

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**NOTICE REGARDING PRIVACY AND PUBLIC
ACCESS TO ELECTRONIC CRIMINAL CASE FILES**

The United States District Court for the District of Columbia is an electronic case management court (CM/ECF) and will be accepting electronically filed criminal pleadings and making the content of these pleadings available on the court's Internet website in the near future. Any subscriber to PACER will be able to read, download, store and print the full content of electronically filed documents from the Court's CM/ECF Internet Web Site.

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

- 1) **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.
- 2) **Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used.
- 3) **Dates of Birth.** If an individual's date of birth must be included in a pleading, only the year should be used.
- 4) **Financial Account Information.** If financial account numbers are relevant, only the last four digits of these numbers should be used.
- 5) **Home Address of an individual.** If home address is in the pleading, only use city and state.

In compliance with the E-Government Act of 2002, as amended in August 2004, 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. This document shall be retained by the court as part of the record. 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 identifier. The reference list must be filed under seal, and may be amended as a matter of right. It shall be retained by the court as part of the record.

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.

Exercise caution when filing documents that contain the following information and consider accompanying such filings with a motion to seal.:

1. any personal identifying number, such as a driver's license number;
2. medical records, treatment and diagnosis;
3. employment history;
4. individual financial information;
5. proprietary or trade secret information;
6. information regarding an individual's cooperation with the government;
7. information regarding the victim of any criminal activity;
8. national security information; and
9. sensitive security information as described in 49 U.S.C. Section 114(s).

The following documents shall not be included in the public case file and should not be made available to the public at the courthouse or via remote electronic access:

- Unexecuted summons or warrants of any kind (e.g. search warrants, arrest warrants);
- pretrial bail or presentence investigation reports;
- statement of reasons in the judgment of conviction;
- juvenile records;
- documents containing identifying information about jurors or potential jurors;
- financial affidavits filed in seeking representation pursuant to the Criminal Justice Act;
- ex parte request for authorization of investigative, expert or other services pursuant to the Criminal Justice Act;
- sealed documents (e.g. motions for downward departure for substantial assistance, plea agreements indicating cooperation)

If the Court seals a document after it has already been included in the public file, the Clerk shall restrict viewing of the document from both the electronic and paper files as soon as the order sealing the document is entered.

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