

**2026 Report of the Judicial Conference of the United States
on the Adequacy of Privacy Rules Prescribed
Under the E-Government Act of 2002**

**PREPARED FOR THE
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2026 REPORT OF THE JUDICIAL CONFERENCE OF THE UNITED STATES
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INTRODUCTION

The E-Government Act of 2002 directed the judiciary to promulgate rules, under the Rules Enabling Act, “to protect privacy and security concerns relating to electronic filing of documents and the public availability ... of documents filed electronically.” Pub. L. No. 107-347, 116 Stat. 2914, § 205(c)(3)(A)(i). Section 205(c)(3)(C) of the E-Government Act further directs that, every two years, “the Judicial Conference shall submit to Congress a report on the adequacy of those rules to protect privacy and security.” Pub. L. No. 107-347, 116 Stat. 2915, § 205(c)(3)(C). Pursuant to this directive, the Judicial Conference hereby submits this report for the period from July 1, 2024, to June 30, 2026. It proceeds in four sections:

- Part I discusses the status of suggested rule amendments identified in the 2024 Report and whether any privacy and security related suggestions for rules changes have been received since that time.
- Part II discusses ongoing implementation efforts by the Administrative Office of the United States Courts (the AO), the Federal Judicial Center (the FJC), and others to protect privacy in court filings and opinions.
- Part III discusses research undertaken by the FJC to assess adherence to the privacy rules.
- Part IV concludes with a summary and an overview of anticipated next steps.

PART I: POTENTIAL RULE AMENDMENTS RELATED TO PRIVACY AND SECURITY CONCERNS

This section addresses the status of suggested privacy-related rule amendments discussed in the 2024 Report and identifies any additional rules suggestions pertaining to privacy or security concerns relating to electronically filed documents received since that time. Part I.A. provides an overview of the current privacy rules. Part I.B. discusses proposed rule amendments relating to complete redaction of taxpayer identification numbers in public court filings. Part I.C. discusses proposed rule amendments to require the use of pseudonyms when reference is made to minors in public court filings. Part I.D. addresses the status of amendments identified in the 2024 Report relating to Appellate Form 4, which requires the disclosure of personal financial information in applications to proceed *in forma pauperis* in appeals. Part I.E. provides an update on other suggestions for rule changes identified in the 2024 Report. Part I.F. identifies any suggestions to amend the rules of practice and procedure since the 2024 Report insofar as they relate to privacy concerns in electronically filed documents.

A. Overview of the Privacy Rules

In accordance with the mandate of the E-Government Act of 2002 for the judiciary to promulgate rules of procedure to address privacy and security concerns regarding electronic access to court filings, the rules of practice and procedure were amended, effective December 1, 2007, to include the following rules (the privacy rules) – Civil Rule 5.2, Criminal Rule 49.1, Bankruptcy Rule 9037, and Appellate Rule 25(a)(5). In compliance with Section § 205(c)(3)(A)(ii) of the Act, which provides that “[s]uch rules shall provide to the extent practicable for uniform treatment of privacy and security issues,” Pub. L. No. 107-347, 116 Stat. 2914, the privacy rules for trial-level proceedings (civil, criminal, and bankruptcy) follow a generally uniform approach. Subject to specified exemptions,¹ those rules require that unless otherwise ordered by the court, filers must redact from documents filed with the court:

- (1) all but the last four digits of an individual’s social-security number or taxpayer-identification number (SSNs and ITINs);
- (2) the month and day of an individual’s birth;
- (3) all but the initial letters of a known minor’s name;
- (4) all but the last four digits of a financial account number; and
- (5) in criminal cases, all but the city and state of an individual’s home address.

With respect to appeals, Appellate Rule 25(a)(5) applies the redaction standard from the case below, either Civil Rule 5.2, Criminal Rule 49.1, or Bankruptcy Rule 9037. In other cases (for example, direct appeals from agencies), Civil Rule 5.2 generally applies. Bankruptcy Rule 8011, which governs filings in bankruptcy appeals from bankruptcy courts to district courts or bankruptcy appellate panels, does not currently have a privacy provision because Bankruptcy Rule 9037 applies to such appeals.

