

## **FILING DOCUMENTS CONTAINING PERSONAL IDENTIFIERS IN A CIVIL CASE**

According to Fed. R. Civ. P. 5.2, in addition to filing a redacted version of the document in ECF, a party filing a document containing personal data identifiers may also:

1. File an unredacted document under seal without seeking leave of the court in accordance with Section VII, Part D of the Civil Procedure Guide regarding filing documents under seal (see also below),

OR

2. File a reference list under seal without seeking leave of the court in accordance with Section VII, Part D of the Civil Procedure Guide regarding filing documents under seal (see also below). The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) used in its place in the filing.

To file documents containing personal identifiers:

1. Title of redacted version of document shall include:

### **REDACTED PURSUANT TO FED. R. CIV. P. 5.2**

2. File the redacted version of the document electronically in ECF with a ***Conventional Filing Placeholder*** as an attachment indicating the existence of the sealed document on the record. The Conventional Filing Placeholder form is available on the FORMS page of the court website at [www.mnd.uscourts.gov](http://www.mnd.uscourts.gov).
3. Print the Notice of Electronic Filing (NEF) for the redacted version and the Conventional Filing Placeholder and attach both to the envelope of the sealed version or list.
4. Seal the unredacted version or list in accordance with Section VII, Part D, Subpart 5 of the Civil ECF Procedure Guide as follows:

Seal by closing, fastening, taping, or otherwise securing the document in an envelope no larger than 9 x 12 with the following information on the front of the envelope:

- Case Number
- Case Name
- Party name and Complete Title of Document (i.e., Defendant Johnson's Affidavit of John Smith)
- Document Number Assigned by ECF for the redacted version
- The words:

**“SEALED PURSUANT TO FED. R. CIV. P. 5.2 - UNREDACTED DOCUMENT ENCLOSED”** (Redacted Version filed in ECF as Document # [number])

OR

**“SEALED PURSUANT TO FED. R. CIV. P. 5.2 - REFERENCE LIST ENCLOSED”** (Redacted Version filed in ECF as Document # [number])

5. File the sealed unredacted version or list conventionally in accordance with Section VII, Part D of the Civil ECF Procedure Guide as follows:
  - a. The paper original of the sealed document shall be filed with the clerk’s office **before 5:00 p.m.** on the due date.
  - b. Mail or deliver a COURTESY COPY (with a copy of the NEF attached) of the *sealed* document, as required by Section I, Part F of the Civil ECF Procedure Guide, to the District or Magistrate Judge handling the matter in a separate envelope (if papers are related to a motion, TWO courtesy copy are required).
  - c. The *sealed* document shall be served conventionally, with a copy of the Notice of Electronic Filing (NEF), by the filer on all parties who are entitled to service. The e-notice of the court’s receipt of these documents shall not constitute service.
  - d. A Certificate of Service shall be filed in ECF, if required, for both the redacted version and the sealed documents.
  - e. The Clerk will note receipt of the sealed unredacted version and/or reference list on the record as follows:
    - i. Pursuant to Fed. R. Civ. P. 5.2, an unredacted version of this document has been filed under seal with the clerk. SEALED DOCUMENT RECEIVED ON [DATE].

OR

  - ii. Pursuant to Fed. R. Civ. P. 5.2, a reference list of personal identifiers and codes used in this document has been filed under seal with the clerk. SEALED DOCUMENT RECEIVED ON [DATE].

6. The sealed unredacted version and/or reference list shall be retained by the court as part of the record.