

NOTICE OF ELECTRONIC AVAILABILITY OF CASE FILE INFORMATION

Amended to Comply with the August 2, 2004
Amendments to the E-Government Act of 2002

The Office of the Clerk now images pleadings for posting to WebPACER through the court's Internet website. Any subscriber to WebPACER can read, download, store and print the full content of imaged documents. The Clerk's Office does not image or post documents sealed or otherwise restricted by court order.

In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, the Court has directed that parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all pleadings filed with the court, including exhibits thereto unless otherwise order by the Court.

- a. **Social Security numbers:** If an individual's Social Security number must be included in a pleading, only the last four digits of that number should be used.
- b. **Names of minor children:** If the involvement of a minor child must be mentioned, only the initials of that child should be used.
- c. **Dates of birth:** If an individual's date of birth must be included in a pleading, only the year should be used.
- d. **Financial account numbers:** If financial account numbers are relevant, only the last four digits of these numbers should be used.

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

- (a) file an unredacted version of the document under seal, OR
- (b) file a reference list under seal. The reference list shall contain the complete 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.

The unredacted version of the document or the reference list shall be retained by the court as part of the record. The court may, however, still require the party to file a redacted copy for the public file.

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Clerk will not review each pleading for compliance with this rule.

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

- 1) Personal identifying number, such as driver's license number;
- 2) Medical records, treatment and diagnosis;
- 3) Employment history;
- 4) Individual financial information; and
- 5) Proprietary or trade secret information.

Counsel is strongly urged to share this notice with all clients so that an informed decision about the inclusion of certain materials may be made.

October 15, 2004

LORETTA G. WHYTE, Clerk