

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF KANSAS  
STANDING ORDER NO. 14-6  
ORDER ADOPTING LOCAL RULE GOVERNING REDACTION**

The Bankruptcy Bench-Bar Committee for the District of Kansas has reviewed and recommended the adoption of D. Kan. LBR 9037.1, attached hereto, to govern local procedures on how to file a motion to redact. The judges of this court conclude that the provisions of that rule should be made effective immediately on an interim basis.

In consideration of the foregoing, and pursuant to 28 U.S.C. § 2071, Rule 83 of the Federal Rules of Civil Procedure, and Rule 9029 of the Federal Rules of Bankruptcy Procedure,

IT IS HEREBY ORDERED that Interim D. Kan. LBR 9037.1 is adopted in its entirety and without change by the judges of this court.

IT IS FURTHER ORDERED that this Standing Order shall become effective on this date, and shall remain in effect until further order of the court.

IT IS SO ORDERED.

Dated this 9th day of December, 2014.

s/ Robert E. Nugent  
ROBERT E. NUGENT  
Chief Judge

s/ Janice Miller Karlin  
JANICE MILLER KARLIN  
Judge

s/ Dale L. Somers  
DALE L. SOMERS  
Judge

s/ Robert D. Berger  
ROBERT D. BERGER  
Judge

**Interim LBR 9037.1**  
**REDACTION**

**(a) Motion.** Any person seeking to redact publicly filed data that is subject to privacy protection under [Fed. R. Bankr. P. 9037](#) or section XII.C of Appendix 1-01 to D. Kan. LBR 5005.1 should file a motion to redact such data on the grounds that public access is likely to prejudice privacy interests. Motions to redact need not be filed with a notice of objection deadline, but the Court may in its discretion determine that a hearing is appropriate to consider the motion and any related responses.

**(b) Contents of Motion.** The motion to redact must identify the type of data that is subject to privacy protections (without repeating within the motion the substance of the protected information), identify the document(s) in the record where that data is contained, and explain the reasons why public access is likely to prejudice privacy concerns. Except with respect to omnibus motions to redact filed under subsection (g) of this Rule, each motion to redact must include an appendix containing a properly redacted replacement copy of each document (each in a separate .pdf file) that the motion identifies as containing data subject to privacy protections.

**(c) Service.** All motions to redact must be served on the debtor, debtor's attorney (if the debtor is represented), the person who disclosed the information to be redacted (unless the disclosing person is the movant), any individual whose personal identifiers have been exposed, the case trustee, and the United States Trustee.

**(d) Sealing Publicly Accessible Documents.**

(1) **Temporary Seal.** Pending entry of an order on any motion to redact, the Clerk, upon the filing of a motion using a "Redact per LBR 9037.1" event in CM/ECF, will typically temporarily seal both the motion to redact and any documents identified in the motion to redact as containing data that is subject to privacy protection. If such a temporary seal is not entered within one business day after the filing of the motion to redact, movant may file a Motion to Seal. An order resolving the motion to redact will be entered by the Clerk or the Court, and will address any seal that has been imposed.

(2) **Authority for Clerk to issue sealed notice.** To minimize dissemination of data that may be subject to privacy protection, the Clerk of the Court is authorized, but not required, to issue a sealed notice of noncompliance to any person who files a publicly

accessible document that appears to contain data subject to privacy protection.

**(e) Redaction Fee.** The movant must pay the fee required by the Bankruptcy Court Miscellaneous Fee Schedule for each case affected by the motion to redact, although the Court may waive the redaction fee in appropriate circumstances, upon motion stating good cause filed contemporaneously with the motion to redact.

**(f) Closed Cases.** Because a case need not be reopened (and a reopening fee need not be paid) if redaction is the only basis for the motion to redact, the movant should not file a motion to reopen the case prior to filing the redaction motion.

**(g) Large-Scale Requests.** If a movant seeks to redact information in a large number of similarly affected cases, the movant may file an omnibus motion. An omnibus motion must identify each affected case and the type of information to be redacted (without repeating the substance of the protected information), and must be filed in one lead case, with service on all parties identified in subsection (c) of this Rule. If the Court exercises its discretion to hold a hearing on the omnibus motion, the hearing will be noted in advance via a docket entry in each affected case.

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