

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE:**

**AMENDMENT TO LOCAL RULE 5.2**

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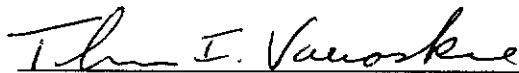
**STANDING ORDER No. 03-2**

**ORDER**

**WHEREAS**, certain provisions of the E-Government Act of 2002 (Pub. L. No. 107-347), effective April 16, 2003 are inconsistent with the Local Rules of this Court regarding the redaction of personal identifying information;

**IT IS HEREBY ORDERED THAT:**

- 1) Local Rule 5.2 is amended as attached effective April 16, 2003.
- 2) Pages 4 through 6 of the Local Rules of Court effective March 3, 2003 are hereby replaced with the attached pages 4 through 6.
- 3) In accordance with 28 U.S.C. § 2071(e), the Clerk shall promptly provide the public with a notice of the amended rule 5.2 and provide an opportunity for comment.

  
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THOMAS I. VANASKIE, Chief Judge  
Middle District of Pennsylvania

Dated: April 16, 2003

## CHAPTER III

### SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS

#### **LR 5.1 Size and Other Physical Characteristics of Papers and Other Documents.**

Papers or other documents filed in this court, except original or true copies of exhibits, shall be on paper approximating eight and one-half (8½) inches by eleven (11) inches in size. Any paper or other document filed shall be sufficient as to format and other physical characteristics if it substantially complies with the following requirements:

(a) Prepared on white paper (except for covers, dividers, and similar sheets) of good quality with typed or printed matter six and one-half (6½) inches by nine and one-half (9½) inches.

(b) The first sheet shall contain a three (3) inch space from the top of the paper for all court stampings, filing notices, etc.

(c) The lettering or typeface shall be clearly legible and shall not be smaller than 14 point word processing font or, if typewritten, shall not be smaller than pica. The text must be double-spaced, but quotations more than two lines long may be indented and single-spaced. Headings and footnotes may be single-spaced. The font type and size used in footnotes shall be the same as that used in the body of the brief. Margins must be at least one inch on all four sides. Page numbers may be placed in the margins, but no text may appear there.

(d) The lettering or typeface shall be on only one (1) side of a page.

(e) All papers and other documents filed in this court shall be securely fastened with a paper clip, binder clip or rubber band. The use of plastic strips, staples or other such fasteners is prohibited, with the exception that administrative and judicial records may be firmly bound.

(f) Exhibits to a brief or motion shall accompany the brief or motion, but shall not be attached to or bound with the brief or motion. Exhibits shall be secured separately, using either lettered or numbered separator pages to separate and identify each exhibit. Each exhibit also shall be identified by letter or number on the top right hand corner of the first page of the exhibit. Exhibits in support of a pleading or other paper shall accompany the pleading or other paper but shall not be physically bound thereto. In all instances where more than one exhibit is part of the same filing, there shall be a table of contents for the exhibits.

(g) A proposed order shall accompany each motion or other request for relief, but shall not be fastened together.

(h) Each motion and each brief shall be a separate document.

(i) Exceptions to the provisions of this rule may be made only upon motion and for good cause or in the case of papers filed in litigation commenced *in forma pauperis*.

#### **LR 5.2 Documents to be Filed with the Clerk.**

(a) As to any document required or permitted to be filed with the court in paper form, only the original shall be filed with the clerk except that parties shall file an original and one copy of any document in excess of 200 pages.

(b) Any document signed by an attorney for filing shall contain under the signature line the name, address, telephone number, fax number, e-mail address (if applicable) and Pennsylvania or other state bar identification number. When listing the bar identification number, the state's postal abbreviation shall be used as a prefix (e.g., PA 12345, NY 246810).

(c) Documents shall not be faxed to a judge without prior leave of court. Documents shall

not be faxed to the clerk's office, except in the event of a technical failure with the court's Electronic Case Filing ("ECF") system. Technical Failure is defined as a malfunction of court owned/leased hardware, software, and/or telecommunications facility which results in the inability of a Filing User to submit a filing electronically. Technical failure does not include malfunctioning of a Filing User's equipment.

(d) A filed document shall not contain any of the personal data identifiers listed in this rule unless permitted by an order of the court or unless redacted in conformity with this rule. The personal data identifiers covered by this rule and the required redactions are as follows:

1. **Social Security Numbers.** If an individual's Social Security Number must be included in a document, only the last four digits of that number should be used;
2. **Names of minor children.** If a minor child must be mentioned, only that child's initials shall be used;
3. **Dates of birth.** If an individual's date of birth must be included, only the year shall be used;
4. **Financial account numbers.** If financial account numbers must be included, only the last four digits shall be used.

A sealed and otherwise identical document containing the unredacted personal data identifiers may be filed along with the required redacted document. The sealed document will be retained by the court as a part of the record.

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The clerk will not review each document for redaction.

### **LR 5.3 Assigned Judge's Name on First Page of Documents.**

After a case is assigned to a judge, all documents filed must include that judge's name in parenthesis directly below the case number.

### **LR 5.4 Service and Filing of Discovery Material.**

(a) The parties in *pro se* cases, Health and Human Services cases (Social Security Appeals), and U.S. Government loan cases shall not be obligated to meet and confer prior to instituting discovery. Discovery shall commence no later than thirty (30) days from the date the complaint is served upon the defendant(s).

(b) Interrogatories, requests for disclosures, requests for documents, requests for admissions, and answers and responses thereto shall be served upon other counsel and parties but shall not be filed with the court except as authorized by a provision of the Federal Rules of Civil Procedure or upon an order of the court. The party responsible for serving a discovery request shall retain and become the custodian of the original response. Proof of service or certificates of service of discovery material shall not be filed separately with the clerk. The original of all depositions upon oral examination shall be retained by the party taking such deposition.

(c) If relief is sought under any of the Federal Rules of Civil Procedure, a copy of the discovery matters in dispute shall be filed with the court contemporaneously with any motion

filed under these rules by the party seeking to invoke the court's relief.

(d) When documentation of discovery not previously in the record is needed for appeal purposes, upon an application and order of the court or by stipulation of counsel, the necessary discovery papers shall be filed with the clerk.

**LR 5.5 Form of Service of Interrogatories.**

For local rule on form of service of interrogatories, see LR 33.1.

**LR 5.6 Filing of Documents by Electronic Means.**

Documents may be filed, signed and verified by electronic means to the extent and in the manner authorized by the court's Standing Order regarding Electronic Case Filing Policies and Procedures and the ECF User Manual. A document filed by electronic means in compliance with this Local Rule constitutes a written document for the purposes of applying these Local Rules, the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure.

**LR 5.7 Service of Documents by Electronic Means.**

Documents may be served through the court's transmission facilities by electronic means to the extent and in the manner authorized by the Standing Order regarding Electronic Case Filing Policies and Procedures and the ECF User Manual. Transmission of the Notice of Electronic Filing constitutes service of the filed document upon each party in the case who is registered as a Filing User. Any other party or parties shall be served documents according to these Local Rules, the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure.