509 (2,436).
2. Counties currently in process –39 (17). How long – varied from “upon request” to July 2012.
3. Plan to begin – 28 (29). When – varied from “unknown, to next year.
4. Costs:
 - A. Beginning 10-01-2009 – costs varied from 0 to \$70,000 (\$125,000).
 - B. Redacting back to 1934 – costs varied from 0 to \$ 400,000 (\$920,000).
5. Funding available – only 19 (20) counties have funding (most using Automation Enhancement and Preservation Fund) while 39 do not have funding.
6. Most counties agreed the State should provide funding at least in part and in full if redacting became mandatory.

Pursuant to GS 132-1.10 Section 4, the NCARD hereby submits a recap to the Conference of Clerks of Superior Court on where the Registers of Deeds stand regarding the process of redaction. Upon obtaining information via a questionnaire posed to all 100 counties, the NCARD hereby submits those findings. (Attached copy of the replies from 87 of 100 counties.)

Respectfully submitted, this 25th day of April , 2012.

Honorable Wayne Rash, President of the NC Association of Registers of Deeds

Honorable Jennifer H MacNeish, Chair, Automation Technology Committee, NCARD

County	# Requests	In process?	How long?	Begin redaction?	When?	Redaction costs (10/1/2009)	Back to 1934	Funds?	State funding?
Alamance	0	no	n/a	yes	Jul-12	getting quotes	\$90,000	yes	need legislation
Alexander	5	no	n/a	no	n/a	n/a	n/a	maybe	customer responsibility
Alleghany	1	yes	2 years			not available	n/a	Limited	State should provide
Anson	0	no	n/a	no	if required	\$10,000-\$20,000	\$20,000-\$50,000	no	State should
Ashe	7	complete	10/1/2009	n/a	n/a	not separately	\$32,000 - \$33,000	yes	no response
Avery	3	yes	6 months	in process	n/a	n/a	n/a		no response
Beaufort	no web	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Bertie	0	no	n/a	undecided	n/a	no costs yet	no costs yet	no	funding would be helpful
Bladen	2	no	n/a	no	n/a	\$23,826	n/a	no	state should fund some
Brunswick	9	yes	2 years	n/a	n/a	no costs yet	no costs yet	n/a	n/a
Buncombe	unable to track	yes	4 months	n/a	n/a	not available	\$57,552	AEF	no opinion
Burke	no response								
Cabarrus	41	yes	2011	yes			\$150,000	yes	state should fund - using auto \$
Caldwell	27	yes	n/a	in process	n/a	n/a	\$34,000.00	yes	funding for auto redact program
Camden	0	no	n/a	not yet	next 6 months	time involved	\$5,000	no	state should fund
Carteret	no response								
Caswell	0	no	n/a	yes	vendor assist	no costs yet	\$15,000	AEF	funds from State
Catawba	93	yes	1 year	n/a	n/a	no costs yet	\$130,000	no	should provide some
Chatham	12	no	n/a	no	n/a	n/a	\$58,758	no	state should supply funds
Cherokee	3	no	n/a	no	if required	no costs yet	no costs yet	no	funds from state
Chowan	0	no	n/a	no	no on line	no costs yet	no costs yet	no	would be helpful
Clay	no response								
Cleveland	6	manually	n/a	yes	n/a	n/a	n/a	n/a	need legislation
Columbus	0	no	n/a	yes	6 months	\$5,000	\$10,000	no	funds from state
Craven	8	yes	fall 2011	n/a	n/a	n/a	\$50,000	AEF	some funding helpful
Cumberland	53	yes	n/a	yes	1/1/2010	no cost	\$221,900	yes	no response
Currituck	0	no	n/a	yes	when approved	n/a	\$32,919.00	yes	state should provide
Dare	0	no	n/a	only if found	n/a	\$16,270	\$21,166	no	funds from state
Davidson	less than 5	yes	4 months	n/a	n/a	n/a	\$47,000	yes	counties use tech fund
Davie	2	no	n/a	yes	n/a	no costs yet	\$35,000-\$40,000	AEF	only if mandated
Duplin	20	completed	10/1/2009	n/a	n/a	n/a	\$3,000	n/a	portion from general fund
Durham	52	yes	upon request	yes	in 2 years	n/a	n/a	yes	state should supplement
Edgecombe	no response								
Forsyth	5	yes	2 years	yes	n/a	office staff	office staff	yes	state should fund
Franklin	5	no	2011	complete	n/a		\$38,000.00	n/a	mixed thoughts
Gaston	5	yes	completed	yes	n/a	n/a	\$140,091	yes	grants
Gates	0	no	n/a	no	with funding	n/a	\$11,795.00	no	state funding
Graham	10	no	n/a	no	n/a	n/a	n/a	no	state provide funds
Granville	n/a	completed	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Greene	0	n/a	n/a	n/a no web	n/a	n/a	n/a	no	funding should be provided
Guilford	25-30	yes	Jul-07	n/a	n/a	\$70,000	awaiting cost info	no	state should assist
Halifax	5	no	n/a	Apr-12	n/a	n/a	\$27,104.00	AEF	n/a
Harnett	12	complete	n/a	n/a	n/a	included	\$25,000	yes	state funding
Haywood	9	yes	12/1/2005	yes	7/1/2012	n/a	\$11,500	no	state to provide funding

