



U.S. Department of Justice

Office of Justice Programs

*Bureau of Justice Statistics*

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Washington, D.C. 20531

[Date]

Attachment A

(NAME), (TITLE)  
(AGENCYNAME)  
(ADDR)  
(CITY), (STATE) (ZIP)

Dear (NAME),

The U.S. Department of Justice's Bureau of Justice Statistics (BJS), in partnership with the National Center for State Courts (NCSC), is requesting local courts in your state to provide contact and basic court information to prepare for the **Census of State Courts (CSC)**. This project will develop a comprehensive, national list of trial and appellate courts. Further, the CSC will compile important staffing data and information about the case types heard in state courts.

The CSC project team is sending this letter to serve as notification of the development of a complete national list of limited and general jurisdiction trial courts and appellate courts. On **[date]**, you will receive an email from NCSC requesting that you confirm a list of courts in your jurisdiction. If you are unable to verify this list but can identify a designee who can, please send the designee's contact information to the CSC project team at [CSC@ncsc.org](mailto:CSC@ncsc.org) by [date before NCSC email is sent]. Otherwise, you will hear from NCSC for this request.

BJS is authorized to conduct this data collection under 34 U.S.C. § 10132. By law, BJS employees and its data collection agents may only use your agency's information for statistical or research purposes and must protect the confidentiality of information identifiable to a private person [34 U.S.C. §§ 10134 and 10231]. BJS is not permitted to publicly release your agency's responses in a way that could reasonably identify a specific private person. Contact information collected through this effort will not be publicly disseminated by BJS.

Attached to this email, you will find a project flyer with details about this project. If you have questions regarding the CSC data collection program, please contact George E. Browne, BJS project manager, at [George.Browne@usdoj.gov](mailto:George.Browne@usdoj.gov) or call (202) 598-1395 or Nicole Waters, NCSC Director of Research & Design, at [nwaters@ncsc.org](mailto:nwaters@ncsc.org) or call (757) 259-1574.

Thank you for your assistance in ensuring that [state] is accurately represented in this Census.

Sincerely,

Kevin M. Scott,  
Acting Director  
Bureau of Justice Statistics



# Census of State Courts

JUNE 2024

The Census of State Courts (CSC) is a new data collection project by the Bureau of Justice Statistics (BJS) to compile a list of state and local courts operating in the United States and to enhance our understanding of court operations.

To collect this information, BJS will work with the National Center for State Courts (NCSC). The NCSC has compiled detailed and comparative information about state courts through the State Court Organization (SCO) series, which provides information on the operations of each state's system. The SCO and its companion state court structure charts inform consumers of court data and the public about state courts. The CSC project will expand upon these resources by compiling additional information about these courts.

## What is the population of interest?

The population of interest is all state courts. There are more than 15,600 state courts, including limited jurisdiction courts (12,500), general jurisdiction courts (3,000), intermediate appellate courts (97), and courts of last resort (58). Of these, the least is known about limited jurisdiction courts, due to their sources of authority and funding, so those courts will be a critical focus for the CSC.

## What information will the CSC collect?

The primary purpose of the CSC is to collect information about the work of state courts, including their operations, staffing, caseload, and budget.

A second, but equally important outcome of this project will be the creation of a comprehensive list of limited and general jurisdiction trial courts and appellate courts. This list will help stakeholders and interested parties identify the courts operating in each state.

## How will data from the courts be used?

The census will provide important information about all state and local courts in the United States, will expand our knowledge of limited jurisdiction courts, and may inform future data projects. BJS can use CSC data to sample and target courts with jurisdiction over certain types of cases or with certain structures or processes. CSC and future surveys generated from it will enhance the body of knowledge about state courts.

## How safe are my data?

BJS will not publish case-specific information or collect any personally identifiable information through the CSC. While the CSC will ask for direct contact information to identify a point of contact to complete the survey, the contact information will not be shared.

## What is the timeline for the CSC?

The CSC is a three-year project that launched in January of 2023. The first phase of the project is a full census of all municipal, trial, and appellate courts that will collect basic information about the location and size of each court. The second phase will collect more detailed information about staffing, jurisdiction, types of cases heard, and other topics from a subset of the courts.

The project team will begin contacting state courts to complete the first phase of the project in early 2024. BJS expects to launch the second phase later in 2024.

