

Implementation of Judicial Conference Policy on Privacy and Public Access to Electronic Case Files for Bankruptcy Cases Effective December 1, 2003

In September 2001, the Judicial Conference of the United States adopted a policy regarding privacy and public access to electronic case files (the privacy policy). While this policy was adopted in 2001, amendments to the Bankruptcy Code, Rules and corresponding forms, barring Congressional action, will be effective December 1, 2003, and a new Official Form 21, entitled Statement of Social Security Number, has been created.

Attention ECF users. Compliance has already been addressed by many bankruptcy software providers. Please contact them to ensure you have the current updated version that will automatically redact the SSN information from your petition and schedules when it is uploaded into the court's system.

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, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents and pleadings filed with the court, including exhibits thereto, whether filed electronically or in paper.

- 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 addition, exercise caution when filing documents that contain the following:

- 1) any 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. If a redacted document is filed, it is the sole responsibility of counsel and the parties to be sure that all documents and pleadings comply with the rules of this court requiring redaction of personal identifiers. **The clerk will not review each pleading for redaction.**