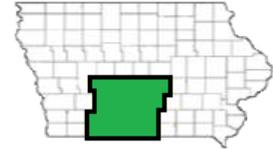# 5th Judicial District
Electronic Document Management System

Electronic Filer Exhibit Redaction Guide

Rule 16.412 Exhibits.

16.412(1) *Exhibits generally*. Exhibits offered at trials or hearings that can be maintained in an electronic format shall, unless the court otherwise orders, be maintained electronically for purposes of the official court record. Except as provided in 16.601(3), <u>prior to offering exhibits the submitting party shall redact the exhibits pursuant to Division VI (Protection of Personal Privacy) of these rules</u>.

Rule 16.601 Responsibility to redact or mask protected or confidential information.

16.601(3) *Exhibits*. If protected information must be included in an exhibit pursuant to rules 16.603(2) and 16.603(4), the submitting party must inform the court of the inclusion of protected information and request that the exhibit be treated as a confidential document. Within 14 days of the submission of the exhibit, the submitting party shall electronically file a redacted copy of the exhibit that will be made available to the public. Any disagreement as to the proper redaction of the exhibit shall be decided by the court. The system will only allow viewing of the unredacted protected information by parties with the proper access. For additional information and rules regarding exhibits, *see* rule 16.412.

Redacting a Proposed Exhibit Submission from eFlex

The electronic filing system permits the filer to redact a document in the same submission or subsequently at a later time. Submitting a filing with a redacted version prevents confidential information from being exposed to the public once the court admits an exhibit at hearing or trial.

To submit a redaction in the same filing begin by filing as normal and uploading the exhibit using the document type '**EXHIBIT – PROPOSED**.' A redacted exhibit must have all protected information blacked out or removed before being uploaded to the system. Choose '**REDACTION**' as the document type and upload your document. Once the '**Add'** button is clicked the application will direct the filer to the Redaction page.

Redaction Screen:

The redaction screen is shown in two parts to designate "*Previously Filed Documents*" and "*Documents in this filing*." For the purposes of redacting exhibits in the current filing you must scroll down the page.

Each filing in the current submission will have a preceding button to the left. Mark the button for the exhibit that the redaction corresponds with. When completed click on the '**Next**' button to return to the '*Add a Document*' page.

Add a Document Screen:

The uploaded redaction is now paired with the original proposed exhibit. A separate line will appear below the original submission and will remain linked through the Clerk's approval process.

Continue to upload any redactions for remaining proposed exhibits in the existing filing submission. Once completed review the information and submit the filing to the Clerk for approval.

Redacting a Previously filed Document in eFlex

To redact a previously filed document you must be filing on the existing case. Choose '**REDACTION**' as the document type and upload your document. Once the '**Add**' button is clicked the application will direct the filer to the Redaction page.

Redaction Screen:

As mentioned earlier the redaction screen is shown in two parts to designate "*Previously Filed Documents*" and "*Documents in this filing*." For the purposes of redacting exhibits from a previous filing, you must select a document from the case history.

Each entry in the case history will have a preceding button to the left. Mark the button for the exhibit (or filing) that the redaction corresponds with, then click on the '**Next'** button (bottom of the page) to return to the '*Add a Document'* page.

NOTE: When redacting an admitted exhibit be sure to redact the correct version. Do not redact the 'Proposed' version as the system will automatically seal at a document level setting of '2' which restricts viewing to self-represented litigants and above.

Add a Document Screen:

The uploaded redaction will not be paired with a concurrent filing, but will instead name the document type of what is being redacted. The Clerk's approval process will link the new version with the existing filing. The redaction now becomes the public document and the original filing will change to a document security setting of '1' to shield it from public view.

Viewing Redactions from the Case History

The case history will display both the original and the redacted verison. When exhibits are redacted public users can view the evidence of a case without accessing protected or sensitive information. The original verison will stay outside of public view. Case parties and attorneys will still have the ability to see the original version.

Redacting Filings Submitted by Other Parties

eFlex does permit a filer to redact a filing he/she did not originally submit. The system will store a completely new filing and elevate the document security of the original to confidential. This protects against the opposite party trying to hide information on the public record, but still allows a moving party to have something redacted by a judge's order.

This is a rare occurrence and may require some intervention on the clerk's behalf. If you have a need for redacting a filing you did not originally submit, please contact the clerk in your county or the District Compliance Coordinator (515-286-3778).