

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby amend, effective April 1, 2016, the following unified rules of the trial courts, by adding new sections relating to the omission or redaction of confidential personal information, as follows:

- Uniform Rules for the New York City Civil Court: section 208.4(b)
- Uniform Civil Rules for the District Courts: section 212.4(b)
- Uniform Civil Rules for the City Courts Outside the City of New York: section 210.4(b)
- Uniform Civil Rules for the Justice Courts: section 214.12

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§208.4. ~~Papers Filed in Court, Index Number, Form, Label~~

(a) Index Number, Form, Label

The party causing the first paper to be filed shall obtain an index number and communicate it forthwith to all other parties to the action. . . .

(b) Omission or Redaction of Confidential Personal Information in Civil Actions and Proceedings.

(1) Except for any action or proceeding arising under the Vehicle and Traffic Law, or prosecution of a violation of an ordinance of a city, town or village, or in a petition for change of name under the Civil Rights Law, 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.

(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 22 NYCRR § 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 the defendant may without leave of court submit papers disclosing full account numbers to the extent necessary to ensure that an order or judgment issued by the court contains proof satisfactory to a credit reporting agency. 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.

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§210.4. ~~Papers Filed in Court; Index Number; Form; Label~~

(a) Index Number; Form; Label

The party causing the first paper to be filed shall obtain an index number and communicate it forthwith to all other parties to the action. . . .

(b) Omission or Redaction of Confidential Personal Information in Civil Actions and Proceedings.

(1) Except for any action or proceeding arising under the Vehicle and Traffic Law, or prosecution of a violation of an ordinance of a city, town or village, or in a petition for change of name under the Civil Rights Law, 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:

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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.

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§212.4. Papers Filed in Court; ~~Index Number; Form; Label~~

(a) Index Number; Form; Label

The party causing the first paper to be filed shall obtain an index number and communicate it forthwith to all other parties to the action. . . .

(b) Omission or Redaction of Confidential Personal Information in Civil Actions and Proceedings.

(1) Except for any action or proceeding arising under the Vehicle and Traffic Law, or prosecution of a violation of an ordinance of a city, town or village, or in a petition for change of name under the Civil Rights Law, 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:

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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.

(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 22 NYCRR § 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.

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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.

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§214.12. Omission or Redaction of Confidential Personal Information in Civil Actions and Proceedings.

(1) Except for any action or proceeding arising under the Vehicle and Traffic Law, or prosecution of a violation of an ordinance of a city, town or village, or in a petition for change of name under the Civil Rights Law, 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.

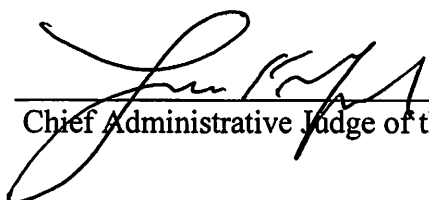
(2) The court sua sponte or on motion by any person may order a party to remove CPI from papers or to resubmit a paper with such information redacted; order the clerk to seal the papers or a portion thereof containing CPI in accordance with the requirement of 22 NYCRR § 216.1 that any sealing be no broader 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.

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Chief Administrative Judge of the Courts

Dated: December 23, 2015

AO/193/15