Unredacted Social Security Numbers in Federal Court PACER Documents

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Summary

This study found 16,811 instances of unredacted Social Security numbers of 5,031 individuals appearing in 5,437 documents filed in federal district and bankruptcy courts in November 2013 and available through the Public Access to Court Electronic Records (PACER) service. The presence of Social Security numbers for approximately 75% (4,021) of these individuals appears to violate rules adopted by the Judicial Conference of the United States. Moreover, 314 of the unredacted Social Security numbers included one or more failed attempts at redaction in which the Social Security number appeared on the document to be obscured but the Social Security number itself remained accessible in the metadata of the document. Another 123 unredacted Social Security numbers appeared in Bankruptcy Form 21, which should not be filed with the court record.

This replication of a preliminary study in 2010 used more powerful search tools to examine the text of almost 4 million PACER documents filed in federal district and bankruptcy courts and found more instances of unredacted Social Security numbers than found in the previous study. These more powerful search techniques account for the apparent increase in incidence of unredacted Social Security numbers. In fact, after taking into account differences in the search techniques, it appears that the incidence of unredacted Social Security numbers in documents filed in bankruptcy courts has decreased by almost half since 2009.

Background

In response to the E-Government Act of 2002,[1] the Judicial Conference of the United States adopted rules effective on December 1, 2007, intended to protect private individual information in publically accessible electronic federal court records.[2] These rules require that certain personal information that fails to meet specific exemptions be redacted from documents filed with the federal courts. Such information includes Social Security and taxpayer identification numbers, names of minor children, financial account numbers, dates of birth, and, in criminal cases, home addresses.[3] The rules make clear that the responsibility for redaction of personal information rests with those who file documents with the courts and not the court clerks who accept the filings. The federal court electronic document filing system also was modified to display an enhanced message at login to remind attorneys of their obligation to redact private information from the documents that they file and to require attorneys to acknowledge this responsibility.[4]

In 2009, the Executive Committee of the Judicial Conference directed the Committee on Rules of Practice and Procedure to report on the operation of the privacy rules. The Committee's Privacy Subcommittee considered the findings of a preliminary 2010 empirical study by the Federal Judicial Center, conducted a miniconference at the Fordham School of Law, and reviewed surveys of judges, clerks of court, and assistant U.S. attorneys regarding their experiences with the operation of the privacy rules. While the Privacy Subcommittee found no general problems in the operation of the privacy rules, it recommended that "[t]o ensure continued effective implementation, every other year the FJC should undertake a

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1. Pub. L. 107-347, § 205(c) (3) (requiring the federal judiciary to formulate rules "to protect the privacy and security concerns relating to electronic filing of documents").

2. More specifically, the Judicial Conference adopted amendments to Appellate Rule 25 and adopted new Bankruptcy Rule 9037, Civil Rule 5.2, and Criminal Rule 49.1, each setting forth the requirements that those filing records with the federal court redact private information unless that information is exempt under the rules.

3. This study and the preliminary 2010 study focused only on the presence of unredacted Social Security numbers in federal court records. In the course of this study we also found, but did not record, instances of other protected information that remained unredacted.

4. The initial notice on electronic case filing reminding attorneys of their responsibility to redact personal information was developed in response to a recommendation of the Administrative Office Privacy Task Force in April 2009. The Judicial Conference, through its Privacy Subcommittee of the Rules Committee, further modified the message to provide links to the Federal Rules and to require the filing attorney to acknowledge this responsibility. Memorandum from Noel J. Augustyn, Assistant Director, Office of Court Administration, Administrative Office of the United States Courts, to Clerks of the United States Courts, Re: Enhanced Notice of Attorney Redaction Responsibility, July 23, 2009.

random review of court filings for unredacted personal identifier information." This report offers an overdue reassessment of implementation of those privacy protections.

