

Redacted: Check this box only if the document contains confidential personal information (“CPI”), as defined in NYCRR § 202.5(e) (1), with the required portion blacked out or visibly erased. E.g., “W [REDACTED] S [REDACTED], born [REDACTED], 2012.”

Un-Redacted (seeks a remedy): Check this box if you are seeking a remedy under NYCRR 202.5(e) (2) or (3), or are seeking another remedy that by statute or rule requires inclusion of un-redacted confidential personal information (“CPI”).

Un-Redacted (per court order): Check this box if you have obtained an order permitting you to file the document with confidential personal information (“CPI”), as defined in NYCRR 202.5(e) (1). You must select the order from select box.

## SECTION 202.5(e) OMISSION OR REDACTION OF CONFIDENTIAL PERSONAL INFORMATION

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(e) Omission or Redaction of Confidential Personal Information.

(1) Except in a matrimonial action, or a proceeding in surrogate's court, or as otherwise provided by rule or law or court order, and whether or not a sealing order is or has been sought, the parties shall omit or redact confidential personal information in papers submitted to the court for filing. For purposes of this rule, confidential personal information (“CPI”) means:

- i. the taxpayer identification number of an individual or an entity, including a social security number, an employer identification number, and an individual taxpayer identification number, except the last four digits thereof;
- ii. the date of an individual's birth, except the year thereof;
- iii. the full name of an individual known to be a minor, except the minor's initials; and
- iv. a financial account number, including a credit and/or debit card number, a bank account number, an investment account number, and/or an insurance account number, except the last four digits or letters thereof.; and
- v. any of the documents or testimony in a matrimonial action protected by Domestic Relations Law section 235 or evidence sealed by the court in such an action which are attached as exhibits or referenced in the papers filed in any other civil action. For purposes of this rule, a matrimonial action shall mean: an action to annul a marriage or declare the nullity of a void marriage, an action or agreement for a separation, an action for a divorce, or an action or proceeding for custody, visitation, writ of habeus corpus, child support, maintenance or paternity.

(2) The court **sua sponte** or on motion by any person may order a party to remove CPI from papers or to resubmit a paper with such information redacted; order the clerk to seal the papers or a portion thereof containing CPI in accordance with the requirement of 22NYCRR §216.1 that any sealing be no broader than necessary to protect the CPI; for good cause permit the inclusion of CPI in papers; order a party to file an unredacted copy under seal for in camera review; or determine that information in a particular action is not confidential. The court shall consider the **pro se** status of any party in granting relief pursuant to this provision.

(3) Where a person submitting a paper to a court for filing believes in good faith that the inclusion of the full confidential personal information described in subparagraphs (i) to (iv) of paragraph (1) of this subdivision is material and necessary to the adjudication of the action or proceeding before the court, he or she may apply to the court for leave to serve and file together with a paper in which such information has been set forth in

abbreviated form a confidential affidavit or affirmation setting forth the same information in unabbreviated form, appropriately referenced to the page or pages of the paper at which the abbreviated form appears.

(4) The redaction requirement does not apply to the last four digits of the relevant account numbers, if any, in an action arising out of a consumer credit transaction, as defined in subdivision (f) of section one hundred five of the civil practice law and rules. In the event the defendant appears in such an action and denies responsibility for the identified account, the plaintiff may without leave of court amend his or her pleading to add full account or CPI by (i) submitting such amended paper to the court on written notice to defendant for in camera review or (ii) filing such full account or other CPI under seal in accordance with rules promulgated by the chief administrator of the courts.

(5) Whenever an application is submitted to a court seeking a change of name pursuant to Civil Rights Law Article 6, change of sex designation pursuant to Civil Rights Law Article 6-a, or both forms of relief in a combined application, then:

i. the application shall be immediately deemed sealed upon filing;

ii. the clerk of the court shall take all reasonable steps necessary to seal and safeguard the applicant's current name, proposed new name, current sex designation, proposed new sex designation, residential and business addresses, telephone numbers, and any other information contained in any pleadings or papers submitted to the court in connection with the application to prevent inadvertent or unauthorized use or disclosure while the matter is pending, including, but not limited, ensuring that such an application proceeds with an anonymous caption, until a determination or further order is issued by the Court;

iii. where such application is sealed, the clerk of the court shall not allow any person, other than the party or the attorney or counsel for the party, to access the application, except by order of the Court; and

iv. prior to the entry of a final determination or order on such an application, the Court must decide whether any legal basis is present so as to support maintaining the sealing imposed in accordance with this rule, and, where an application and/or any document submitted in support of it will not remain sealed, the Court should order the applicant to submit a complete copy of the application with all confidential personal information redacted and/or removed in accordance with Rule 202.5(e) if the applicant has not done so before any unsealing order takes effect.