To further protect private information in Social Security appeals and immigration cases, which include unredacted records from administrative and agency actions, the civil and criminal rules also limit remote electronic access to those case files to the parties and their attorneys. Members of the public who wish to view these files must access them at the courthouse. *See* Civil Rule 5.2(c); Criminal Rule 49.1(c). Only the docket and any orders or decisions relating to disposition of these cases are available remotely.² Appellate Rule 25(a)(5) also limits remote

¹ For example, in civil, criminal, and bankruptcy cases, the redaction requirement does not apply to the record of any administrative or agency proceeding, the official record of a state-court proceeding, filings made under seal, and financial account information related to real property subject to a forfeiture proceeding.

² As discussed *infra* in Part III of this report, in April 2024, the Federal Judicial Center (FJC) published a study on Redaction of Non-Government Party Names in Social Security and Immigration Case Documents to evaluate the prevalence of unredacted non-government party names in judicial opinions in Social Security and immigration cases and to identify practices adopted by courts to redact this information.

access to records in Social Security and immigration cases as in Civil Rule 5.2(c), and takes the same approach with respect to petitions for review of a benefits decision of the Railroad Retirement Board under the Railroad Retirement Act.

As additional protection for private information, the privacy rules contain provisions relating to filing under seal without redaction and seeking protective orders to require redaction or limit a nonparty's remote electronic access to a court filing. *See* Civil Rule 5.2(d) & (e); Criminal Rule 49.1(d) & (e); Bankruptcy Rule 9037(c)-(e).

B. Potential Amendments Requiring Complete Redaction of Taxpayer Identification Numbers in Public Court Filings

As detailed in the 2024 Report, Senator Ron Wyden suggested in 2022 that the rules committees reconsider earlier proposals to require complete redaction of SSNs in court filings, rather than redaction of all but the last four numbers. In response to that suggestion, the Committee on the Rules of Practice and Procedure (the Standing Committee) formed a working group to assist with coordinated efforts by the advisory committees to evaluate this proposal. After evaluating the scope of potential amendments, the advisory committees focused on the following:

- (1) Whether the goal of uniformity among all rule sets with regard to redaction of taxpayer identification numbers continues to be appropriate in light of the special considerations regarding the use of the debtor's SSN in bankruptcy cases;
- (2) Whether other types of taxpayer identification numbers, such as Employer Identification Numbers (EINs) and Adoption Taxpayer Identification Numbers (ATINs),³ should be completely redacted in addition to SSNs and ITINs; and
- (3) Whether any other amendments are appropriate in light of the findings of the Federal Judicial Center's April 2024 study and November 2024 supplemental analysis on the incidence of unredacted SSNs found in public court records in PACER.⁴

These issues were raised and discussed at advisory committee meetings from the fall of 2024 through the spring of 2026. In their April 2026 meetings, the Civil Rules, Criminal Rules, and Bankruptcy Rules Advisory Committees voted to recommend that proposed amendments to the privacy rules be published for public comment in accordance with the Rules Enabling Act

At the request of the Judicial Conference Committee on Court Administration and Case Management (CACM), the FJC conducted a supplemental study, published in November 2024.

³ The privacy rules do not expressly address Employer Identification Numbers (EINs), which the IRS requires for individuals and entities that have employees and need to pay employment or other related taxes. EINs are also required to operate a business entity. An Adoption Taxpayer Identification Number (ATIN) is a temporary taxpayer identification number for a child in a domestic adoption if the adoptive parents do not have and/or are unable to obtain the child's SSN while the final adoption is pending.

