

Implementation of Administrative Order 2008-68, Notice to Affected Persons in the Event of Breach or Loss of Unencrypted Computer Data

Guidance for creating a local court policy applicable to local automation systems and locally stored data

Responsible Role	Action Required by Policy	Timeframe/Qualifier
Court, clerk, or probation employee who first learns of the actual loss or data breach or potential breach	Notify immediate supervisor and provide details of loss or breach	Immediately upon discovery
Immediate supervisor of employee reporting actual loss or data breach or potential breach	<ol style="list-style-type: none"> 1. Notify local Clerk of Court and Court Administrator, and 2. Notify Clerk of Court and Court Administrator of any other court whose data may likely have been lost or compromised. 	Without delay
Court Administrator or Clerk of Court responsible for the data impacted by the loss or breach	<ol style="list-style-type: none"> 1. Verify whether a breach or loss has occurred and scope of damage, 2. Notify Presiding Judge, 3. Notify Karl Heckart at AOC ITD (602-452-3350), and Dave Byers, Administrative Director of the AOC (602-452-3307), by phone or high priority e-mail, and 4. Notify applicable local law enforcement agency. 	Within 24 hours
Law enforcement	Advise local Court Administrator, Clerk of Court and Presiding Judge whether notification to affected persons would negatively impact criminal investigation.	As scope of loss is determined
Court Administrator or Clerk of Court responsible for the data impacted by the loss or breach	Draft communication to affected persons using content of sample letters attached to AO 2008-68 as guideline.	As soon as possible, once extent of loss or breach is clearly understood and law enforcement advises investigation won't be affected
Court Administrator or Clerk of Court responsible for the data impacted by the loss or breach	Mail notification to affected parties if < 100,000 people affected or cost of notification is < \$50,000.00 OR Provide details to AOC Executive Office if >100,000 people affected or cost is >\$50,000	As soon as possible
AOC Executive Office	<ol style="list-style-type: none"> 1. Notify State Information Security & Privacy Office at GITA, and 2. Communicate notice using statewide mass media outlets. 	Without delay