## Why should my jurisdiction participate?

This project will increase the available knowledge about state and local courts and inform court leaders' decisions about changes to court structure and policies. This information, combined with caseload data and other resources on state and local court operations, will help courts better articulate funding needs. This critical tool will enhance public knowledge of the judiciary and empower data consumers to make informed comparisons across jurisdictions.

## How can I find out more information?

**George Ebo Browne, PhD**, CSC Project Manager  
Bureau of Justice Statistics  
202-307-1618 | [George.Browne@usdoj.gov](mailto:George.Browne@usdoj.gov)

**Nicole Waters, PhD**, Director, Research & Design  
National Center for State Courts  
757-259-1574 | [Nwaters@ncsc.org](mailto:Nwaters@ncsc.org)

## NCSC Email for Confirmation of Courts List

Last week, you received an email about the Bureau of Justice Statistics' (BJS) Census of State Courts (CSC). For this project, BJS and the National Center for State Courts (NCSC) are creating a census of all state and local courts to enhance ours and the public's understanding of state courts. As an initial step to complete the census, we need assistance verifying courts in each state. A list of courts in [state] has been generated from public sources. We ask that you or a designee, please review the list to verify or supplement to ensure we have an accurate and complete list by visiting the link below.

Here is your unique link:

[<unique URL>]

When you click on the link, you will see a spreadsheet for [state]. Please review and make edits directly into the spreadsheet. The spreadsheet is updated in real-time and saved automatically. **Upon completing your review and update, please respond to this email letting us know you're done.** Alternatively, if you have an already existing list with the requested information, we welcome you to share that with us by clicking on the link and using the upload option in the box folder or by emailing [CSC@ncsc.org](mailto:CSC@ncsc.org). With either method, **please ensure that a correct contact email is provided**, as this is how we will administer the questionnaire when fielding the survey.

We ask that you complete your review of the spreadsheets or provide an already existing list to us by **[date]**. If more time is needed, please let us know and we'll work with you to determine a feasible date. If you are unable to confirm this list but can identify a designee who can, please send the designee's contact information to the CSC project team at [CSC@ncsc.org](mailto:CSC@ncsc.org).

Thank you,

Sincerely,

[NCSC contact]

### NCSC Email for State Court Admin Delegate to Confirm Courts List

The U.S. Department of Justice's Bureau of Justice Statistics (BJS), in partnership with the National Center for State Courts (NCSC), is requesting local courts in your state to provide contact and basic court information to prepare for the **Census of State Courts (CSC)**. This project will develop a comprehensive, national list of trial and appellate courts. Further, the CSC will compile important staffing data and information about the case types heard in state courts.

As an initial step to complete the census, we need assistance verifying courts in each state. A list of courts in [state] has been generated from public sources. We were provided your contact information as being a person who could potentially assist with verification of this list. We ask that you or a designee, please review the list to verify or supplement to ensure we have an accurate and complete list by visiting the link below.

Here is your unique link:

[<unique URL>]

When you click on the link, you will see a spreadsheet for [state]. Please review and make edits directly into the spreadsheet. The spreadsheet is updated in real-time and saved automatically. **Upon completing your review and update, please respond to this email letting us know you're done.** Alternatively, if you have an already existing list with the requested information, we welcome you to share that with us by clicking on the link and using the upload option in the box folder or by emailing [CSC@ncsc.org](mailto:CSC@ncsc.org). With either method, **please ensure that a correct contact email is provided**, as this is how we will administer the questionnaire when fielding the survey.

We ask that you complete your review of the spreadsheets or provide an already existing list to us by **[date]**. If more time is needed, please let us know and we'll work with you to determine a feasible date. If you are unable to confirm this list but can identify a designee who can, please send the designee's contact information to the CSC project team at [CSC@ncsc.org](mailto:CSC@ncsc.org).

Thank you,

Sincerely,

[NCSC contact]

**Nonresponse Follow Up #1 Script (Email)**

**Respondents who have not started the spreadsheet.**

Dear x,

This is a follow-up message from [date]. We are identifying a comprehensive list of all courts in the nation, and it is important to include [state] in this census.

Will you please review the list of courts in [state] to verify or supplement to ensure we have an accurate and complete list by selecting this link [link]? Alternatively, if you have an already existing list, you may submit it through the link or by emailing it to us at [CSC@ncsc.org](mailto:CSC@ncsc.org). If you are unable to verify or can partially verify this list, please let us know who is best to contact to obtain this information. If you have questions regarding verification of the courts list, please contact the project team at [CSC project phone number] or [CSC@ncsc.org](mailto:CSC@ncsc.org).