⁴ *See infra* Part III regarding the FJC's studies relating to privacy concerns in court filings.

process. At its June 2026 meeting, the Standing Committee approved those recommendations, and the proposed privacy amendments are slated for publication for public comment in August 2026. These proposed amendments would do the following to address the three issues identified above:

- (1) Require complete redaction of SSNs and ITINs in civil and criminal cases (Civil Rule 5.2 and Criminal Rule 49.1) but retain the existing rule (Bankruptcy Rule 9037) requiring redaction of all but the last four digits of an individual's SSN or taxpayer-identification number for proceedings in bankruptcy court in light of the unique needs of bankruptcy cases.⁵
- (2) Provide that in civil and criminal cases (Civil Rule 5.2 and Criminal Rule 49.1), complete redaction applies not only to SSNs and ITINs, but also EINs and ATINs.⁶
- (3) Clarify that the redaction requirements in civil, criminal and bankruptcy cases (Civil Rule 5.2, Criminal Rule 49.1, and Bankruptcy Rule 9037) apply to all documents in the court filing, including exhibits and attachments. This change responds to the FJC's finding that most unredacted SSNs in public filings appear in those documents. The proposed committee notes make clear, however, that existing exemptions to the redaction requirement under subsection (b) of these rules, or additional redactions required pursuant to a protective order, are not altered by the proposed amendment..

The Advisory Committee on Appellate Rules has been considering adding another layer of privacy protection on appeal, requiring redactions in appellate filings even of material that need not be redacted under the Civil, Criminal, and Bankruptcy Rules. It was poised to ask the Standing Committee to publish a proposal along these lines but, at its April 2026 meeting, new concerns were raised about the breadth and impact of that proposal. In particular, the U.S. Department of Justice raised concern (echoed by others) about the costs and difficulties involved in redacting the contents of an appendix or the excerpts of record. The possibility that a party might forfeit this additional layer of protection was also raised. Because any changes made to the Civil, Criminal, and Bankruptcy Rules will automatically flow through to the courts of appeals, the Advisory Committee decided to study these concerns further before seeking to impose another layer of protection, and it formed a subcommittee to do so. The Bankruptcy Rules Committee will follow

⁵ As noted in the 2024 Report, in connection with Senator Wyden's suggestion, the Bankruptcy Rules Committee, through its privacy subcommittee, worked with the FJC to survey debtor attorneys, chapter 7, 12, and 13 trustees, creditor attorneys, various tax authorities and representatives of the National Association of Attorneys General about whether bankruptcy forms that currently require inclusion of the debtor's redacted SSN must or should continue to do so. As set forth in the Bankruptcy Rules Advisory Committee Report to the Standing Committee in January 2026, the surveys undertaken by the FJC indicated that a significant number of bankruptcy specialists oppose the idea of removing the truncated SSN. See Agenda Book, Report of the Bankruptcy Rules Advisory Committee, Committee on the Rules of Practice and Procedure, January 2026, page 166, available at: <https://www.uscourts.gov/forms-rules/records-rules-committees/agenda-books>.

⁶ This proposed change would not apply in bankruptcy. In bankruptcy cases, for example, disclosure of the full EIN is required on certain forms.

the work of the Appellate Rules Advisory Committee on this issue to consider amendments to Bankruptcy Rule 8011.

The 2024 Report also identified suggestions that would remove the partially redacted SSNs and full EINs from some bankruptcy notices and forms. Specifically, as stated in the 2024 Report, Bankruptcy Rule 2002(n) (now Rule 2002(o)) requires that the caption of every notice given under that rule comply with Bankruptcy Rule 1005. That caption requires, among other things, the debtor's full EIN, the last four digits of the debtor's SSN or debtor's individual taxpayer-identification number, any other federal taxpayer identification number, and all other names used within eight years before filing the petition. The Bankruptcy Rules Advisory Committee considered this suggestion and proposed amendments to Rule 2002 to provide that most Rule 2002 notices may use the caption described in Official Form 416B, which requires only the court's name, the name of the debtor, the case number, the chapter under which the case was filed, and a brief description of the document's character. Those proposed changes were published for public comment in August 2025. After receiving no comments, final amendments to Rule 2002 were approved by the Bankruptcy Rules Advisory Committee at its spring 2026 meeting and recommended by the Standing Committee at its June 2026 meeting for adoption by the Judicial Conference at its September 2026 session.

