

APR - 2 2003

M. REED *CR*
LODGED _____ FILED *1*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

IN THE MATTER OF ADOPTING AN AMENDED POLICY)
ON PRIVACY AND PUBLIC ACCESS TO ELECTRONIC) General Order 179
CASE FILES)
_____)

This matter comes before the Court as a result of the implementation of the E-Government Act of 2002, and

The Court having previously adopted a policy on privacy and public access to electronic case files though General Order 174 adopted on May 1, 2002, NOW THEREFORE:

This general order supercedes General Order 174;

In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including or shall partially redact, where inclusion is necessary, the following personal data identifiers from all pleadings filed with the court, including exhibits thereto, whether filed electronically or in paper, unless otherwise ordered by the court:

- a. Social Security Numbers. If an individual's social security number must be included in a pleading, only the last four digits of that number should be used.
- b. Names of Minor Children. If the involvement of a minor child must be mentioned, only the initials of that child should be used.
- c. Dates of birth. If an individual's date of birth must be included in a pleading, only the year should be used.
- d. Financial account numbers. If financial account numbers are relevant, only the last four digits of these numbers should be used.
- e. In criminal cases, the home address of any individual (e.g. victims)

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers listed above may file an unredacted document under seal. The document must contain the following heading in the document, "SEALED DOCUMENT PURSUANT TO E-GOVERNMENT ACT OF 2002". This document shall be retained by the Court as part of the record until further order of the court. The party must also file a redacted copy of this document for the public file.

The responsibility for redacting personal information rests solely with counsel, the parties, or any other person preparing or filing the document. The Clerk will not review each pleading for compliance with this policy.

It is further ordered that Social Security cases be excluded from electronic public access except for judiciary employees, the United States Attorney or their representatives and litigants in said cases. Access to these cases through the Internet will only be allowed through a login and password system.

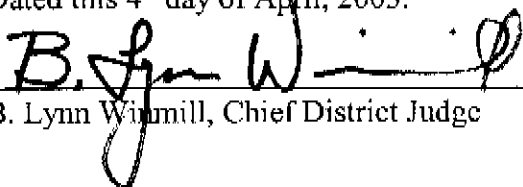
In criminal cases, the District of Idaho has been selected as a pilot court to study public electronic access to criminal case file documents, and as part of this study, for a limited time, the Court has been granted an exemption to the Judicial Conference Policy prohibiting remote public access to electronic criminal case files.

The Court will continue to allow general public access to access electronic criminal case files during this study.

In order to comply with the Judicial Conference Policy, in addition to the items listed in a-e. above, the Court shall not provide public access to the following documents under any circumstances: unexecuted warrants of any kind; pretrial bail or presentence investigation reports; statement of reasons in the judgment of conviction, juvenile records and sealed documents.

This policy shall go into effect on April 16, 2003 after notice to the bar and public and will apply to all documents filed on or after that date. In Social Security cases, the login and password system will be applied to all pending cases.

Dated this 4th day of April, 2003.


B. Lynn Wimmill, Chief District Judge