

Notice of Implementation of Privacy Policy Rules Amendments and Changes to Official Bankruptcy Forms

Effective December 1, 2003, amendments to Bankruptcy Rules 1005, 1007, and 2002, implementing the Policy on Privacy and Public Access to Electronic Case Files of the Judicial Conference of the United States will become effective. Along with those Rules changes the following Official Forms will be amended: 1, 3, 5, 6, 7, 8, 9, 10, 16A, 16C, and 19. Additionally new Form 21 has been created, and *must* be completed by the debtor and *submitted* to the Court upon the filing of any Petition. The form will be retained by the Court but will not be imaged, or otherwise made available electronically. All official forms will be available at the Court's website when they become available.

To access the full text of the rule and form amendments, except for the new Official Form 21, you may visit the Rules Committee website at <http://www.uscourts.gov/rules/index/html> and click on "Pending Rules Amendments Awaiting Final Action" and then select "Amendments Submitted to the Judicial Conference (Sept. 2002)." Official Form 21 is available at the same web address by clicking "Amendments Submitted to the Judicial Conference (Sept. 2003)."

The Office of the Clerk is now imaging pleadings for posting to WebPACER/RACER, through the court's Internet website. Any subscriber to WebPACER will be able to read, download, store and print the full content of imaged documents. The clerk's office is not imaging or posting documents sealed or otherwise restricted by court order. In the near future, we anticipate accepting electronically filed documents and pleadings which will be available in the same manner as imaged documents.

Additionally, in compliance with these policies and the E-Government Act of 2002 the Judicial Conference of the United States strongly urges you to follow the guidance below:

You should not include sensitive information in any document filed with the court unless such inclusion is required by the Federal Rules of Bankruptcy Procedure or Official Bankruptcy Forms or the inclusion is otherwise necessary and relevant to the case. You must remember that any personal information not otherwise protected will be made available over the Internet via WebPACER. If sensitive information must be included, the following personal data identifiers must be partially redacted from the pleading, unless specifically required by statute, Federal Rule of Bankruptcy Procedure or Official Bankruptcy Form, whether it is filed traditionally or electronically: Social Security numbers, financial account numbers, dates of birth and the names of minor children. In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above may file an unredacted document under seal. This document shall be retained by the court as part of the record. The court will, however, also require the party to file a redacted copy for the public file.

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 data identifiers.

The clerk will not review any pleading for redaction.