

SUPREME COURT OF GEORGIA

Atlanta June 9, 2006

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed:

It is ordered that Uniform Magistrate Rule 6 be amended to read as follows:

Rule 6. Withdrawal of papers from magistrate Court.

A. General Provisions: No original papers may be withdrawn from the magistrate court.

B. Civil Cases: Copies of documents in civil cases may be obtained upon payment of costs to the clerk.

C. Criminal Cases: Copies of documents in criminal cases may be provided, however, the court may, at its discretion, remove from said copies information concerning the location addresses, phone numbers, and similar information, the disclosure of which would violate the Victim's Protection Act (OCGA § 17-17-10) or would expose alleged witnesses or victims of crimes to danger of assault and/or intimidation by criminal defendants, or their agents. Names of confidential informants of police officers shall not be released, except after court order requiring such release, which may only issue following motion and in camera review by the trial court under guidelines set out in statutory and case law.

D. Order to Limit Access: Upon motion by any party to any civil action, after hearing, and for good cause shown, the court may limit access to court files respecting that action. The order of limitation shall specify the part of the file to which access is limited, the nature and duration of the limitation, and the reason for limitation.

An order limiting access shall not be granted except upon a finding that the harm otherwise resulting to the privacy of a person in interest clearly outweighs the public interest. Under compelling circumstances, a motion for temporary limitation of access, not to exceed 30 days, may be granted, ex parte, upon motion accompanied by supporting affidavit.

Upon notice to all parties of record and after hearing, an order limiting access may be reviewed and amended by the court entering such order or by the Superior Court of the Circuit where the magistrate court is located at any time, on the court's own motion, or upon the motion of any person for good cause.

E. Notes and Private Information: This rule does not authorize release of papers containing a judge's application, trial or hearing notes or research notes pertaining to any case, civil or criminal. Further, this rule does not require release of any person's social security number, except to authorized state or federal authorities, as provided by applicable statutes.

F. Certification of Documents: Upon request for certified copies of documents, the Court may provide the same, stating on the said certification what information was deleted as provided above.