

**UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF NEW YORK**

**NOTICE
Amended March 27, 2008**

Effective **January 1, 2004**, the Office of the Clerk will accept electronically-filed documents and will make the content of those documents available on the Court's Internet webpage via PACER (Public Access to Court Electronic Records). Any subscriber to PACER will be able to read, download, store and print the full contents of the electronically-filed documents. The Clerk's Office is not posting documents sealed or otherwise restricted by court order (*See also General Order #22*).

You should not include sensitive information in any document filed with the Court unless such inclusion is necessary and relevant to the case. You must remember that any personal information not otherwise protected will be made available over the Internet via PACER. If sensitive information must be included, the following personal identifiers must be partially redacted from the document, pursuant to Federal Rule of Civil Procedure 5.2(a) and Federal Rule of Criminal Procedure 49.1(a), whether it is filed traditionally or electronically:

- ✓ **Social Security Numbers.** If an individual's social security number must be included in a document, only the last four digits of that number should be used.
- ✓ **Names of Minor Children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used.
- ✓ **Dates of Birth.** If an individual's date of birth must be included in a document, only the year should be used.
- ✓ **Financial Account Numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used.

Additional personal data identifier in a criminal case document only:

- ✓ **Home Addresses (Criminal Cases Only).** If home addresses must be used, use only the City and State.

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

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

- ◆ personal identifying number, such as a driver's license number
- ◆ medical records, treatment and diagnosis
- ◆ employment history
- ◆ individual financial information
- ◆ proprietary or trade secret information
- ◆ information regarding an individual's cooperation with the government

Counsel is strongly urged to share this notice with all clients so that an informed decision about the inclusion, redaction and/or exclusion of certain materials may be made. It is the sole responsibility of counsel and the parties to be sure that all documents comply with the rules of this Court requiring redaction of personal identifiers. The Clerk will not review each document for compliance with this rule. (*See also NDNY Local Civil Rule 8.1 and Criminal Rule 12.1(g)*)

*****The NDNY Local Rules, will be updated January 1, 2009 to reflect the above update*****