

Don Davis

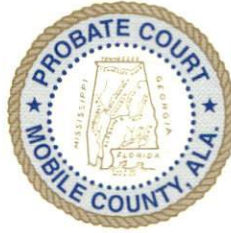
Judge of Probate

C. Mark Erwin

Chief Clerk/Administrator

Melissa King

Chief of Staff



Judicial Division - (251) 574-6001

Recording Division - (251) 574-6040

Records Division - (251) 574-6070

Elections Division - (251) 574-6080

Accounts Division - (251) 574-6101

Facsimile - (251) 574-6003

PROBATE COURT OF MOBILE COUNTY, ALABAMA

PRESS RELEASE

TO: ALL MOBILE, ALABAMA NEWS MEDIA SOURCES

FROM: DON DAVIS

RE: REDACTION OF PERSONAL INFORMATION - CITIZENS' ABILITY TO MONITOR FILINGS IN MOBILE COUNTY'S PUBLIC RECORDS SYSTEM

DATE: August 22, 2023

In Alabama's government system, Alabama's judges of probate are the custodians of the public records of their respective county. The Alabama legislature, in the 2023 general session, *expanded* the categories of *government officials* and *government employees* who can request redaction of personal identifying information in public records. This statute addresses all personal information in all government offices located in the State of Alabama.

The Act further specifies that government offices are to make available a request form that allows an eligible person to request redaction. One of the Probate Court's forms is attached. I note and call to your attention that the Court only has responsibility for the public records that are in its custody. There are many other governmental entities that may contain personal information regarding public officials and public employees. These offices should be contacted directly to request redaction of information in their records.

Separate and apart from *Ala. Act 2023-506*, ALL persons who live in Mobile County or own property or operate a business located in Mobile County are reminded that *any person* has the ability to register on the Court's Internet web site and request being notified by electronic mail if any document is filed in the Court's public records operation concerning said person. This special feature of the Court's Internet web site has been available for several years and we have published notice of the availability of this feature in the past, but few persons have taken advantage of this feature.

Due to the increase in instances of identity theft, I encourage your to share information about the aforesaid means by which persons can protect their personal information and guard against identity theft.

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FOR MORE INFORMATION, CONTACT:

Don Davis, Judge of Probate
Mobile County, Alabama
Mobile, Alabama
251.574.6000 or probatecourt@probate.mobilecountyal.gov

Post Office Box 7 • Mobile, Alabama 36601

email: probatecourt@probate.mobilecountyal.gov • website: www.probate.mobilecountyal.gov

State of Alabama	<u>Request for Redaction of Public Records</u> <i>(Ala. Code §41-13-7 and §41-13-7.1 (1975))</i>	In the Probate Court of _____ County
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Please note that pursuant to *Ala. Code § 41-13-7 (1975)* the Probate Court is not authorized to redact documents originating with any court or taxing authority, any document that when filed by law constitutes a consensual or nonconsensual lien or security lien or security interest, or any record of judgment, conviction, eviction, or bankruptcy.

A qualifying position under *Ala. Code §41-13-7(1)* includes: any person who is regularly employed by the state and who is subject to the provisions of the state Merit System or any person who is regularly employed by a criminal justice agency or entity or by a law enforcement agency within the state or any honorably retired employee thereof, to include, but not be limited to, the following: A judge of any position, including a judge of a municipal court; a district attorney; a deputy district attorney; an assistant district attorney; an investigator employed by a district attorney; an attorney, investigator, or special agent of the Office of the Attorney General; a sheriff; a deputy sheriff; a jailor; or a law enforcement officer of a county, municipality, the state, or special district, provided the law enforcement officer is certified by the Alabama Peace Officers' Standards and Training Commission and is not pending decertification.

A qualifying position under *Ala. Code §41-13-7.1(2)* includes: a judge of any position, including a judge of a municipal court; a district attorney; a deputy district attorney; an assistant district attorney; an investigator employed by a district attorney; an attorney, investigator, or special agent of the Office of the Attorney General; a sheriff; a deputy sheriff; a jailor; or a law enforcement officer of a county, municipality, the state, or special district, provided the law enforcement officer is certified by the Alabama Peace Officers' Standards and Training Commission and is not pending decertification; and federal officers and employees in equivalent positions.

To request a redaction, please provide the requested information below:

Full Legal Name: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

Qualifying Position: _____

Law enforcement officers must be certified by the Alabama Peace Officers' Standards and Training Commission to qualify and provide proof of same.

Please provide the instrument numbers, date of the instrument, date recorded, and the names of any of the other parties to the instrument if known and specify what information you are requesting be redacted and the page number that contains the information if known. (Please note that the Probate Court staff will make good faith efforts to search for the specified instruments, the more accurate information provided the more accurate the search results will be.) Please confirm the redaction independently and contact the Probate Court if you believe an error has occurred.

Instrument Number and Date: _____

Instrument Number and Date: _____

Instrument Number and Date: _____

BY SIGNING BELOW I CERTIFY THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT. ALL STATEMENTS CONTAINED IN THIS REQUEST ARE MADE UNDER THE PENALTY OF PERJURY. THE CRIME OF PERJURY IS PUNISHABLE BY FINE AND/ OR IMPRISONMENT.

Printed Name

Signature

Date