Additionally, if you have any questions pertaining to the CSC data collection program, please contact George E. Browne, BJS project manager at [George.Browne@usdoj.gov](mailto:George.Browne@usdoj.gov) or call (202) 598-1395 or Nicole Waters at [nwaters@ncsc.org](mailto:nwaters@ncsc.org) or call (757) 259-1574.

Sincerely,

**Respondents who started the spreadsheet but not completed it.**

Dear x,

This is a follow-up message from [date]. We are identifying a comprehensive list of all courts in the nation, and it is important to include [state] in this census.

We noticed that you started revisions to the spreadsheet courts list [link] but have not sent an email stating you are done. Have you completed your review of the courts list? If yes, please respond to this email letting us know. If not, please let us know if we can assist you in anyway. Alternatively, if you have an already existing list, you may upload it through the drop box link with your spreadsheet or by emailing it to us at [CSC@ncsc.org](mailto:CSC@ncsc.org). If you are unable to verify or can partially verify this list, please let us know who is best to contact to obtain this information. If you have questions regarding verification of the courts list, please contact the project team at [CSC project phone number] or [CSC@ncsc.org](mailto:CSC@ncsc.org).

Additionally, if you have any questions pertaining to the CSC data collection program, please contact George E. Browne, BJS project manager at [George.Browne@usdoj.gov](mailto:George.Browne@usdoj.gov) or call (202) 598-1395 or Nicole Waters at [nwaters@ncsc.org](mailto:nwaters@ncsc.org) or call (757) 259-1574.

Sincerely,

**Nonresponse Follow Up #2 Script (Phone Call)**

**Respondents who have not started the spreadsheet.**

*Hello, this is [name] from the National Center for State Courts. I am calling to check if you received our previous outreaches regarding the Census of State Courts. The Bureau of Justice Statistics, along with NCSC, are creating a census of all state and local courts to enhance our understanding of state courts. We'd like confirmation on the courts in [your state]. Would you be able to verify a list of courts that we have gathered from public sources?*

*If yes, say "Would you please verify the list in [state]? We will [re]send the email with a link to the online courts list to [contact's email]".*

*If no, say "If you are not the person, do you have a good point of contact that can assist us? What is the best email address or phone number to reach them?".*

**Respondents who have started the spreadsheet but not yet submitted.**

*Hello, this is [name] from the National Center for State Courts. I am calling regarding the Census of State Courts. The Bureau of Justice Statistics, along with NCSC, are creating a census of all state and local courts to enhance our understanding of state courts. We noticed that you started revisions to the courts list for [state] but have not sent an email stating you are done. Have you completed your review of the courts list?*

*If yes, say "Thank you for letting us know. We will mark your list as complete".*

*If no, say "Is there anything that we can do to assist you?".*



**Protection of Human Subjects  
Policies and Procedures**

**Appendix H**

**Determination of Need  
and  
Request for IRB Review**





## NCSC Human Subject Protection Guidance

### Determination of Need and Request for IRB Review

Project Title: Census of State Courts (CSC)

Sponsor: Bureau of Justice Statistics (BJS)

Period of Performance: 01/01/2023-09/30/2025

Principal Investigator: Nicole Waters, PhD

#### Checklist of Materials for Review:

- Completed request for IRB review
- Privacy certificate, if appropriate
- Informed consent form, if appropriate
- Proposal abstract and statement of tasks
- Complete research proposal, if full board review anticipated

### SECTION I

1. Is the activity a systematic investigation designed to develop or contribute to generalized knowledge?
  - Yes – Activity is research. Continue with Question 2
  - No – Activity is not research and IRB Review is not required
  
2. Does the research involve obtaining information about living individuals?
  - Yes – Continue to Question 3
  - No – The research does not involve human subjects and IRB Review is not required
  
3. Does the research involve interventions or interactions with individuals or is the information individually identifiable and private requiring IRB review?
  - Yes – Activity is research involving human subjects

**Request for IRB Review**



## NCSC Human Subject Protection Guidance

### **Determination of Need and Request for IRB Review**

No – The research does not include human subjects and IRB review is not required



## NCSC Human Subject Protection Guidance

### **Determination of Need and Request for IRB Review**

#### **SECTION II: Project Summary**

1. Provide a brief summary of the project and how it involves human subjects.
2. Indicate the nature of risks (physical, psychological, social, economic, etc.) and the methods used to minimize risks.
3. If you are collecting primary (original) data, attach a detailed memorandum describing the research protocols and specific methods for mitigating risks and plans for disclosing risk via an informed consent (if appropriate).

