

November 1, 2004

**United States District Court**

**Northern District of West Virginia**

**Notice of Electronic Availability of Case File Information**

***IN COMPLIANCE WITH THE AUGUST 2, 2004 AMENDMENTS TO THE  
E-GOVERNMENT ACT OF 2002***

The Office of the Clerk has been imaging pleadings for posting to WebPACER/RACER, through the court's Internet website for over two years and will soon begin accepting filed pleadings via CM/ECF and making the content of these pleadings available on the court's Internet website. Any subscriber to WebPACER/RACER will be able to read, download, store and print the full content of imaged documents. The clerk's office is not imaging or posting documents sealed or otherwise restricted by court order nor will such documents be made available electronically once electronic filing begins.

To comply with privacy policy, you should not include sensitive information in any document filed with the court unless such inclusion is necessary and relevant to the case. You must remember that any personal information not otherwise protected will be made available over the Internet via WebPACER. If sensitive information must be included, certain personal data identifiers must be partially redacted from the pleading, whether it is filed traditionally or electronically: Social Security numbers, financial account numbers, dates of birth, home addresses and the names of minor children.

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above may:

- (a) File a redacted, unsealed version of the pleading along with 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 personal data identifier. The reference list must be filed under seal, and may be amended as a right. It shall be retained by the court as part of the record, or
- (b) with approval of the court, file an unredacted document under seal. This document shall be retained by the court as part of the record. The court may, however, still require the party to file a redacted copy for the public file.

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

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- 1) Personal identifying number, such as driver's license number;
- 2) medical records, treatment and diagnosis;
- 3) employment history;
- 4) individual financial information; and
- 5) proprietary or trade secret information.

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. **If a redacted document is filed, it is the sole responsibility of counsel and the parties to be sure that all pleadings comply with the rules of this court requiring redaction of personal data identifiers. The clerk will not review each pleading for redaction.**

See the *Policy Addressing Judicial Conference Privacy Policy Regarding Public Access to Electronic Case Files IN COMPLIANCE WITH THE AUGUST 2, 2004 AMENDMENTS TO THE E-GOVERNMENT ACT OF 2002* dated November 1, 2004.