The initial 2010 empirical study[5] found 2,899 federal court PACER documents with one or more unredacted Social Security numbers among the almost 10 million PACER documents filed in federal district and bankruptcy courts in a two-month period during 2009. Seventeen percent (491) of those documents appeared to qualify for an exemption from the redaction requirement under the relevant privacy rules, leaving 2,408 documents containing one or more unredacted Social Security numbers with no apparent basis for exemption under the rules. That initial report also noted that the search methodology employed was unable to detect Social Security numbers that might reside within nontext documents such as PDF documents stored as static images, and that the results likely underestimated the extent to which Social Security numbers and other private information appear in federal court documents.

This replication study differs from the initial 2010 study in three important ways. First, this study examined documents[6] filed in a one-month (November 2013) rather than two-month (November and December 2009) period. We believe that the filing practices were similar for those two months and do not attribute any differences in the findings of the two studies to reliance in this study on filings in a single month.

Second, this replication study identifies both the number of individuals whose unredacted Social Security numbers appeared, as well as the number of court documents containing such numbers. The 2010 study identified only the number of documents that included one or more unredacted Social Security numbers.

Third, and most importantly, this study also identified unredacted Social Security numbers appearing in documents initially filed as scanned images. Such documents were reprocessed by an optical character reader to transform the scanned images into searchable texts. The initial 2010 study identified only Social Security numbers in PACER documents that were originally filed in a text-searchable Social Security number format (i.e., 123-45-6789) without such repro-

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5. Memorandum from George Cort and Joe Cecil, Research Division, Federal Judicial Center, to the Privacy Subcommittee of the Judicial Conference Committee on Rules of Practice and Procedure, Social Security Numbers in Federal Court Documents (April 5, 2010).

6. We use the term "document" to refer to a single electronic document as identified in the federal courts' PACER system. Such a document is often composed of several individual submissions to the court, such as a motion and attached exhibits. Especially large filings may be broken into two or more PACER documents for easier access. This is especially common in bankruptcy filings.

cessing, thereby failing to detect Social Security numbers in documents that were filed as scanned images.[7] The specific research methods relied on in this study are set forth in Appendix A.

Although the Judicial Conference rules seek to protect a wide range of personal information in court records, we examined only the occurrence of unredacted Social Security numbers, as well as those financial account numbers that follow a Social Security number format. We did not attempt to identify the occurrence of unredacted names of minor children, financial account numbers in other formats, dates of birth, and home addresses in criminal cases, all of which are protected under the rules. However, we did notice instances of each of these types of unredacted protected information during our review of the documents.

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7. As noted in the original study, "The PERL program was unable to convert certain types of non-text documents, such as PDF documents stored as static images, and we were unable to detect Social Security numbers that might reside within such documents." (Page 2).

Findings

Tables 1 and 2 below present the findings of our effort to identify unredacted Social Security numbers in PACER documents filed in federal district and bankruptcy courts. As indicated in Table 1, we found 16,811 separate instances of unredacted Social Security numbers among the 3,900,841 PACER documents filed in November 2013. Closer examination revealed that these instances involved Social Security numbers for just over 5,000 different individuals, with some individual Social Security numbers appearing multiple times in one or more court documents. Individual Social Security numbers appear in district court documents (including both civil and criminal case documents) and in bankruptcy court documents in approximately equal numbers, 2,498 and 2,533, respectively. However, far more documents are filed in bankruptcy courts.[8] When we examined the first occurrence of an unredacted Social Security number in those documents where they were found, approximately 20% overall appeared to qualify for an exemption from the redaction requirement, with a somewhat higher rate of exemptions in documents filed in district courts.

Table 1: Unredacted Social Security Numbers (SSNs) in PACER Documents

	Total	District Courts	Bankruptcy Courts
Instances of SSNs	16,811	7,093	9,718
Unique Unredacted SSNs	5,031	2,498	2,533
• First Occurrence Exempt from Redaction	1,010	602	408
• First Occurrence Not Exempt from Redaction	4,021	1,896	2,125

As indicated in Table 2, these 16,811 instances are scattered across 5,437 PACER docu-ments. Some of these documents contained numerous instances of unredacted Social Security numbers. Such instances were more common in bankruptcy court documents, which differ from district court documents in that the

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8. We began our task by conducting electronic searches of all 2,725,788 bankruptcy court and 1,175,053 district court PACER documents filed in November 2013.

forms, exhibits, and attachments often include financial account numbers and other personal information for the bankruptcy filers, and occasionally for the creditors as well. A particular problem arises when the bankruptcy involves failure of a business enterprise and former employees are listed as individual creditors, sometimes with individual Social Security numbers appended along with other payroll information. In one such case we found over 2,000 instances of unredacted Social Security numbers of former employees (with some numbers appearing repeatedly) in a single bankruptcy court document. In another case hundreds of unredacted Social Security numbers appeared in a single document, comprising almost all of the unredacted Social Security numbers found in that bankruptcy court.