#### **SECTION III: Determination of Need for NCSC IRB Review**

1. Will this project collect *primary* data involving a special or sensitive population group such as minors/juveniles; persons with diminished mental capacities; prisoners; abuse victims; or individuals whose linguistic skills, education, or economic status might increase their vulnerability as subjects?  
 Yes – skip to [Recommended Action](#), check E  
 No – continue with Question 2

Certain populations are particularly vulnerable insofar as they may lack the cognitive or developmental ability to give informed consent to certain risks. Additional precautions may be necessary to ensure that those individuals understand the risks of participating in a research project. *Primary* research involving these special populations is always subject to a full IRB review. *Be sensitive to situations in which some, but not all subjects may be from a special population.* Even secondary research involving such populations should receive a higher standard of scrutiny.

**Request for IRB Review**



## NCSC Human Subject Protection Guidance

### **Determination of Need and Request for IRB Review**

2. Are all data regarding human subjects derived from records that are *publicly* available?

- Yes – skip to [Recommended Action](#), check B  
 No – continue with Question 3

Research involving public documents is usually exempt. Information contained in court files is generally open to the public, but some information may be deemed confidential by court rule, statute, or a specific court order. Collection of sealed information may be subject to IRB review. Mixed data (public and private<sup>1</sup>) may also require IRB review. Be aware of potentially sensitive<sup>2</sup> information.

3. Will the data be linked by identifiers to the individuals from whom it is obtained (e.g., by name, address, case number)?

- Yes – continue with Question 4  
 No – skip to [Recommended Action](#) check B

In the absence of identifiers linking data to specific individuals, the principal and most common concern to subjects in NCSC research—a breach of confidentiality—is minimal. *Barring the involvement of subjects from a sensitive class*, the project should be exempt. An expedited review *might* be appropriate depending on the existence of other risks and the magnitude of potential harm.

4. Are the data collected only from elected or appointed public officials concerning their professional duties?

- Yes – skip to [Recommended Action](#), check B  
 No – continue with Question 5

Surveys of judges, legislators, and other public officials are generally exempt, *provided* that the survey questions pertain to their official duties and responsibilities.

5. Does data collection consist of the following types of interactions with human subjects: survey procedures, interview procedures, or observations of public behavior?

- Yes – skip to [Recommended Action](#), check B  
 No – continue with Question 6

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<sup>1</sup> “Private” data include data on behaviors or on records that an individual could reasonably expect would not be observed or made public (i.e., school records, welfare records, juvenile court records, medical records).

<sup>2</sup> “Sensitive” data include data that if made public could cause physical, mental, emotional, economic, or other harm to an individual (i.e., sexual activity, illegal behavior, family relations, substance abuse).



## NCSC Human Subject Protection Guidance

### Determination of Need and Request for IRB Review

Certain research methods, especially survey procedures, interview procedures, and observations of public behavior generally involve only minimal risk to individuals. Such activities are usually exempt *unless* information is recorded in such a manner that subjects can be identified *and* any disclosure of subjects' responses could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation.

6. Does this research involve more than minimal risk to human subjects?

- Yes – see [Recommended Action](#), check D  
 No – see [Recommended Action](#), check C

“Minimal risk” means that the probability *and* magnitude of harm or discomfort anticipated are not greater than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.

#### SECTION IV: Recommended Action

- A. No further review regarding human subjects is required. There are no living human subjects involved or the study poses little or no risk to any subjects.
- B. Research probably qualifies for an exemption.
- C. Research should undergo an expedited review by an IRB. The risk of harm to human subjects is minimal.
- D. Research should undergo a full IRB review. The risk to human subjects is more than minimal.**
- E. Research should undergo a full IRB review. Human subjects are involved in the research and it involves a special population.**

Note: If either D or E is checked, the project task plan and budget should contain sufficient time and funds to support the IRB review (e.g., preparation of briefing paper for IRB members, presentation to IRB, and periodic reviews of project compliance with IRB requirements.)



NCSC Human Subject Protection Guidance

**Determination of Need and Request for IRB Review**

**SECTION V: Final Determination**

Based on the research protocol and design focus and the anticipated involvement of living individuals in this research effort, I submit the following recommended determination to the IRB Chair.

