

# BANKRUPTCY <sup>UP</sup>DATE

## February 6, 2018

If someone else would like to receive these <sup>UP</sup>dates, please send an e-mail to [Mary\\_Frederickson@sdb.uscourts.gov](mailto:Mary_Frederickson@sdb.uscourts.gov).

### Redaction of Personal Identifiers

Pursuant to Federal Rule of Bankruptcy Procedure 9037, the filer of a document is responsible for redacting Social Security numbers, taxpayer identification numbers, birth dates, names of minor children, financial account numbers, and other personal identifiers prior to filing the document with the Court. Please remember to redact these personal identifiers from pay stubs, loan or security agreements, and other documents before filing. The Clerk's office cannot, and will not, redact personal identifiers for you.

As required by Bankr. D.S.D. R. 9037-1(a), if a document containing a personal identifier is mistakenly filed, a Motion to Substitute Redacted Document should be filed and linked to the docket entry containing the personal identifier. **A nationwide fee of \$25.00 is charged for every motion to substitute a redacted document.** The complete redacted document, not just the page(s) on which redactions are made, must be attached to the motion. Use the CM/ECF event "Substitute Redacted Document" found under Bankruptcy or Adversary - Motions/Applications to file the motion and the attachment. Do not file a notice with the motion. Serve the motion and the attached redacted document on any parties in interest, including the debtor(s), who are not electronically served. The Court will prepare the order.

When the document containing a personal identifier is a proof of claim, the procedure to substitute a redacted proof of claim is similar. As required by Bankr. D.S.D. R. 9037-1(b), file a Motion to Substitute Redacted Proof of Claim, attach the complete redacted proof of claim to the motion, and use the CM/ECF event "Substitute Redacted Proof of Claim" found under Bankruptcy - Motions/Applications to file the motion and the attached redacted proof of claim. **A nationwide fee of \$25.00 is charged for every motion to substitute a redacted proof of claim.** Serve the motion and the attached redacted proof of claim (no notice) on any parties in interest, including the debtor(s), who are not electronically served. If the original proof of claim was filed using ePOC, print out the ePOC proof of claim that was filed, redact the personal identifiers, and attach a copy of the redacted proof of claim to the motion.

Pursuant to Bankr. D.S.D. R. 5010-1(b)(6), a closed case need **not** be reopened to file a motion to substitute a redacted document or a motion to substitute a redacted proof of claim.

## **Link**

[Previous Bankruptcy <sup>UP</sup>dates](#)

As always, should you have questions regarding this <sup>UP</sup>date or anything else concerning your dealings with the Court or the Clerk's office, please let us know.