Table 2: PACER Documents Containing One or More Unredacted Social Security Numbers*

	Total	District Courts	Bankruptcy Courts
Including One or More Unredacted SSN(s)	5,437	2,345	3,092
Including One or More Likely Nonexempt Unredacted SSN(s)	2,974	1,634	1,340

* This measure counts individual PACER documents, which may comprise parts of a single large filing that is divided into several PACER documents to ease user access.

Unredacted Social Security numbers in district court civil and criminal documents tend to show up in exhibits, depositions, and interrogatories. In criminal cases, Social Security numbers often appear in judgment and sentencing orders. Social Security numbers in district court documents appear somewhat more likely to qualify for an exemption from the redaction requirement under the rules. In the end, approximately the same number of documents with nonexempt unredacted Social Security numbers appeared in both district court cases and bankruptcy cases (1,634 and 1,340 cases, respectively).

We noticed several odd patterns in court documents with unredacted Social Security numbers. At least 314 of the unredacted Social Security numbers represent a failed effort by the document filer to redact the number from the court document (52 SSNs in district court documents and 262 SSNs in bankruptcy

court documents). Such failed efforts included strikeovers, scratch-outs, black-outs, and use of word processing applications that remove sections of text. Despite these redaction efforts, our electronic text search program detected the full Social Security number. Of particular concern is the apparent use of word processing redaction techniques that retain the Social Security number in the metadata when the document is converted to PDF for filing in court. The full Social Security number reappears when the apparently redacted text is cut and pasted into a word processing document. As noted, such failed efforts to redact individual Social Security numbers can be especially harmful in bankruptcy records, where a single document may contain a lengthy list of individual creditors, such as the employees of a failed business enterprise. For example, we found 221 individual Social Security numbers in a single bankruptcy court document in which the Social Security number appears in the metadata of the document despite the filing party's effort to block out those numbers.

The 123 instances of unredacted Social Security numbers appearing on *Bankruptcy Form 21: Statement of Social Security Number or Individual Tax Identification Number* are a specific source of concern. This form requires the debtor to enter the unredacted Social Security number, but the form itself is not supposed to be filed as part of the court record. Yet, forms with unredacted Social Security numbers often are combined with numerous other documents into a single bankruptcy document filing.

We also made a preliminary assessment of the basis for an exemption from the redaction requirement based on information in the specific PACER document containing the Social Security number. Often we were not able to interpret the role of such a document in the larger context of the litigation, and may not have recognized the basis for an exemption when it was not apparent on the face of the document. For example, often we were unable to identify the party filing the document based on the document alone and were, therefore, sometimes unable to identify documents filed by some *pro se* litigants who might have waived the redaction requirement.

As indicated in Table 1 and presented in greater detail in Table 3 below, just over 1,000 of the unredacted unique Social Security numbers found in this study appear to qualify for an exemption from the redaction requirement under the privacy rules adopted by the Judicial Conference. The remaining 4,000 unredacted Social Security numbers, appearing in approximately 3,000 court documents (see Table 2), are in apparent violation of the privacy rules adopted by the Judicial Conference.

