

Filing Motions to Redact Previously Filed Documents

Updated May 12, 2020

[Federal Rule of Bankruptcy Procedure 9037\(h\)](#) which became effective December 1, 2019, added a subsection providing redaction procedures for personal identifiers contained in documents previously filed in CM/ECF without complying with Bankruptcy Rule 9037 redaction requirements.

This change affects the filing process for *Motions to Redact* and requires immediate restriction of public access to the motion and the unredacted original document(s). Access to those documents remains restricted if the court grants the *Motion to Redact*, and court staff will docket the redacted document.

If a movant seeks to redact, revise, or edit a document in a case, the movant should file a *Motion to Redact* by selecting the event located at **Bankruptcy > Motions/Applications > Motion to Redact (Fee Per Case)**. The fee is \$25.00 per affected case.

Do NOT file a *Motion to Strike* if you are seeking to redact a document or pleading.

All *Motions to Redact* should include:

- a. The motion to redact identifying the proposed redactions;
- b. Include in the motion the document number or claim number of the previously filed unredacted document(s);
- c. When docketing the *Motion to Redact*, upload the motion as the main document and add the proposed redacted document as an attachment to the motion. The redacted document must be an exact copy of the original document with the personal identifiers redacted as follows:
 - (i.) all but the last four of a person's social security number or taxpayer identification number (ex: xxx-xx-1234);
 - (ii.) all but the year of an individual's birth (ex: xxxx x, 1995);
 - (iii.) all but a minor child's initials (ex: Mxxxxxx Hxxxxxx);
 - (iv.) all but the last four digits of a finance account number, unless the account number identifies property that is the subject of forfeiture in a forfeiture proceeding (ex: bank account # xxxx xxxx xxx 3218).
- d. A certificate of service showing both the motion and the attachment have been served on the debtor, debtor's attorney, trustee, BA, the filer of the unredacted document, and any individual whose personal identifying information is to be redacted.

If the *Motion to Redact* and redacted document do not contain all the required information, the court will send the filer a *Notice of Deficient Filing or Incorrect Event*. The filer will have two business days to correct the error.

No fee shall be collected or replacement document filed from a party seeking to redact his or her protected information unless it is the party who filed the previous (unredacted) document.

Note: A *Motion to Strike* is different from a *Motion to Redact*. A *Motion to Strike* is used only in adversary proceedings and when a movant is requesting the court to strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter. In these instances, the party should use the **Bankruptcy > Motions/Applications > Strike** event. There is no fee associated with this event.

If a movant wants to redact a record or otherwise revise or edit a document in a case but selects the *Motion to Strike* event, the Clerk's Office will docket a *Notice of Incorrect Event*. If the motion is not resubmitted using the correct docket event and paying the fee within two (2) days, the motion will be denied without prejudice or set for a hearing.