EXEMPT  This research is exempt from the government requirement for an IRB review.

EXPEDITE  Human subjects are involved in the research but the risk of harm to these individuals is minimal. This research project should undergo an expedited review by the IRB. The IRB must be notified when significant changes occur in design. The project will be included in the IRB’s annual review.

REVIEW  Human subjects are involved in the research and the risk is more than minimal. The research project should undergo a full IRB review. The IRB must be notified when significant changes occur in design. The project will be included in the IRB’s annual review.

Principal Investigator: Nick Waters  
(Signature)

Date: 9/22/2023

*This section to be completed by IRB Chair:*

I recommend the following review status, to be approved by the IRB.

EXEMPT       EXPEDITE       FULL BOARD REVIEW

IRB Chair: Amy M. M.  
(Signature)

Date: 10-25-2023

## **Proposal Abstract**

The purpose of the Census of State Courts (CSC) is to compile a comprehensive list of all courts operating in the United States and to collect pertinent information regarding the staffing, administrative operations, and jurisdictional purview of those courts. The information contained with the State Court Organization (SCO), and its state court structure charts, together create a critical resource to inform consumers of court data and the public about state courts.

The primary activities of this project include consultation of a panel of subject matter experts to develop, test, and implement an electronic data collection tool and field the CSC to create a resource on how state courts are organized and administered. This project entails verifying, cleaning, and analyzing the data for dissemination to the public.

To accomplish these goals, NCSC will partner with the Conference of State Court Administrators (COSCA) and the National Association for Court Management (NACM). This collaboration will ensure more accurate data and increase participation in the CSC. Members of these associations will also serve as subject matter experts in the development and refinement of the electronic data collection tool.

The expected outcome of this project includes a comprehensive list of limited and general jurisdiction trial courts and appellate courts along with relevant information about the staffing and cases under state courts' jurisdiction. This project will also produce an updated frame of all state courts which can be used to better understand state courts. The information collected for the CSC will benefit judges, court administrators, federal and state policymakers, researchers, journalists, and the public and result in useful insights that inform policy, budgetary, and court management decisions about state courts.

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**HUMAN SUBJECTS PROTECTION**  
**CERTIFICATION OF COMPLIANCE**

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[National Center for State Courts](#)

\_\_\_\_\_  
Name of Organization

\_\_\_\_\_  
Vendor Number

[Census of State Courts](#)

\_\_\_\_\_  
Title of Project (if multiple projects are proposed, one form must be completed for each project)

\_\_\_\_\_  
Application Number (to be completed by BJS)

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**I. IS THE PROJECT "RESEARCH?"**

Is the research project a systematic investigation designed to develop or contribute to generalizable knowledge?

Check "No" if the project is not designed to contribute to generalizable knowledge. Examples of projects that do not contribute to generalizable knowledge may include; operational activities such as program monitoring, projects designed for internal agency use, projects that do not produce public documents, and the development of agency websites.

No - The project does not contribute to generalizable knowledge; therefore, is not considered "research" for the purposes of federal human subjects protection. Skip to Section III and check (B).

Yes - The project contributes to generalizable knowledge; therefore, it is considered "research" for the purposes of federal human subjects protection. Continue to Section II.



**II. DOES THE PROJECT INVOLVE HUMAN SUBJECTS?**

Will the researcher obtain any information about a living person by communicating with that person?

Yes - Human subjects are involved. Continue to Section III and check (A).

No - Continue to the next question.

Will the researcher obtain identifiable private information (i.e., information not publicly available) about a living person?

"Identifiable information" is information where the identity of the subject may be readily ascertained. Information is "private" if the individual has a reasonable expectation that it will not be made public.

If the researcher is seeking information about a living individual that is publicly available, either from public or commercial sources, check "No." If the researcher is seeking private information about a living individual and no personal identifiers are obtained by the researcher at any point in the project, check "No."

The source of the information is irrelevant for the purposes of this question. Check "Yes" if the researcher will obtain personally identifiable private information about a living person:

- ▶ from records about the person (e.g., criminal history records, arrest records, court records),
- ▶ from third parties,
- ▶ from files, or
- ▶ from any other source.

Yes - Human subjects are involved. Continue to Section III and check (A).

No - Human subjects are not involved. Continue to Section III and check (C).

