

## **8.1 Personal Privacy Protection**

Except as to documents in social security proceedings, pursuant to General Order 22 §§ 11.1 and 11.2, parties shall refrain from including, or shall redact where inclusion is necessary, the following personal identifiers from all filings with the Court, including exhibits thereto, whether filed electronically or in paper form, unless the Court orders otherwise.

1. **Social security numbers.** If an individual's social security number must be included in a document, use only the last four digits of that number.
2. **Names of minor children.** If the involvement of a minor child must be mentioned, use only the initials of that child.
3. **Dates of birth.** If an individual's date of birth must be included in a document, use only the year.
4. **Financial account numbers.** If financial account numbers are relevant, use only the last four digits of those numbers.
5. **Home Addresses.** If a home address must be used, use only the City and State.
6. **Names of Sexual Assault Victims.** If the involvement of a sexual assault victim must be mentioned, use only information that does not tend to identify the victim(s) of sexual assault in habeas corpus proceedings.

In addition, caution shall be exercised when filing documents that contain the following:

1. personal identifying number, such as a driver's license number;
2. medical records, treatment and diagnosis;
3. employment history;
4. individual financial information; and
5. proprietary or trade secret information.

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers listed above may:

1. file an unredacted version of the document under seal, or
2. file a reference list under seal. The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) used in its (their) place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete personal data identifier. The reference list must be filed under seal and may be amended as of right.

Counsel is strongly urged to discuss this issue with all their clients so that they can make

an informed decision about the inclusion of certain information. The responsibility for redacting these personal identifiers **rests solely with counsel and the parties.** The Clerk will not review each filing for compliance with this Rule. Counsel and the parties are cautioned that failure to redact these personal identifiers may subject them to the Court's full disciplinary power.

**Exception:** Transcripts of the administrative record in social security proceedings are exempt from this requirement. State court records and other documents filed in habeas corpus proceedings are exempt from this requirement except for proceedings that involve victims of sex crimes. In habeas corpus cases involving sex crimes, the parties must redact the record and supporting papers, or may move to seal, if appropriate.