Table 3: Individual Social Security Numbers Likely Exempt from Redaction Requirement

Source	Total	District Court	Bankruptcy Court
All	1,010	602	408
Non-attorney Bankruptcy Preparer	357	1	356
Record of a State Court Proceeding	193	168	25
Criminal Investigation	118	118	0
Charging Document/Affidavit	86	86	0
Apparently Pro se	82	74	8
Arrest/Search Warrant	65	64	1
Administrative or Agency Proceeding	58	48	10
Court record filed before Dec. 2007	26	24	2
Order Regarding SS Benefits	20	18	2
Filing Attorney SSN	3	0	3
Forfeiture Property Account Number	1	1	0

The pattern of exemptions from the redaction requirement differs greatly between district court and bankruptcy documents. The most common exemption, accounting for more than a third of all exemptions, was the including of a Social Security number for a non-attorney bankruptcy petition preparer. This number is required by statute to appear on the bankruptcy document in unredacted form.[9]

The second most common exemption to the redaction requirement involved Social Security numbers appearing as part of a record of a state court proceeding. Such records often involved an earlier state court decision in a criminal case or a family law matter. We found numerous exempt unredacted Social Security numbers in criminal cases appearing in criminal investigation reports, arrest and search warrants, charging documents, and affidavits. We also found individual Social Security numbers in 82 documents that appear by the nature of the filing to be documents filed by *pro se* litigants. Such instances may be more accurately regarded as a waiver of the privacy protection by the *pro se* filer.

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9. 11 U.S.C. § 110.

Comparison with 2010 Study Findings

The previous 2010 study used different metrics and a different search methodology, making a comparison between the two studies somewhat difficult. Nevertheless, the greater incidence of unredacted Social Security numbers found in this study requires additional explanation.

The 2010 study searched almost 10 million PACER documents filed during a two-month period (November and December 2009) and found 2,899 individual PACER documents with one or more unredacted Social Security numbers. This study searched almost 4 million PACER documents filed during a one-month period (November 2013) and found 5,431 individual PACER documents with one or more unredacted Social Security numbers. While it may appear that the number of federal court PACER documents with unredacted Social Security numbers has increased since the 2010 study, in fact the greater number found in this study is due to the more thorough search methodology used. When the search methodology used in 2010 is used to examine 2013 PACER documents, the incidence of documents with one or more unredacted Social Security numbers appears to have decreased over time, especially in bankruptcy courts.

As noted earlier, the current search methodology, unlike that of the previous study, allows detection of Social Security numbers in PACER documents initially filed as scanned images. This study reprocessed scanned documents through an optical character reader, thereby transforming those scanned images into searchable text and allowing identification of unredacted Social Security numbers that had previously escaped detection. The previous study detected only those Social Security numbers that appeared in searchable text documents and overlooked numbers in documents filed as scanned images. The ability of this study to search the text of image files allowed identification of Social Security numbers appearing as an unbroken series of nine numbers as well as those following the typical format with embedded dashes. These differences allowed a more thorough examination and thus a more accurate understanding of the extent of unredaction.

When we examine the recently filed court records using the older search methodology that did not include reprocessing with the optical character reader, it becomes apparent that the increase in incidence of unredacted Social Security numbers found in this study is due to the improved search methodology and not a change in filling practices in the courts. As indicated in Table 4, after reprocessing the imaged documents, this study found a total of 5,437 PACER documents with one or more unredacted Social Security numbers. Examining the same PACER documents using the older methodology found only 757 PACER documents with unredacted Social Security numbers.

Table 4: Identification of Social Security Numbers Using Old and New Search Methodologies

	2013 Documents Using New Search Methodology	2013 Documents Using Old Search Methodology	2009 Documents Using Old Search Methodology
Total Court Documents	3,900,841	3,900,841	9,830,721
Total Docs with 1+ SSNs	5,437*	757	2,899
Ratio	1:717	1:5,153	1:3,391
Bankruptcy Court Documents	2,725,788	2,725,788	7,738,541
Bankruptcy Docs with 1+ SSNs	2,345*	419	2,244
Ratio	1:1,162	1:6,505	1:3,448
District Court Documents	1,175,053	1,175,053	2,092,080
District Docs with 1+ SSNs	3,092*	338	655
Ratio	1:380	1:3,476	1:3,194

* These counts of PACER documents filed in November 2013 with one or more unredacted Social Security numbers include those instances of unrelated Social Security numbers that appeared in documents filed as scanned images, and unredacted Social Security numbers that appeared without dashes separating the segments of the Social Security number. Such numbers were not detected using the older search methodology used in the previous study.