C. Potential Amendments Concerning Use of Pseudonyms for Minors

As indicated in the 2024 Report, in March 2024, the U.S. Department of Justice submitted a suggestion to the Criminal Rules Advisory Committee proposing an amendment to Criminal Rule 49.1 to require that all publicly available court filings refer to minors by pseudonyms rather than by their initials. Since the 2024 Report, the Criminal Rules Advisory Committee formed a subcommittee to study this suggestion with reference to amendments to Criminal Rule 49.1. This issue also was incorporated into the scope of the project of the Standing Committee to coordinate consideration of consistent privacy amendments in Civil Rule 5.2, Bankruptcy Rule 9037, and, if needed, Appellate Rule 25 and Bankruptcy Rule 8011. At the spring 2026 meetings of the advisory committees for Civil Rules, Criminal Rules, and Bankruptcy Rules, they reached consensus that the change to require pseudonyms instead of initials was appropriate and voted to recommend publication for public comment on this change to the privacy rules found in Civil Rule 5.2, Criminal Rule 49.1, and Bankruptcy Rule 9037.

As noted above, any changes made to these Rules will automatically flow through to the courts of appeals. The Appellate Rules Advisory Committee is considering extending an additional layer of protection for minors. At its April 2026 meeting, questions were raised about how extending such an additional layer of protection to the identity of minors might interact with the way in which minors were referred to in a state court record or even in the caption of the case. Those concerns will be considered by the new subcommittee mentioned above. The Bankruptcy Rules Committee will follow the work of the Appellate Rules Advisory Committee on this issue to consider amendments to Bankruptcy Rule 8011.

At its June 2026 meeting, the Standing Committee approved the recommendations of the Civil, Criminal, and Bankruptcy Rules Advisory Committees, and the proposed privacy amendments to Civil Rule 5.2, Criminal Rule 49.1, and Bankruptcy Rule 9037 on this issue are slated for publication for public comment in August 2026.

D. Amendments Concerning Applications to Proceed *In Forma Pauperis* in Appellate Cases

The 2024 Report indicated that the Appellate Rules Advisory Committee was considering suggestions to revise Appellate Form 4, which is an affidavit a party files to accompany a motion to proceed in an appeal *in forma pauperis* (IFP). The proposed amendments were intended to substantially simplify the form while still providing the courts of appeals with enough financial information and other details to decide whether to grant IFP status. The 2024 Report further noted that at its April 2024 meeting, the Appellate Rules Advisory Committee recommended that these proposed amendments be published for public comment. Since the 2024 Report, the proposed amendments to Form 4 were published for public comment, and the amendments to Form 4 were then approved by the Standing Committee in June 2025, the Judicial Conference of the United States in September 2025, and the Supreme Court in April 2026. Amended Form 4 was submitted to Congress on April 8, 2026. Absent action by Congress, amended Form 4 will go into effect on December 1, 2026.

E. Status of Other Proposals Identified in the 2024 Report

As set forth in the 2024 Report, the Civil Rules Advisory Committee was considering suggestions relating to the interaction between motions for protective orders filed in response to discovery requests under Civil Rule 26 and motions to file documents under seal. Specifically, the 2024 Report identified a September 2023 suggestion from the Lawyers for Civil Justice (LCJ) for the comprehensive examination of the Civil Rules and to implement a framework for the court and parties to protect privacy rights and prevent cybersecurity problems at various stages of civil litigation, including discovery. Subsequently, LCJ narrowed its proposal in 2025 and suggested amendments only to Civil Rules 26, 34, and 45 relating to documents produced in response to discovery requests or subpoenas. These proposed amendments do not relate to the electronic filing of court documents subject to the E-Government Act of 2002. The Civil Rules Advisory Committee discussed that revised suggestion at its fall 2025 meeting and decided to monitor developments in the area.

F. New Suggestions for Rules Amendments Related to Privacy Concerns

Since the 2024 Report, the Standing Committee has not received any additional suggestions for rules amendments related to privacy or security of information contained in electronically filed public documents.