**III. DO FEDERAL HUMAN SUBJECTS PROTECTIONS APPLY?**

A. Federal human subjects protections apply. IRB review of this project is required. An IRB must determine whether full or expedited review is warranted, or determine which exemptions apply, if any (28 CFR Part 46). Documentation from an IRB is required before human subject-related research can begin.

B. This project is not considered "research" for the purposes of federal human subjects protection. No IRB review is required.

C. There are no "human subjects" involved in the research project as that term is defined by federal regulations. No IRB review is required.

**CERTIFICATION TO BE COMPLETED BY THE APPLICANT:**

I certify that, to the best of my knowledge and belief, all of the information provided above is true, complete, and made in good faith.

Pamela Casey  
Signature of Person Authorized to Certify

7/5/22  
Date

Vice President, Research Division  
Title of Person Authorized to Certify

757-259-1508  
Phone number

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**TO BE COMPLETED BY BJS**

**CLEARANCE BY THE BJS HUMAN SUBJECTS PROTECTION OFFICER:**

I have reviewed the Human Subjects Protection Certification of Compliance. Based on the representations made in this document by the applicant and the materials submitted as part of the grant application, the research project meets the federal requirements for human subjects protections found at 28 CFR Part 46.

\_\_\_\_\_  
Signature of the BJS Human Subjects Protection Officer

\_\_\_\_\_  
Date

IRB documentation is:    \_\_\_ included in application    \_\_\_ forthcoming    \_\_\_ not needed

Notes:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **BUREAU OF JUSTICE STATISTICS (BJS) MODEL PRIVACY CERTIFICATE**

U.S. Department of Justice regulations at 28 CFR §22.23 require that a Privacy Certificate be submitted as part of any application for a project in which information identifiable to a private person will be collected for research or statistical purposes. The following summarizes the requirements of 28 CFR Part 22 and may be used as a guide to complete the Privacy Certificate.

1. Data identifiable to a private person will not be used or revealed unless it is research or statistical information being used for research and statistical purposes.
2. Identifiable data will be used or revealed only on a need-to-know basis to (a) officers, employees, and subcontractors of the recipient of assistance; and (b) persons and organizations receiving transfers of information for research and statistical purposes only if an information transfer agreement is entered into in which the recipient is bound to use the information only for research and statistical purposes and to take adequate administrative and physical precautions to ensure the confidentiality of the information.
3. Employees with access to data on a need-to-know basis will be advised in writing of the confidentiality requirements and must agree in writing to abide by these requirements.
4. Subrecipients requiring access to identifiable data will only do so in accordance with an information transfer agreement which states that the confidentiality of the data must be maintained and that the information may only be used for research or statistical purposes.
5. Private persons from whom identifiable data are obtained or collected will be advised that the data will only be used for research and statistical purposes and that compliance with requests for information is not mandatory. That is, participation in the research is voluntary and may be withdrawn at any time. *Please note: If the notification requirement is to be waived, an explanation must be contained within or attached to the Privacy Certificate.*
6. Adequate precautions will be taken to ensure the administrative and physical security of the identifiable data.
7. A log indicating that identifiable data has been transferred to persons other than those in BJS or other OJP bureaus or to grantee, contractor, or subcontractor staff will be maintained and will indicate whether the data has been returned or if there is an alternative arrangement for the future maintenance of such data.
8. Project plans will be designed to preserve the anonymity of persons to whom the information relates, including where appropriate, name-stripping, coding of data, or other similar procedures.
9. Project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person.
10. Upon completion of the project, the security of research or statistical information will be protected by either:
  - a. the complete physical destruction of all copies of the materials or the identifiable portions of the materials after a three year required recipient retention period or as soon as authorized by law; or
  - b. the removal of identifiers from the data and separate maintenance of a name-code index in a secure location. *Please note: If you choose to keep a name-code index, you must maintain procedures to secure such an index.*

## PRIVACY CERTIFICATE

Organization Name: National Center for State Courts Vendor Number: \_\_\_\_\_

Project Title: Census of State Courts

Application Number: \_\_\_\_\_

### I. Brief description of project:

The purpose of the Census of State Courts (CSC) is to compile a comprehensive list of all courts operating in the United States and to collect pertinent information regarding the staffing, administrative operations, and purview of those courts.

### II. Procedures to notify subjects, as required by 28 CFR §22.23(b)(4) or an explanation if notification is to be waived, pursuant to 28 CFR §22.27(c):

All information collected for this project comes from public records or publicly available information regarding institutions and their functions. This project will not be requesting any personally identifying information other than contact information for the data providers and these will be work emails/phone numbers/ mailing addresses.