Of particular interest is the apparent drop in the likelihood of finding unredacted Social Security numbers in bankruptcy court documents. As indicated in Table 4, when we use the older search methodology to allow a meaningful comparison, the likelihood of a bankruptcy court document having one or more unredacted Social Security numbers has decreased by almost half (from 1 in 3,448 documents in the 2010 study to 1 in 6,505 documents in the current study). Dis-

trict court documents show only a modest decrease in the likelihood of a document including one or more unredacted Social Security numbers.

Of course, these findings also mean that the incidence of unredacted Social Security numbers in PACER documents scanned as images was far greater in 2009 than suggested by that earlier report. While the presence in court documents of any private information that should be redacted under the rules is cause for concern, this study also suggests that the federal courts have made progress in recent years in reducing the incidence of unredacted Social Security numbers in federal court documents, especially in bankruptcy court documents.

Appendix A: Methodology

We sought to identify recently filed federal court documents containing one or more unredacted Social Security numbers. The Federal Rules of Civil, Criminal, Bankruptcy, and Appellate Procedure (see Appendix B) require redaction of Social Security numbers, taxpayer-identification numbers, birth dates, the names of minors, financial account numbers, and, in criminal cases, home addresses. Our study sought to identify only documents containing Social Security numbers, including Social Security numbers designated in the document as taxpayer identification numbers and financial account numbers. This study did not examine documents filed in appellate cases or filed in paper form.

We identified and downloaded a total of 3,900,841 individual PACER documents using a computer scripting language to query federal court electronic case management data in the district and bankruptcy courts' CM/ECF databases. The Structure Query Language (SQL) program identified all documents filed in the district and bankruptcy courts in November 2013. We excluded all sealed court records and other documents that were designated as unavailable on the Public Access to Court Electronic Records (PACER) service.

After downloading the documents we used Adobe Acrobat software to perform optical character recognition (OCR) on the individual documents to convert any static PDF characters into machine-readable text. A total of 3,063,235 PACER documents were modified as a result of the OCR. All documents from one bankruptcy district were excluded from the analysis because the documents were not maintained in a format that allowed use of the OCR program. An additional 27,424 PACER documents (less than 1% of the total number of documents) were excluded because of a variety of problems that arose while trying to use the OCR program. We found a few files in almost every district that could not be read by the Acrobat OCR or search program. After searching the files in a district we would receive a message such as "Search has skipped 137 files because either the files are corrupt or you don't have permission to open them." In addition to indicating that some of these files had restricted access or were corrupt and unable to be opened, we believe this message also indicated that some of these files may have been saved in an older version of Acrobat or had embedded graphics defeating the search program.

Using functionality built into Adobe Acrobat we were able to detect Social Security number patterns (i.e., 123-45-6789) that might reside within such documents. We also detected unbroken nine-digit strings of numbers near text that included the words "Social Security" or "SSN."

We then examined the search output files and visually reviewed over 17, 205 court documents to determine if the string of characters appeared to be a valid

Social Security number. Where multiple numbers appeared in a single document, we examined each number looking for information indicating that it was in fact a Social Security number. For example, multiple Social Security numbers may appear in a bankruptcy filing for a business in which the former employees are listed as individual creditors.

Numerous such instances were not Social Security numbers. For example, we found such a pattern of digits in misspecified telephone numbers and extended zip codes. We found such patterns in numbers that were specifically designated as nonfinancial account numbers, claim numbers, model numbers, grievance numbers, real estate parcel numbers, bar membership numbers, and student ID numbers. In some instances such numbers may have been derived from an individual's Social Security number, but unless the context made clear that the number was a Social Security account number or a financial account number, we did not code the value as falling within the privacy protection of the rules. Nine-digit numbers following the typical Social Security number pattern were often found after the name of an individual, and that alone with no contrary designation was coded as a Social Security number. For example, such numbers following a name on a pay stub in a bankruptcy proceeding were regarded as Social Security numbers. We also coded such numbers designated "tax identification numbers" in income tax filings as Social Security numbers.

Social Security numbers were then reviewed in the context of the document to determine whether the entry qualified for an exemption to the privacy protection under the rules. While there was broad agreement among the coders regarding whether an entry qualified as a Social Security number, there was less agreement regarding whether such an entry qualified for one or more exemptions. Such a determination often required an assessment of the context of the document in which the Social Security number appeared. This assessment became difficult when a single large court document was broken into two or more parts to ease the public through the PACER system. For that reason, we construed the exemptions liberally, coding an entry as exempt whenever there was a reasonable likelihood that such a document might qualify for exemption.

The exemptions under the various rules were transformed into the following coding categories and assigned to the unredacted Social Security numbers:

0 = Valid SSN with no apparent exemption
1= Not a SSN

Apparent Exemptions:
2 = Record of a state court proceeding
3 = Non-attorney bankruptcy preparer
4 = Apparently pro se filing (suggesting waiver)

5 = Record of administrative agency proceeding
6 = SSN of attorney filing document
7 = Criminal charging document/affidavit
8 = Court record filed before December 2007
9 = Criminal arrest/search warrant
10 = Criminal investigation
11 = Order regarding SS benefits
12 = Forfeiture property account number

Appendix B: Federal Procedural Rules Protecting Individual Privacy

Federal Rule of Civil Procedure Rule 5.2—Privacy Protection for Filings Made with the Court

(a) Redacted Filings. Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, or a financial-account number, a party or nonparty making the filing may include only:

   (1) the last four digits of the social-security number and taxpayer-identification number;

   (2) the year of the individual's birth;

   (3) the minor's initials; and

   (4) the last four digits of the financial-account number.

(b) Exemptions from the Redaction Requirement. The redaction requirement does not apply to the following:

   (1) a financial-account number that identifies the property allegedly subject to forfeiture in a forfeiture proceeding;

   (2) the record of an administrative or agency proceeding;

   (3) the official record of a state-court proceeding;

   (4) the record of a court or tribunal, if that record was not subject to the redaction requirement when originally filed;

   (5) a filing covered by Rule 5.2(c) or (d); and

   (6) a pro se filing in an action brought under 28 U.S.C. §§ 2241, 2254, or 2255.

(c) Limitations on Remote Access to Electronic Files; Social-Security Appeals and Immigration Cases. Unless the court orders otherwise, in an action for benefits under the Social Security Act, and in an action or proceeding relating to an order of removal, to relief from removal, or to immigration benefits or detention, access to an electronic file is authorized as follows:

   (1) the parties and their attorneys may have remote electronic access to any part of the case file, including the administrative record;

(2) any other person may have electronic access to the full record at the courthouse, but may have remote electronic access only to:

(A) the docket maintained by the court; and

(B) an opinion, order, judgment, or other disposition of the court, but not any other part of the case file or the administrative record.

(d) Filings Made Under Seal. The court may order that a filing be made under seal without redaction. The court may later unseal the filing or order the person who made the filing to file a redacted version for the public record.

(e) Protective Orders. For good cause, the court may by order in a case:

(1) require redaction of additional information; or

(2) limit or prohibit a nonparty's remote electronic access to a document filed with the court.

(f) Option for Additional Unredacted Filing Under Seal. A person making a redacted filing may also file an unredacted copy under seal. The court must retain the unredacted copy as part of the record.

(g) Option for Filing a Reference List. A filing that contains redacted information may be filed together with a reference list that identifies each item of redacted information and specifies an appropriate identifier that uniquely corresponds to each item listed. The list must be filed under seal and may be amended as of right. Any reference in the case to a listed identifier will be construed to refer to the corresponding item of information.

(h) Waiver of Protection of Identifiers. A person waives the protection of Rule 5.2(a) as to the person's own information by filing it without redaction and not under seal.

Federal Rule of Criminal Procedure Rule 49.1—Privacy Protection for Filings Made with the Court

(a) Redacted Filings. Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, a financial-account number, or the home address of an individual, a party or nonparty making the filing may include only:

   (1) the last four digits of the social-security number and taxpayer-identification number;

   (2) the year of the individual's birth;

   (3) the minor's initials;

   (4) the last four digits of the financial-account number; and

   (5) the city and state of the home address.