PART II. ONGOING IMPLEMENTATION EFFORTS TO PROTECT PRIVACY IN COURT FILINGS AND OPINIONS

As mentioned above, the privacy rules require that the filer redact certain personal identifiers from court filings. Additionally, due to the pervasive presence of sensitive personal information in Social Security and immigration cases, the rules exempt filings in those matters from the redaction requirement but also limit remote electronic access to those filings. The judicial opinions in these cases, however, are widely available to the public through the U.S. Government Publishing Office (GPO) United States Courts Opinions document repository on GovInfo and

often appear in internet search engine results. In 2020, the Judicial Conference Court Administration and Case Management (CACM) Committee asked the AO to address this privacy concern by developing a way for courts to suppress case name and party names in Social Security and immigration opinions that are transferred to the GPO for inclusion on GovInfo. In response, the AO developed a software tool called EasyFix. When implemented in the case management system, EasyFix automatically replaces the case and party name metadata in Social Security and immigration opinions with the word “Unavailable.”

Additionally, in memoranda sent to judges and clerks of court in 2018 and 2023, the CACM Committee recommended that courts consider adopting a practice to protect personal identifiers in Social Security and immigration opinions by using only the first name and last initial of non-government parties.⁷ Following the release of the CACM Committee’s suggested practice, some judges redact party names in their opinions and specifically cite the CACM Committee’s guidance as support for this practice, particularly in Social Security cases. On the other hand, as discussed in Section III, a recent FJC study has concluded that a large number of judicial opinions and related documents do not redact party names, and only a small percentage of documents that redact party names follow the CACM Committee’s suggested practice. Additionally, another FJC study has revealed that a relatively small percentage of courts have redaction policies in place for Social Security and immigration opinions.

The CACM Committee is currently reassessing whether it should provide additional or alternative guidance to assist the courts with protecting personal identifiers in Social Security and immigration opinions. As part of this analysis, the CACM Committee has requested that the AO conduct a legal analysis to ensure that its current guidance is consistent with case law regarding public access to court proceedings. The Committee will then determine whether to take additional steps, including providing guidance to the courts or referring the issue to the appropriate Rules Committees.

Beyond reassessing its suggested practice in Social Security and immigration opinions, the CACM Committee has also requested that the AO and FJC explore other ways to increase awareness about ways to protect privacy in court filings and opinions. As noted in the 2024 Report, the AO recently updated several sections of the judiciary’s internal and public websites to include updated information regarding privacy rule requirements and suggested practices. Furthermore, since the 2024 Report, the FJC has included information describing these requirements and practices in its orientation materials for new chief judges, new court unit executives, and law clerks.

Additionally, in the current case management system before a filer electronically submits a document to the court, the system presents a prominent reminder asking “have you redacted?” Finally, as noted in the 2024 Report, the CACM Committee has urged the AO to implement features in the modernized case management system to automate and facilitate a litigant’s review of court filings for compliance with the redaction requirements in the Appellate, Bankruptcy, Civil, and Criminal Rules.

⁷ The memoranda also urged the courts to continue or to consider initiating outreach efforts to litigants and members of the bar to ensure they are aware of redaction requirements for court filings.

PART III. FEDERAL JUDICIAL CENTER RESEARCH ON UNREDACTED PERSONAL INFORMATION

As noted in prior reports on the adequacy of the privacy rules, between 2010 and 2024, the FJC conducted several studies of compliance with the requirement to redact all but the last four digits of an individual's SSN.⁸ Over the past two years, the FJC has conducted numerous additional studies of unredacted personally identifiable information in court documents. These FJC studies will inform the judiciary's understanding of how best to protect sensitive information in court filings and opinions.

In November 2024, the FJC completed supplementary analyses of the 22,391 unredacted SSNs identified in its April 2024 study to determine whether unredacted SSNs were more common in particular types of court filings and proceedings.⁹ Unredacted SSNs appeared more often in certain types of cases. In the district courts, 88% of the SSNs appeared in cases on the civil docket. Nearly a third of civil cases with unredacted SSNs were habeas corpus prisoner petitions and a quarter were civil rights cases. A third of the criminal cases with unredacted SSNs were drug offenses and slightly less than a quarter were property offenses, primarily fraud cases. These same types of cases contained the most unredacted SSNs in civil and criminal appeals. Unredacted SSNs in the bankruptcy case documents appeared most often in Chapter 7 and Chapter 13 filings, and three-quarters of the SSNs in proof of claim registers appeared in Chapter 13 filings. Across all court types, about a third of cases with documents containing unredacted SSNs involved at least one pro se party. However, SSNs found within cases with pro se parties were much more likely to be exempt from the redaction requirement or categorized as protections waived¹⁰ compared to the SSNs found within cases with represented parties. Unredacted SSNs largely appeared within supporting materials that originate outside of the legal process and naturally contain sensitive personal information. Supplementary financial documents, such as tax records, financial records, bank statements, payroll records, and credit checks, accounted for about half of the documents across all courts that contained unredacted SSNs.

