

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

IN RE:

NOTICE OF ELECTRONIC
AVAILABILITY OF CASE
FILE INFORMATION

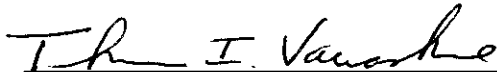
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STANDING ORDER NO. 04-5

ORDER

The Clerk of Court is hereby directed to provide the attached Notice of Electronic Availability of Civil and Criminal Case File Information to counsel and parties in accordance with the privacy policy of the Judicial Conference of the United States regarding Public Access to Electronic Case Files and the E-Government Act of 2002 as amended August 2, 2004.

Such notice shall be posted on the court's Internet website and also disseminated through manual or electronic means. This order supersedes Standing Order #03-3 dated April 16, 2003.



THOMAS I. VANASKIE, Chief Judge
Middle District of Pennsylvania

Dated: Oct. 4, 2004

Notice of Electronic Availability of Civil and Criminal Case File Information

The Office of the Clerk for the United States District Court, Middle District of Pennsylvania is now accepting electronically filed documents and making the content of civil documents (except in Social Security cases) available to the public on the court's Internet website via WebPACER. Effective November 1, 2004, the office also will make electronic criminal case file documents available to the public via remote access pursuant to the implementation guidelines and model local rule adopted by the Judicial Conference of the United States. Any subscriber to WebPACER will be able to read, download, store and print the full content of electronically filed documents. The clerk's office will not make electronically available documents that have been sealed or otherwise restricted by court order or Local Rule.

You should not include sensitive information in any civil case document filed with the court unless such inclusion is necessary and relevant to the case. You *shall not* include sensitive information in any *criminal* case document filed with the court. You must remember that any personal information not otherwise protected will be made available over the Internet via WebPACER. The following personal data identifiers must be partially redacted from the document in a civil or criminal case (except in a Social Security Case), whether it is filed traditionally or electronically: Social Security numbers to the last four digits; financial account numbers to the last four digits; dates of birth to the year; and the names of minor children to the initials. ¹ Note: In criminal case documents only, home addresses also must be redacted from the city and state.

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 in addition to the required redacted document:

(a) a sealed and otherwise identical document containing the unredacted personal data identifiers, or

(b) a reference list under seal. The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) used in its (their) place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete identifier. The reference list must be filed under seal, and may be amended as of right.

The sealed unredacted version of the document or the sealed reference list shall be retained by the court as a part of the record.

In addition, exercise caution when filing documents that contain the following:

- 1) Personal identifying number, such as driver's license number;

¹*Documents in social security cases are excluded from the redaction requirement as they are not electronically available to the public over the Internet pursuant to the privacy policy of the Judicial Conference of the United States.*

- 2) medical records, treatment and diagnosis;
- 3) employment history;
- 4) individual financial information; and
- 5) proprietary or trade secret information;

Additional items for criminal cases only:

- 6) information regarding an individual's cooperation with the government;
- 7) information regarding the victim of any criminal activity;
- 8) national security information; and
- 9) sensitive security information as described in 49 U.S.C. Section 114(s).

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. 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 each document for redaction.