

**United States District Court
Southern District of West Virginia**

**ADVISORY RE: ELICITING INFORMATION CONCERNING
CERTAIN PERSONAL DATA**

Federal Rule of Civil Procedure 5.2 and Federal Rule of Criminal Procedure 49.1 require that personal identifier information be redacted from documents filed with the court. However, if such information is elicited during testimony or other court proceedings, that personal data will be available to the public when the official transcript is filed at the courthouse unless, and until, it is redacted.

The rules require that certain personal data be limited as follows:

- ▶ Social Security numbers are limited to the last four digits;
- ▶ Financial account numbers to the last four digits;
- ▶ Dates of birth to the year;
- ▶ Names of minor children to the initials; and
- ▶ Home addresses to the city and state.

Please consider this when questioning witnesses or making other statements in court. If a restricted item is mentioned in court, you may ask to have it stricken from the record or partially redacted to conform with the rules, or the court may do so on its own motion.

The better practice is to avoid introducing this information into the record at all.

Protect the privacy of individuals who appear in court.