

**Notice of Electronic Availability of Case File Information
Amended to Comply with the August 2, 2004 Amendments to the
E-Government Act of 2002**

The United States District Court for the Western District of New York accepts electronically filed pleadings and makes the content of these pleadings available on the court's Internet website via WebPACER.¹ 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.

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, the following 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 and the names of minor children.**

To comply with the E-Government Act of 2002, Pub. L. No. 107-347, a party wishing to file a document containing the personal data identifiers specified above may

- (a) move for leave to file an unredacted document under seal. If the court grants the motion, the court will retain the paper document as part of the record, or
- (b) file 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. It 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:

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. Likewise, counsel and the parties will be solely responsible for any unredacted documents filed. The clerk's office will not review documents for compliance with this rule, seal on its own motion documents containing personal identifiers, or redact documents, whether filed electronically or on paper.

¹Remote electronic access to pleadings filed in civil social security cases is limited to counsel of record and court staff. Non-parties have direct access to the pleadings on file at the Clerk's Office