Bankruptcy Local Rule 9037-1

PRIVACY PROTECTION FOR FILINGS
MADE WITH THE COURT

(a) It is the sole responsibility of counsel and the parties to be sure that the redaction of personal identifiers pursuant to Fed. R. Bankr. P. 9037 is completed. The clerk will not review filings for redaction.

(b) A party wishing to file a document containing the personal data identifiers listed in Fed. R. Bankr. P. 9037 may file an unredacted document under seal only if the party believes maintenance of the unredacted material in the court record is critical to the case. The document must contain the following heading in the document, “SEALED DOCUMENT PURSUANT TO FED. R. BANKR. P. 9037". This document shall be retained by the court as part of the record until further order of the court. The party must also electronically file a redacted copy of this document for the official record.

Related Authority:
Fed. R. Bankr. P. 9037

Advisory Committee Notes:

The Judicial Conference policy on redaction of personal identifiers listed in Fed. R. Bankr. P. 9037, also requires Counsel to redact information contained in transcripts filed with the Court. Counsel should follow the transcript redaction procedures outlined on the Court’s web site.
http://www.id.uscourts.gov/CourtReporter/Transcripts.pdf.

In addition to the privacy items listed in Fed. R. Bankr. P. 9037, the Judicial Conference policy requires that the court not provide public access to the following documents: juvenile records; ex parte requests for expert or investigative services at court expense; and sealed documents.

Counsel should exercise caution when filing documents that contain the following:

(1) Personal identification number, such as 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. § 114(s).

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