⁸See Memorandum from George Cort & Joe Cecil, Research Division, FJC, to the Privacy Subcommittee of the Judicial Conference Committee on Rules of Practice and Procedure, Social Security Numbers in Federal Court Documents (April 5, 2010); Joe S. Cecil et al., Unredacted Social Security Numbers in Federal Court PACER Documents (October 2015) (finding less than .14 percent of sampled documents included on or more unredacted SSNs); See Kristin A. Garri, et al., Unredacted Social Security Numbers in Federal Court PACER Documents (April 2024); (finding that .10% of sampled documents contained unredacted SSNs, that 22% of the unredacted SSNs appeared to be exempt from redaction requirements and an additional 6% belonged to pro se parties who waived the privacy protections, and that a large percentage of the unredacted SSNs occurred in a relatively small number of documents).

⁹See Kristin A. Garri, et al., Supplemental Analysis of Unredacted Social Security Numbers in Federal Court PACER Documents (November 2024).

¹⁰The privacy rules provide for exemptions from the redaction requirements in certain circumstances, which vary somewhat across the rule sets. *Cf.* Fed. R. Civ. P. 5.2(b); Fed. R. Crim. P. 49.1(b); Fed. R. Bankr. P. 9037(b). In addition, a person may waive the protection of the privacy rules with respect to their own information by filing it without redaction. *See, e.g.*, Fed. R. Civ. P. 5.2(h).

In November 2024, the FJC also completed a study on the prevalence of personally identifiable information in Social Security and immigration opinions.¹¹ The FJC found, based on a survey of district and circuit clerks and a review of court websites, that 27 district courts and one circuit court have redaction policies for Social Security cases, and nine district courts and one circuit court have redaction policies for immigration cases. To assess courts' implementation of the CACM Committee's suggested practice of using only the first name and last initial of any non-government parties, the FJC also analyzed a sample of 17,397 dispositive documents, i.e., opinions, orders, judgments, memoranda, and mandates in Social Security cases and 7,456 documents in immigration cases. For district court Social Security cases, over two-thirds of sampled documents included completely unredacted non-government party names. In the court of appeals, over 95 percent of the sampled documents filed in Social Security cases included completely unredacted non-government party names. For district court civil immigration cases, over 90 percent of the documents included completely unredacted non-government party names. In the court of appeals, over 95 percent of the documents in civil, criminal, and agency-appealed immigration cases included completely unredacted non-government party names.

In March 2025, the FJC completed a report summarizing the local court rules of the district and appellate courts to identify rules requiring redaction of specified private information from court filings.¹² It also developed a report summarizing the local rules of bankruptcy courts that require redaction of private information from court filings.¹³ In January 2026, the FJC finalized studies of unredacted minor names in court documents,¹⁴ unredacted home addresses in criminal filings in court documents,¹⁵ and redaction of party names in reports and recommendations filed in Social Security and immigration cases.¹⁶

For its analysis of unredacted minor names in federal court documents available on PACER, the FJC searched a subset of the 4.7 million PACER documents used in its earlier studies of unredacted SSNs. It determined that at least 0.13% of civil documents and 0.09% of appeals documents contain the unredacted name of a person identified as a minor in some fashion.

¹¹ See Jana Laks, et al., *Redaction of Non-Government Party Names in Social Security and Immigration Case Documents* (November 2024).

¹² See Marie Leary, *Review of Local District and Appellate Rules Governing Redaction of Private Information in Federal Court Filings* (March 2025).

¹³ See Carly Giffin, *Review of Local Bankruptcy Rules, Orders, and Procedures Governing Redaction of Private Information in Federal Court Filings* (March 2025).

¹⁴ See Roy Germano, et al., *Exploratory Analysis of Unredacted Minors' Names in Federal Court PACER Documents* (January 2026).