### III. Procedures developed to preserve the anonymity of private persons to whom information relates, as required by 28 CFR §22.23(b)(7):

This project is not requesting any private persons' information.

### IV. Procedures for data collection and storage, as required by 28 CFR §22.23(b)(5):

This project is not requesting any private persons' information.

### V. Procedures for the final disposition of data, as required by 28 CFR §22.23(c) and §22.25:

This project is not requesting any private persons' information.

### VI. List of individuals having access to data, as required by 28 CFR 22.23(b)(2):

Principal Investigator(s)

\_\_\_\_\_  
\_\_\_\_\_

Project staff

\_\_\_\_\_  
\_\_\_\_\_

Information technology personnel

\_\_\_\_\_  
\_\_\_\_\_

Subcontractors or consultants

\_\_\_\_\_  
\_\_\_\_\_

Additional lines may be added, as needed. Staff signatures are required in the next section.

Grantee<sup>1</sup> certifies that --

- *data identifiable to a private person*<sup>2</sup> will not be used or revealed, except as authorized under 28 CFR Part 22, Sections 22.21 & 22.22.
- access to the data will be limited to those employees having a need for such data and that such employees shall be advised of and agree in writing to comply with the regulations in 28 CFR Part 22.
- all contractors, subcontractors, and consultants requiring access to identifiable data will agree, through conditions in their subcontract or consultant agreement, to comply with the requirements of 28 CFR §22.24 regarding information transfer agreements and that the Bureau of Justice Statistics (BJS) will be provided copies of all transfer agreements before they are executed as well as the name and title of the individuals with the authority to transfer data.
- if applicable, a log will be maintained indicating that (1) identifiable data have been transferred to persons other than employees of BJS and other Office of Justice Programs bureaus and offices, or grantee/contractor/subcontractor staff; and (2) such data have been returned or that alternative arrangements have been agreed upon for future maintenance of such data, in accordance with 28 CFR §22.23(b)(6).
- any private person from whom identifiable information is collected or obtained shall be notified, in accordance with 28 CFR §22.27, that such data will only be used or revealed for research or statistical purposes and that compliance with the request for information is not mandatory.
- project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person, except as authorized by 28 CFR §22.22.
- adequate precautions will be taken to ensure administrative and physical security of identifiable data and to preserve the confidentiality of the personally identifiable information.
- all project personnel, including subcontractors, have been advised of and have agreed, in writing, to comply with all procedures to ensure the confidentiality of data identifiable to a private person.
- the procedures are accurately described above and will be adhered to by project staff, as well as subcontractors and BJS shall be notified of any material change in any of the information provided in this Privacy Certificate.

All project staff, including information technology personnel, subcontractors, and/or consultants, with access to identifiable data in conjunction with the BJS-funded activities are required to sign this Privacy Certificate to affirm their understanding of and agreement to comply with the terms of access and privacy requirements.

The grantee is responsible for maintaining an updated staffing list of individuals with access to identifiable data and for submitting a current list to BJS with its semi-annual progress reports. All individuals who are granted access to identifiable data during the project period are required to sign a Privacy Certificate. The grantee must retain copies of all signed Privacy Certificates as an auditable requirement, and should be prepared to submit them to BJS upon request.

**Signature(s):**

Principal Investigator  Date 7.1.2022

Institutional Representative Pamela Casey Date 7/5/22

Other project staff, including information technology personnel, subcontractors, and/or consultants, with access to identifiable data:

Name and title \_\_\_\_\_ Date \_\_\_\_\_

Name and title \_\_\_\_\_ Date \_\_\_\_\_

Name and title \_\_\_\_\_ Date \_\_\_\_\_

Name and title \_\_\_\_\_ Date \_\_\_\_\_

Name and title \_\_\_\_\_ Date \_\_\_\_\_

Name and title \_\_\_\_\_ Date \_\_\_\_\_

Additional signature lines may be added, as needed.

\_\_\_\_\_

<sup>1</sup> The term "grantee" refers to all recipients of federal funds awarded by the Bureau of Justice Statistics.

<sup>2</sup> *Information identifiable to a private person* is defined in 28 CFR §22.2(e) as "Information which either (1) Is labelled by name or other personal identifiers, or (2) Can, by virtue of sample size or other factors, be reasonably interpreted as referring to a particular private person."

**Updated: July 17, 2017**