

U.S. District Court, Southern District of Florida
Q& A: Redaction Policy and Procedures
October 2012

1) Who is Responsible for Redacting Documents Filed with the Court?

Pursuant to the CM/ECF Administrative Procedures adopted in 2006, the filing party is responsible for excluding or redacting personal identifiers or otherwise sensitive information prior to filing documents with the Court. References to personal identifiers should be limited as follows: only use the last four digits of Social Security, tax payer identification, and financial account numbers; reference minor children using only their initials; reference dates of birth using only the year; and reference home addresses in criminal cases using only the city and state.

For additional information, see Fed.R.Civ.P.5.2 and Fed.R.Cr.P.49.1, “Privacy Protection for Filings Made with the Court”; and CM/ECF Administrative Procedures, Section 6, “Redaction of Personal Information, Privacy Policy”.

2) What if Documents with Sensitive or Personal Information are Filed in CM/ECF?

The agency, attorney, or pro se party should file a motion requesting that the document be sealed. The CM/ECF Help Desk can be reached at 1-888-318-2260.

3) Can Court Personnel Redact Documents Filed by Attorneys/Parties or Other Agencies?

No. Unless ordered by the Court, the Clerk’s Office and chambers personnel must not redact information contained in documents filed by attorneys, pro se parties, or related agencies. If Court personnel notice personal identifiers or other confidential information, they *may* (but are not required to do so) refer the filer to the applicable federal rules and inquire if the filer wants to redact the information or re-file the document.

4) What is the Recommended Method for Redacting Personal Identifiers?

The Court does not endorse any specific method for redacting personal identifiers; the responsibility for redacting personal identifiers rests solely with the parties or agencies filing documents with the Court. This applies to documents filed conventionally as well as documents filed electronically via CM/ECF.

Probably the most effective means is to (a) use opaque (100% impenetrable by light) tape/ paper to cover the information to be redacted; or (b) literally cut-out text to be redacted – from a copy, not the original – and shred the clippings.

Note: The protection of sensitive data can be compromised if improper redaction techniques are used in word processed and PDF documents. For example: (a) highlighting text in black or using a black box over the data in MS Word or Adobe will not protect the data from being able to be seen; and (b) changing the text color to white so it disappears against the white screen/paper is similarly ineffective.

As noted below there are commercially available software used to redact sensitive information from word processed documents and PDF documents. Additional information about redacting is available at <https://ecf.cand.uscourts.gov/cand/faq/tips/redacting.htm>.