¹⁵ See Roy Germano, et al., *Exploratory Analysis of Unredacted Home Addresses in Federal Court PACER Criminal Proceedings Documents* (January 2026).

¹⁶ See Kristin A. Garri, et al., *Redaction of Non-Government Party Names in Reports and Recommendations Filed in Social Security and Immigration Cases* (January 2026).

Additionally, it found that about half of instances with an unredacted name appear to be noncompliant with the privacy rules and about half appear to be exempt.

For its analysis of the prevalence of unredacted home addresses in criminal and appellate filings, the FJC randomly selected 10,000 documents from its collection of 41,326 criminal appeals court PACER documents and 10,000 documents from its collection of 484,203 criminal district court PACER documents to search for home addresses. In those data sets, it found unredacted home addresses in 2.7% of the district court documents and 2.8% of the appeals court documents. Looking at the small percentage of documents that contained an unredacted home address, the FJC found that 63% of the unredacted home addresses in the district court documents and 78% of the unredacted home addresses in the appeals court documents appeared to be noncompliant with the privacy rules. Of the 32% of unredacted addresses (in district-court filings) that qualified as exempt from the redaction requirement, almost all appeared in charging documents and affidavits, arrest and search warrants, and criminal investigations or other documents prepared prior to filing of a criminal charge. Of the 14% of unredacted addresses (in appellate filings) that were exempt from the redaction requirement, about a third appeared in state court documents and the remainder appeared in charging documents, affidavits, warrants, and investigations.

Finally, for its study of redaction of party names in reports and recommendations (R&R's) in Social Security and immigration cases, the FJC analyzed the 955 publicly available R&Rs in the 8,170 Social Security and 6,244 civil immigration cases which terminated in the district courts between June 1, 2023, and December 31, 2023. It found that approximately two-thirds (65%, 587) of the 908 R&Rs filed in Social Security cases contained the full non-government party name. Of the 35% that were redacted, nearly all (304, about 95%) included only the first name and last initial of the non-government party, mirroring the CACM Committee's suggested practice. Additionally, over 80% (38) of the R&Rs filed in civil immigration cases contained the full non-government party name. Five of the eight redacted R&Rs (10.6%) were redacted using initials and the other three were redacted to the first name and last initial (6.4%).

PART IV: CONCLUSION

In the two years since the Judicial Conference's 2024 Report to Congress on the adequacy of the privacy rules, the rules committees have considered several proposed rule changes that include privacy-related issues. The Civil and Criminal Rules Advisory Committees are proceeding through the Rules Enabling Act process with proposed amendments to require complete redaction of SSNs, ITINs and other taxpayer identification numbers in criminal and civil case filings. The Civil, Criminal, and Bankruptcy Rules Committees are also proceeding with proposed amendments to require reference to minors by pseudonyms rather than initials. These proposed amendments to the privacy rules will be published for public comment in August 2026. Additionally, proposed final amendments to Bankruptcy Rule 2002 were also approved at the June 2026 Standing Committee meeting to eliminate reference to debtor SSNs and ITINs in notices provided under this rule. These proposed final amendments will be considered by the Judicial Conference at its September 2026 session.

Regarding additional measures to protect privacy in public court filings, the CACM Committee is currently reassessing whether it should provide additional or alternative guidance to

assist the courts with protecting personal identifiers in Social Security and immigration opinions. The CACM Committee has also requested that the AO and FJC explore other ways to increase awareness about ways to protect privacy in court filings and opinions, and the FJC has included information describing these requirements and practices in its orientation materials for new chief judges, new court unit executives, and law clerks.

Finally, the FJC has engaged in numerous studies since the 2024 Report to identify the incident of unredacted SSNs in court filings and opinions, including Social Security and immigration cases, the incidence of unredacted names of minors; and the different approaches in local rules to redaction. The FJC has also conducted a survey in support of the Bankruptcy Rules Committees' consideration of the use of SSNs in bankruptcy filings. These results of these efforts have supported and informed the rule-making process and the work of the CACM Committee to continue to find ways to improve the protection of private information in electronic court filings.