County	# Requests	In process?	How long?	Begin redaction?	When?	Redaction costs (10/1/2009)	Back to 1934	Funds?	State funding?
Henderson	0	yes	1/1/2012	n/a	n/a	office staff	office staff	yes	state funding
Hertford	0	no	n/a	no	n/a	n/a	\$11,795.00	no	would need funding to do
Hoke	no response								
Hyde	no response								
Iredell	20	complete	2 months	n/a	11/1/2011	0	\$70,000	AEF	n/a
Jackson	13	no	no	n/a	n/a	n/a		n/a	no response
Johnston	0	complete							
Jones	0	no	n/a	no	n/a	n/a	n/a	no	not sure
Lee	7	finished	n/a	n/a	if requested	n/a	\$47,394.40	yes	n/a
Lenoir	1	no	n/a	yes	yes	Sep-12	\$15,000	AEF	no response
Lincoln	2	yes	n/a	n/a	n/a	office staff	office staff	no	not sure state should provide
Macon	7	no	n/a	yes	6 months	n/a	\$107,000-\$183,000	no	state should help
Madison	0	no	n/a	yes	Jul-12	n/a	n/a	no	state should provide
Martin	no response								
McDowell	5	per request	n/a	receive funds	if requested	\$24,500	\$151,891.20	no	state should fund
Mecklenburg	26	no	n/a	limited	May-12	n/a	\$400,000	no	state funding
Mitchell	4	manually	Mar-11	n/a	n/a	n/a	n/a	no	helpful if state funded
Montgomery	0	no	n/a	no	with funding	n/a	\$17,100.00	no	if state makes mandatory
Moore	3,825	yes	4/1/2010	yes	2010	\$1,014.00	\$54,000	no	state funding
Nash	2,300	yes	2/1/2010	n/a	n/a	n/a	\$80,000	no	no response
New Hanover	18	yes	2004	n/a	n/a	n/a	\$170,000	AEF	charge for satisfactions
Northampton	no response								
Onslow	9	yes	1/1/2011	no	n/a	unknown	\$50,000-\$95,000	AEF	state should help
Orange	50	yes	upon request	yes	12/1/2005	\$5,000/year	\$5,000/year	yes AEF	state should help
Pamlico	3	yes	6/24/2010	yes	with funding	n/a	\$12,000	no	state should provide at least portion
Pasquotank	2	no	upon request	yes	Oct-09	\$33,670	n/a	no	help with some state funds
Pender	2	yes	up to date	n/a	n/a	no costs	no costs	yes	state should provide
Perquimans	no response								
Person	0	completed	8 months	n/a	2010	n/a	\$18,925.00	yes	n/a
Pitt	no info	n/a	n/a	n/a	n/a	n/a	\$95,873	AEF	if state makes mandatory
Polk	0	no	n/a	yes	not sure	n/a	n/a	AEF	counties able more so than state
Randolph	36	no	by request	no	unknown	n/a	\$51,000-\$100,553	no	state funding
Richmond	2	no	yes	May/June	n/a	\$36,000	n/a	AEF	state to help with funding
Robeson	no response								
Rockingham	10 to 20	manually	per request	yes	with funding	unknown	unknown	yes	state should help
Rowan	36	yes	2005	n/a	n/a	\$3,894-\$4,160	unknown	no	state should help defer expense
Rutherford	no info	no	n/a	no	n/a			no	
Sampson	10	n/a	n/a	yes	2012	estimate to come	\$48,000.00	no	all or partial funding
Scotland	no response								
Stanly	less than 10	yes	complete	n/a	n/a	n/a	\$18,000.00	yes	state funding
Stokes	6	no	n/a	yes	not sure	n/a	\$40,000	AEF	state funding in part
Surry	no info	yes	2005	n/a	process	n/a	n/a	AEF	no response
Swain	no response								
Transylvania	0	new software	1/26/2012	yes	n/a	n/a	n/a	AEF	would be great, not practical now
Tyrrell	0	no	new software	unsure	unsure	n/a	\$10,000	no	not sure how state could

County	# Requests	In process?	How long?	Begin redaction?	When?	Redaction costs (10/1/2009)	Back to 1934	Funds?	State funding?
Union	0	no	n/a	fund approval	unknown	n/a	\$156,000	no	no opinion
Vance	1 to 2	yes	n/a	manually	n/a	\$31,449	0	maybe	state funding
Wake	51,718	yes	n/a	yes	in process	n/a	n/a	n/a	n/a
Warren	no response								
Washington	0	manually	n/a	unknown	unknown	n/a	\$10,000	no	state should help
Watauga	3	yes	n/a	n/a	with funding	n/a	\$24,500.00	yes	state funding
Wayne	unknown	yes	n/a	yes	n/a	n/a	n/a	no	state funding
Wilkes	no response								
Wilson	2	yes	1 year	n/a	n/a	n/a	n/a	no	state funding
Yadkin	4	no	n/a	yes	2013	waiting on est.		no	state should provide
Yancey	3	yes	n/a	n/a	n/a	in house	manually	no	state funding
Total # Requests	58509								