(b) Exemptions from the Redaction Requirement. The redaction requirement does not apply to the following:

   (1) a financial-account number or real property address that identifies the property allegedly subject to forfeiture in a forfeiture proceeding;

   (2) the record of an administrative or agency proceeding;

   (3) the official record of a state-court proceeding;

   (4) the record of a court or tribunal, if that record is not subject to the redaction requirement when originally filed;

   (5) a filing covered by Rule 49.1(d);

   (6) a pro se filing in an action brought under 28 U.S.C. §§ 2241, 2254, or 2255;

   (7) a court filing that is related to a criminal matter or investigation and that is prepared before the filing of a criminal charge or is not filed as part of any docketed criminal case;

   (8) an arrest or search warrant; and

   (9) a charging document and an affidavit filed in support of any charging document.

(c) Immigration Cases. A filing in an action brought under 28 U.S.C. § 2241 that relates to the petitioner's immigration rights is governed by Federal Rule of Civil Procedure 5.2.

(d) Filings Made Under Seal. The court may order that a filing be made under seal without redaction. The court may later unseal the filing or order the person who made the filing to file a redacted version for the public record.

(e) Protective Orders. For good cause, the court may by order in a case:

    (1) require redaction of additional information; or

    (2) limit or prohibit a nonparty's remote electronic access to a document filed with the court.

(f) Option for Additional Unredacted Filing Under Seal. A person making a redacted filing may also file an unredacted copy under seal. The court must retain the unredacted copy as part of the record.

(g) Option for Filing a Reference List. A filing that contains redacted information may be filed together with a reference list that identifies each item of redacted information and specifies an appropriate identifier that uniquely corresponds to each item listed. The list must be filed under seal and may be amended as of right. Any reference in the case to a listed identifier will be construed to refer to the corresponding item of information.

(h) Waiver of Protection of Identifiers. A person waives the protection of Rule 49.1(a) as to the person's own information by filing it without redaction and not under seal.

Federal Rules of Bankruptcy Procedure Rule 9037—Privacy Protection for Filings Made with the Court

(a) Redacted Filings. Unless the court orders otherwise, in an electronic or paper filing made with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual, other than the debtor, known to be and identified as a minor, or a financial-account number, a party or nonparty making the filing may include only:

(1) the last four digits of the social-security number and taxpayer-identification number;

(2) the year of the individual's birth;

(3) the minor's initials; and

(4) the last four digits of the financial-account number.

(b) Exemptions from the Redaction Requirement. The redaction requirement does not apply to the following:

(1) a financial-account number that identifies the property allegedly subject to forfeiture in a forfeiture proceeding;

(2) the record of an administrative or agency proceeding unless filed with a proof of claim;

(3) the official record of a state-court proceeding;

(4) the record of a court or tribunal, if that record was not subject to the redaction requirement when originally filed;

(5) a filing covered by subdivision (c) of this rule; and

(6) a filing that is subject to § 110 of the Code.

(c) Filings Made Under Seal. The court may order that a filing be made under seal without redaction. The court may later unseal the filing or order the entity that made the filing to file a redacted version for the public record.

(d) Protective Orders. For cause, the court may by order in a case under the Code:

(1) require redaction of additional information; or

(2) limit or prohibit a nonparty's remote electronic access to a document filed with the court.

(e) Option for Additional Unredacted Filing Under Seal. An entity making a redacted filing may also file an unredacted copy under seal. The court must retain the unredacted copy as part of the record.

(f) Option for Filing a Reference List. A filing that contains redacted information may be filed together with a reference list that identifies each item of redacted information and specifies an appropriate identifier that uniquely corresponds to each item listed. The list must be filed under seal and may be amended as of right. Any reference in the case to a listed identifier will be construed to refer to the corresponding item of information.

(g) Waiver of Protection of Identifiers. An entity waives the protection of subdivision (a) as to the entity's own information by filing it without redaction and not under seal.