

Policy Concerning Storage and Retention of Electronic and Paper Records

1. **Background:** The District of Columbia Judicial Nomination Commission (“Commission” or “JNC”) receives materials from and concerning applicants for judicial vacancies and for designation to the office of Chief Judge of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals (“applicants”). These materials include application forms with Personally Identifiable Information (“PII”), including applicant social security numbers, dates and place of birth, residence, spouse names, etc. In addition, the Commission receives materials identified by statute as confidential and privileged, including FBI checks, credit checks, reports from the United States Internal Revenue Service and the District of Columbia Office of Tax and Revenue, as well as other information concerning the personal and professional histories of applicants. In addition, the Commission initiates background investigations of applicants using signed applicant release forms that contain PII.
2. **Purpose:** This Policy is intended to establish the principles for the management of electronic and paper Commission records containing PII.
3. **General Rule:** Materials containing PII are not to be sent by email or stored on an insecure online platform. The Commission will not encourage, request, or require applicants to submit materials containing PII via email. If a Commissioner or Commission staff member receives an email containing or attaching PII, the recipient will:
 - a. Notify the Commission Executive Director of the transmission;
 - b. Promptly inform the applicant of the Commission’s policy;
 - c. Delete the email; and
 - d. Document actions taken in compliance with this policy.
4. **Email:** Commissioners should establish a personal, dedicated email address for transacting Commission business. This email should not go through the network of any private business, corporation, non-profit, or agency, in order to provide the highest level of separation and protection to Commission communications, including applicant information, from the access, retention, and storage policies of any other organization. Commission staff can arrange for Commissioners to secure a “dc.gov” email for Commission business. Confidential Commission materials, including materials containing PII, may not be sent electronically.
5. **Electronic records:** Commission staff maintains electronic records of applicant materials, and provides Commissioners access to these materials via a secure online platform. Only Commissioners may access the secure platform. These materials may be viewed, but may not be

saved to any computer, network, or data storage device. If materials are inadvertently saved, Commission staff is to be notified and all appropriate steps must be taken to delete and protect the materials.

6. **Paper copies -- Commissioners:** Commissioners may have paper copies of materials either because they have received them directly, or because they have printed out a paper copy from an electronic document. All such paper copies of Commission materials are to be maintained in a secured place that remains under the Commissioner's personal control. Commissioners should advise Commission staff of the paper copies of Commission materials they possess, in order that the Commission may maintain an inventory of all records. When a Commissioner finishes his or her service on the Commission, he or she should deliver to the Commission staff all paper copies of Commission materials for appropriate disposal, or shred the materials and inform Commission staff of this action.
7. **Paper copies -- Commission staff:** Commission staff receives paper copies of all application materials. These materials are maintained in secure file cabinets, in the Commission's secure offices. Extra or working copies of application materials containing PII shall be shredded after they have served their purpose in connection with pending Commission business.
8. **Questions:** Any questions concerning the proper handling of electronic or paper records of the Commission should be directed to the Commission Executive Director.