

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)	Misc. No.: 3:04-5009
)	
Implementation of the Judicial Conference Policy)	<i>Corrected</i>
on Privacy and Public Access to Electronic Criminal)	REVISED ORDER
Case Files)	(February <u>24</u> , 2005)
_____)	

The Judicial Conference Policy on Privacy and Public Access to Electronic Criminal Case Files (the "Policy") requires federal courts to make electronic criminal case file documents available to the public via electronic remote access.¹ In the District of South Carolina, documents filed in criminal cases will be available through PACER and CM/ECF.

The Policy also requires that certain information be redacted prior to filing to avoid disclosure of sensitive or protected information. Responsibility for the redaction of the specific categories of information rests with the individual filing the document. *See* CM/ECF Policies & Procedures and Attorney User Manual.

In addition to requiring redaction of certain information, the Policy lists various documents which should be excluded from public access. *See* Policy § III. In conformity with those directions, the Clerk of Court is hereby directed to exclude the following types of documents from public access in any form, unless otherwise ordered by the court:

1. Unexecuted summons or warrants of any kind;
2. Pretrial bail, presentence investigation reports, or supervised release violation reports;
3. Statements of Reasons in the judgment of conviction;
4. Juvenile records;

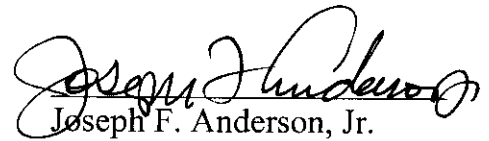
¹ The Policy is available on the internet at www.privacy.uscourts.gov/crimimpl.htm. This District's information regarding public access to documents in electronic case files is available at www.scd.uscourts.gov/filing/publicaccess.asp.

5. Financial affidavits filed in connection with the seeking of representation under the Criminal Justice Act;
6. *Ex parte* motions; and
7. Sealed documents.²

The Clerk of Court is also directed to redact personal or identifying information (including any signatures of jurors, potential jurors, grand jurors, or potential grand jurors) from all civil and criminal documents filed by the Clerk in the public record. The Clerk of Court and his assigned deputies are authorized to determine the most efficient way to implement this Order.

IT IS SO ORDERED.

February 24, 2005
Columbia, South Carolina


Joseph F. Anderson, Jr.
Chief Judge

² Local Civil Rule 49.01(A) governs procedures for sealing where allowed without a motion. This order shall serve as a "prior order" authorizing filing under seal of those categories of documents listed above in items 1 through 6, as well as any unredacted document containing identifying information relating to any juror. Other documents may be sealed by court order upon motion filed in compliance with Local Civil Rule 49.01(B). Categories of documents which may be appropriate for sealing upon such motion include, but are not limited to, motions for downward departure and plea agreements indicating cooperation where there is a reasonable apprehension of retaliation and those portions of documents which contain sensitive information, national security information, or classified information.