

Q. Why do we have these rules?

Maine courts are moving from paper court records to electronic or eFiling. In eFiling, the public will be able to see some court files online as well as at a courthouse. Neither the court nor the clerk can control what you share with the public when you file a court paper. The rule making you responsible for redacting or leaving out private data in what you file is to help you protect your privacy and your sensitive information and make identity theft less possible.

Q. What's the best way to redact a paper copy?

First, make a copy of the original, unredacted document and set the original aside. Redact the copy by whiting or blacking out private information. Make sure the information is completely covered. File the original and redacted documents with the court. Mark the second document as "redacted."

Q. What's the best way to redact an electronic document?

If you are redacting a scanned or converted PDF, certain applications, like Adobe Acrobat Professional and Foxit PDF Editor, include tools and offer plug-ins specifically for redaction. If redacting a Microsoft Word document, the best practice is to leave out protected information. When redacting an existing Word document, remove or replace the protected information and then paste the redacted contents into a text editor like Notepad. Programs like Notepad will allow you to save a version of the document free of deleted information that is hidden in the code of Word documents.

Q. What rules apply to eFiling?

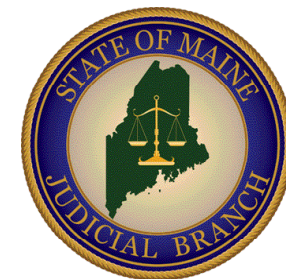
The following rules and administrative orders apply to documents filed in Maine courts that have implemented electronic filing:

- Maine Rules of Electronic Court Systems (MRECS)
- Application of the Maine Rules of Electronic Court Systems (MRECS) During the Implementation of the Odyssey Case Management System (A. 9-23)
- Temporary Standing Order Regarding Maine Rules of Electronic Court Systems (RECS)
- Maine Rules of Civil Procedure

All Rules and Administrative Orders can be found on the Judicial Branch website.

For more information about Maine eCourts and eFiling, including rules and administrative orders, visit [www.courts.maine.gov](http://www.courts.maine.gov).

## Protect Your Private Information in Courts with eFiling



[www.courts.maine.gov](http://www.courts.maine.gov)

## Why do I need to take steps to protect my information?

Some courts now offer electronic filing (eFiling) for most types of civil cases. Most people who do not have a lawyer for their case (self-represented litigants, or "SRLs") are not required to eFile. They can give the clerk, in paper, anything they need to file in their case. The clerk will scan paper documents into the electronic system, converting them to electronic files.

Clerks and other court staff cannot remove or cover up personal data from a paper you file with the court before they scan it into the electronic system. It is up to you to protect your private information.

### Protect private information in two ways

- Do not put anything in your court papers that you do not want the public to see, OR
- File a second copy of your court paper, and on that second copy, cover up the words you don't want the public to see ("redact" them). The second copy is called a "redacted copy" and covering words up is called "redaction."

### Some court forms are already protected

Do not remove or cover up personal data from court forms that are marked at the top, "CONTAINS NONPUBLIC DIGITAL INFORMATION." Forms with this notation are already protected.

## FAQs on "Redaction in Courts That Have Electronic Filing (eFiling)"

The information below is about how to "redact" private or nonpublic information in paper court forms and documents. It will help you keep nonpublic information in a paper document from being seen online.

Q. Who must leave out or redact private information?

All parties filing into civil cases at courts where electronic filing (eFiling) is used are responsible for protecting their private information, whether they file in paper or electronically.

Q. Is there any case or case type in which I do not need to leave out private information or file a redacted copy of a court paper?

Yes! Your privacy is already protected in the following case types:

Family cases, which include, for example, divorce, parental rights, and protection order cases are available to the public at the courthouse, but the public will not be able to see them online; and

Cases that are confidential by law. The public cannot access these cases. Examples include:

- Mental health civil commitment proceedings;
- Medical malpractice screening panel proceedings;
- Sterilization proceedings;

- HIV/AIDS testing proceedings;
- Minor settlement proceedings;
- Child protection matters;
- Adoptions;
- Guardianships of minors;
- Name changes for minors;
- Petitions for court-authorized abortions for minors;
- Emancipations of minors;
- Assisted reproduction matters, including non-compliance with gestational carrier agreements
- Most juvenile case records

Q. What information should I leave out or cover up (redact)?

Most of what you should leave out or cover up in a redacted copy of a court paper filed in your civil case is listed below:

- Full names of minors
- Social security numbers
- Driver's license numbers
- Passport numbers
- Financial documents and tax forms including W-2s, tax returns, bank or credit card statements, and account numbers
- Health and medical records, DNA-identifying data, and psychological evaluations