Redactions

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Redactions

Introduction

This document provides information and procedures for e-filers regarding redactions and motions to redact.

Redaction basics

What should be redacted

FRBP 9037

Per FRBP 9037, redaction is the responsibility of parties and should occur prior to filing. Under this rule, the following information should be redacted from court filings to the extent indicated:

| Information | Documents should show only |
|--------------------------------|----------------------------|
| Social security number (SSN) | Last four digits |
| Taxpayer-identification number | Last four digits |
| Financial account number | Last four digits |
| Date of birth | Year only |
| Name of minor | Initials only |

Medical records

Although not specifically protected by a bankruptcy rule, medical records may also generally be redacted from filings.

Motions to redact

Although redaction should occur before filing, if a document is filed without appropriate redactions, the filer should file a motion to redact (see the <u>Filing Procedures</u> section below for filing instructions) along with a properly redacted copy of the document at issue. Do not submit a proposed order. The court will enter a text-only order on the motion.

If a party is concerned about unredacted information filed by another party, that party should contact the court. The court will restrict access to the document and enter an appropriate order. Click here for contact information.

Privacy

Public access to the unredacted document will be restricted while the court considers the motion. The redacted version filed along with the motion will be publicly available. If the court denies the motion to redact, the original, unredacted document will become public.

Filing fees

There is a filing fee for motions to redact. <u>Click here</u> to see current fee amount.

However, if the motion needs to be refiled for some reason, the motion may be refiled with no fee using the motion to redact event. This is done by selecting "This filing supersedes a previously filed motion to redact" while filing the motion to redact (see Step 6 of the <u>Filing Procedures</u> section below).

Redact vs. seal

For motions to file an entire document under seal (for example, a document containing trade secrets) rather than protecting to discrete bits of information (for example, an SSN), see separate <u>Seal Documents</u> procedures.

Motion to Redact Filing Procedures

Before beginning the filing process, save a redacted copy of the document at issue to file as an attachment.

| Steps | Action | |
|-------|--|--|
| 1 | Click on Bankruptcy or Adversary on the CM/ECF main menu bar | |
| 2 | Select Motions/Applications (or Motions for adversary proceedings) | |
| 3 | Enter case number in format yy-xxxxx (or yy-xxxx for adversary proceedings) | |
| 4 | Select Redact | |
| 5 | Review instructional message and proceed | |
| 6 | Select whether this is the original motion to redact or is a refiled motion | |
| | If "This filing supersedes a previously filed motion to redact" is selected, proceed directly to Step 8 (this option allow for refiling without fee for deficient motions) | |
| 7 | Review filing fee amount and proceed | |
| 8 | Select whether the motion relates to a proof of claim | |

| 9 | Select claim or other document to which the motion relates | | |
|----|--|---|--|
| | Proof of claim | Other document | |
| | Click "Next | Select document type or click first item on | |
| | | list below then and hold the Shift key, and | |
| | | click the last item to see all | |
| | Click claim ("Claim Selected" field | Check box for document to which the | |
| | will populate) | motion relates | |
| 10 | Select whether filing includes an affidavit, declaration, certification, brief or memorandum | | |
| 11 | Click "Browse" to attach motion in PDF format | | |
| | Select "Yes" radio button to attach redacted document | | |
| 12 | Click "Browse" to select redacted document in PDF form | | |
| | Add "Redacted [docket text of original document without previous filing or | | |
| | modification information] | | |
| | • Click "Add to List" button (document will appear in list box) | | |
| 13 | Edit docket text if necessary | | |
| 14 | Review docket text and submit | | |

Motion to Redact Filing Procedures with Screenshots







