

OFFICE OF THE CLERK  
**UNITED STATES BANKRUPTCY COURT**  
DISTRICT OF RHODE ISLAND

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**NOTICE OF ADOPTION**

**Amendment of Local Rules Effective January 1, 2004**

5005-1, 9004-1 and 9004-2

Pursuant to 28 U.S.C. §2071, Fed.R.Civ.P. 83, Fed.R.Bankr.P. 9029, and the November 11, 1990 Order of the U.S. District Court Authorizing Promulgation of Local Bankruptcy Rules, the U.S. Bankruptcy Court for the District of Rhode Island hereby provides notice that the Local Rules listed above have been amended.

Copies of the amended local rules are available at the Clerk's office or on our website at [www.rib.uscourts.gov](http://www.rib.uscourts.gov). These rule amendments are effective beginning January 1, 2004, and shall apply to all cases filed on or after this date, and all cases pending in this court as of this date.

December 31, 2003

FOR THE COURT

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Susan M. Thurston, Clerk

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND**

**AMENDED LOCAL RULES**

Effective January 1, 2004

**RULE 5005-1 FILING OF PAPERS**

**(a) Transmittal by Electronic/Facsimile Means.** Except as set forth in subdivision (c) below, The Court will accept documents transmitted by facsimile, electronic or similar device only by filers not registered for electronic filing and only if such documents constitute: (1) a motion requesting emergency relief, and only where the nature of the emergency is clearly defined and explained; (2) an opposition or objection to a motion transmitted under (1) above; (3) a withdrawal of a motion or opposition previously filed; or (4) any other document which the Court specifically authorizes or requests be transmitted by facsimile or other electronic means. Even in these instances however, the faxed document is not docketed, but is received by the Court for emergency review. In order to have the faxed paper deemed “filed” and docketed in the case, the party filing the document must forward the original to the clerk’s office within forty-eight (48) hours thereafter. The clerk’s office will not retain any faxed documents without the original being timely supplied. Any document faxed to the Court shall also be either faxed or hand delivered to opposing parties.

**(b) Cover Sheet.** A cover sheet in the required form shall be filed with all non-electronically filed adversary proceeding complaints, and all notice of appeal filings.

**(c) Discovery Not Filed.** Depositions, interrogatories, answers to interrogatories, requests for production or inspection, responses to those requests, notices of deposition, and other discovery material shall not be filed with the Clerk. When any such document is needed in connection with a pre-trial proceeding, those portions which are relevant shall be submitted to the Court as an exhibit to a motion or answer thereto. Any such material needed at trial or hearing shall be introduced as provided in the Federal Rules of Civil Procedure, the Federal Rules of Evidence, and the Federal Rules of Bankruptcy Procedure.

**LOCAL BANKRUPTCY RULE 9004-1**

**Treatment of Personal Data Identifiers Consistent with Judicial Conference Privacy Policy**

**(a) Privacy Considerations.** In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents and pleadings filed with the Court, including exhibits thereto, whether filed electronically or in paper, unless otherwise ordered by the Court or required by statute, the Federal Rules of Bankruptcy Procedure or the Official Bankruptcy Forms.

**(1) Social Security numbers.** If an individual's social security number must be included in a pleading, only the last four digits of that number should be used.

**(2) Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used. On Schedule I of Official Bankruptcy Form 6, list relationship and age of the debtor's dependents ( i.e., son, age 6).

**(3) Dates of birth.** If an individual's date of birth must be included in a pleading, only the year should be used. On Schedule I of Official Bankruptcy Form 6, list the age of each of the debtor's dependents.

**(4) Financial account numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used. On Schedules D, E, and F of Official Bankruptcy Form 6, debtors, if they so choose, may include their full account numbers to assist the trustee and creditors.

**(b)** In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers listed above may file an unredacted document under seal. This document shall be retained by the court as part of the record. The court may, however, still require the party to file a redacted copy for the public file.

**(c)** The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Clerk will not review each document for compliance with this rule.

#### **RULE 9004-2 CAPTION - PAPERS, ADVERSARY PROCEEDINGS**

See R.I. LBR 1005-1(a), 5005-1(b) and 7003-1(b).