

RULE 25-6 | COURT ACTION WITH RESPECT TO IMPERMISSIBLE LANGUAGE OR INFORMATION IN FILINGS

(a) When any paper filed with the court, including motions and briefs, contains:

(1) ad hominem or defamatory language; or

(2) information the public disclosure of which would constitute a clearly unwarranted invasion of personal privacy; or

(3) information the public disclosure of which would violate legally protected interests, the court on motion of a party or on its own motion, may without prior notice take appropriate action.

(b) The appropriate action the court may take in the circumstances described above includes ordering that: the document be sealed; specified language or information be stricken from the document; the document be struck from the record; the clerk be directed to remove the document from electronic public access; the party who filed the document either explain why including the specified language or disclosing the specified information in the document is relevant, necessary, and appropriate or file a redacted or replacement document.

(c) When the court takes such action under this rule without prior notice, the party may within 14 days from the date the court order is issued file a motion to restore language or information stricken or removed from the document or file the document without redaction, setting forth with particularity any reasons why the action taken by the court was unwarranted. The timely filing of such motion will postpone the due date for filing any redacted or replacement document until the court rules on the motion.

