

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
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Administrative Order 14-06

In Re:

**Adoption of Interim Local Rules
5005-1(A)(3) and 9013-1(C)(25)**

At its September 2014 session, the Judicial Conference approved several amendments to the Bankruptcy Court Miscellaneous Fee Schedule effective December 1, 2014, including two amendments that were developed in connection with a new national policy establishing filing and notice procedures for requests to redact personal identifiers from court filings in cases, including closed cases.

The Conference established a \$25 fee (Item 21) to file a motion to make redactions to previously filed records in a bankruptcy case. The fee is intended to be charged for each motion filed in an affected case, but courts may waive the fee under appropriate circumstances. The Conference also endorsed a new exception to the reopening fee for a closed bankruptcy case (Item 11) to clarify that the reopening fee does not apply if redaction is the only purpose for reopening the case.

The court has determined that amendments to this court's existing Local Rule 5005-1(A)(3) and Local Rule 9013-1(C) are required in conjunction with this new policy and also finds that there are exigent circumstances which justify implementation of these amendments by interim local rules.

Accordingly, the Court **ORDERS** as follows:

- 1) Local Rule 5005-1(A)(3) is amended by substituting the following text as Interim Local Rule 5005-1(A)(3):

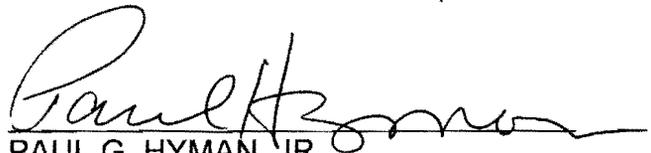
Ex Parte Motions to Redact Personal Information.

A party seeking to redact personal information as set forth in subdivision (A)(2) of this Rule may file an ex parte motion, accompanied by the required filing fee, requesting an order directing the clerk to restrict the unredacted document from public view. If the motion is being filed in a closed case, a motion to reopen case is not required if the sole purpose of the reopening is to file a motion to redact personal information. Simultaneously with the filing of the ex parte motion, the movant shall file the amended redacted document and submit a proposed order granting the motion. The clerk may restrict public access to the document

containing personal identifiers pending entry of an order granting the ex parte motion. Unless the motion is being filed under seal, the motion should not repeat the actual personal information for which redaction is sought. A copy of the motion and entered order shall be served by the movant on the debtor, any individual whose personal identifiers have been exposed, the case trustee (if any), and the U.S. trustee. The original filed document shall remain restricted to preserve the full record.

- 2) Local Rule 9013-1(C) is amended by adding the following new text as Interim Local Rule 9013-1(C)(25): Motions to redact personal information under Local Rule 5005-1(A)(3).
- 3) All cross references in the Local Rules to Local Rules 5005-1(A)(3) and 9013-1(C) including any references contained in the official comments thereto, and in all court forms, guidelines, and clerk's instructions shall be deemed to refer, respectively to, Interim Rule 5005-1(A)(3) or 9013-1(C).
- 4) The Clerk of Court is directed to provide notice of entry of this Order and to update the Local Rules as published by this court to reflect Interim Rules 5005-1(A)(3) and 9013-1(C).

ORDERED in the Southern District of Florida on November 19, 2014.



PAUL G. HYMAN, JR.
CHIEF U.S. BANKRUPTCY JUDGE

c: All SD Bankruptcy Judges Clerk of Court