



United States District Court

# DISTRICT OF SOUTH DAKOTA

## **LR 49.1.1 PRIVACY PROTECTION FOR FILINGS MADE WITH THE COURT**

- A.** Pursuant to the E-Government Act of 2002, parties must refrain from including, or must partially redact where inclusion is necessary, the following personal data identifiers from all pleadings and documents filed, including exhibits thereto, unless otherwise ordered by the court:
1. **Social Security numbers.** Only the last four digits of that number should be used.
  2. **Name of an individual known to be a minor.** Only the initials of the minor should be used.
  3. **Dates of birth.** Only the year should be used.
  4. **Financial account numbers.** Only the last four digits of these numbers should be used.
  5. **Home addresses.** Only the city and state should be used.
- B.** After filing a document redacted consistent with Fed. R. Crim. P.49.1, a party may submit for filing under seal an unredacted copy of the document. Any such filings must contain a cover sheet stating the following: "Document filed under seal pursuant to the E-Government Act."
- C.** The responsibility for redacting personal identifiers rests solely with counsel and the parties. The clerk of court will not review each filing for compliance with this rule.
- D.** Personal Data Identifiers in Charging Documents
1. The clerk of court will file indictments under seal to prevent public disclosure of the identity of the foreperson of the grand jury. The attorney for the government must provide the clerk's office with a redacted version of the indictment in which the name of the foreperson is omitted. If the indictment includes personal data identifiers, the attorney for the government must also provide the clerk's office with a redacted version of the indictment that omits both personal data identifiers and the name of the foreperson. The clerk's office will file a redacted version of the indictment in addition to the sealed original.

2. Personal data identifiers may be included in informations and complaints if necessary, to comply with the requirements of federal law. If personal data identifiers are included, the attorney for the government must provide the clerk's office with a redacted version of the information or complaint along with the original. The original will be filed under seal to prevent public disclosure of the personal data identifiers.
3. In all other instances charging documents will be filed under seal only upon motion of the government and order of the court.