

Redaction of Non-Government Party Names in Social Security and Immigration Case Documents

*Prepared for the
Judicial Conference of the United States
Committee on Court Administration and Case Management*

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Executive Summary

In October 2024, at the request of the Judicial Conference Committee on Court Administration and Case Management (CACM), the Federal Judicial Center (Center) completed a study of unredacted non-government party names in Social Security and immigration cases. The Center first surveyed clerks of court for the district courts and the regional courts of appeals to identify local court rules, orders, and practices on redaction of non-government party names. Eighty-seven clerks of court responded to the survey, a response rate of 82%. If the clerk for a court did not respond, the Center searched the court's external and internal (where available) websites for the presence of a local rule, order, or other court practice.

Based on the survey and court website search, 27 district courts and one court of appeals have redaction policies for Social Security cases, and 9 district courts and one court of appeals have redaction policies for immigration cases. Eighteen of the policies for Social Security cases and four that cover immigration cases mirror the committee's recommendation to redact to the first initial and last name of the non-government party in opinions. Five additional courts have a rule, order, or court practice that only allows redaction of non-government party names in Social Security and immigration case filings upon request from a party and at the court's discretion.

To assess whether courts are redacting documents as suggested in the Committee's May 2023 memorandum, the Center analyzed a sample of 17,397 publicly available dispositive documents in Social Security cases that terminated in 91¹ district courts and the 12 regional courts of appeals between June 1, 2023, and December 31, 2023. The Center similarly analyzed a sample of 7,456 publicly available dispositive documents in immigration cases that terminated in 73² district courts and the 12 regional courts of appeals during the same time frame.

In the district courts, over two-thirds (71%, 11,928) of the sampled Social Security documents included completely unredacted non-government party names. In Social Security documents with redactions (29%, 4,882), the most common type of redaction was the use of a first name and last initial (27%, 4,452), consistent with the guidance CACM issued in the May 2023 memorandum. A higher percentage of opinions contain redacted non-government party names (50%, 858) compared to judgments (20%, 1,526).

In the courts of appeals, 96% (566) of the sampled Social Security documents included completely unredacted non-government party names. In the few redacted documents, the most common type of redaction was initials only (1.2%, 7), followed by first initial and last name (1%, 6). The percentage of documents redacted did not vary by document type.

At the court level, 15 district courts (17%) redacted non-government party names in more than 50% of the sampled Social Security documents. Conversely, 21 (23%) of the district courts and six (50%) of the courts of appeals did not redact *any* sampled Social Security documents with non-government party names.

1. Some district courts are not represented in the analysis because no dispositive documents were filed in Social Security cases in the court during the study period. See note 10, *infra*, for more detail.

2. Some district courts are not represented in the analysis because no dispositive documents were filed in immigration cases in the court during the study period.

In the district courts, 94% (2,587) of the sampled civil immigration documents included completely unredacted non-government party names. The most common type of redaction was the use of a first initial and last name (2%, 51), with less than 1% (15) redacted using a first name and last initial per the Committee's guidance. Seven percent (4) of opinions were redacted compared to 5% (124) of orders.

In the courts of appeals, 96% (4,511) of the sampled dispositive documents in civil, criminal, and administrative agency-appealed immigration cases included completely unredacted non-government party names. All 20 redacted documents found in criminal appeals were filed in three courts and made up 4–5% of those courts' sampled documents.

Across all immigration documents from the courts of appeals, the most common method of redaction was the redaction of a minor's name to initials with an unredacted parent or guardian's name listed OBO ("on behalf of"), appearing in 126 documents (3%). Eight percent (68) of opinions were redacted compared to 5% (88) of orders.

Background

At its December 2022 meeting, the Judicial Conference Committee on Court Administration and Case Management (CACM) discussed concerns raised by Congress and reported in the media that some publicly available court filings, including published opinions in Social Security and immigration cases, contained unredacted personal information. Following the meeting, CACM requested that the Federal Judicial Center (Center) update its 2015 empirical review of court filings for unredacted SSNs.³ That updated study was completed in April 2024.⁴

CACM also requested that the Center conduct a separate study of judicial opinions in Social Security and immigration cases to determine the extent to which they contain full non-government party names and to identify practices adopted by courts to redact this information.

Under the privacy rules, documents related to Social Security and immigration cases have a unique status. Fed. R. Civ. P. 5.2(c)(2) states that, in Social Security and immigration cases, any person may have remote electronic access to “the docket maintained by the court; and [] an opinion, order, judgment, or other disposition of the court, but not any other part of the case file or the administrative record.”

On May 1, 2023, the Chair of the CACM Committee sent a memorandum⁵ to the courts sharing suggested practices to protect personal information in court filings and opinions. The memorandum specifically “encourage[d] courts to consider adopting a local practice of using only the first name and last initial of any non-government parties in opinions and orders (including reports and recommendations) in Social Security and immigration cases.” The CACM Committee sent a similar memorandum in 2018.⁶

To assess compliance with this guidance, the Center surveyed clerks of court for the district courts and regional courts of appeals and analyzed a sample of dispositive documents, including but not limited to opinions, filed in Social Security and immigration cases. This report contains the results of those efforts.

3. Joe S. Cecil et al., Federal Judicial Center, Unredacted Social Security Numbers in Federal Court PACER Documents (2015), <https://www.fjc.gov/content/313365/unredacted-social-security-numbers-federal-court-pacer-documents>.

4. Kristin A. Garri et al., Federal Judicial Center, Unredacted Social Security Numbers in Federal Court PACER Documents (2024), <https://www.fjc.gov/content/387587/unredacted-social-security-numbers-federal-court-pacer-documents>.

5. Memorandum from Hon. Gregory Van Tatenhove, Chair, Comm. on Ct. Admin. & Case Mgmt., to Chief Judges & Clerks, U.S. Cts., Suggested Practices to Protect Personal Information in Court Filings and Opinions (Information) (May 1, 2023), <https://jnet.ao.dcn/sites/default/files/pdf/DIR23-045.pdf>.

6. Memorandum from Hon. Wm. Terrell Hodges, Chair, Comm. on Ct. Admin. & Case Mgmt., to Chief Judges & Clerks, U.S. Cts., Privacy Concern Regarding Social Security and Immigration Opinions (Information), <https://jnet.ao.dcn/sites/default/files/pdf/DIR18-056.pdf>.

Survey of Clerks of Court

Method

In June 2024, the Center surveyed, via email, clerks of court of the 106 district courts and regional courts of appeals.⁷ The survey included three questions:

1. Does your court have a local rule, standing order, or established court practice about the redaction of the name of non-government parties in opinions in Social Security and/or immigration cases? (This might include, e.g., requiring reference to such parties solely by first name and last initial.) YES or NO
2. If your court has a local rule or standing order, could you please provide a link or attachment?
3. If your court has established a related practice other than by local rule or standing order, could you please briefly describe it?

Clerks for 87 courts responded, a response rate of 82%. For the other 19 courts, Center researchers searched through court websites—both external and, when available, internal—for local rules, general orders, and informal operating procedures related to the redaction of non-government party names in Social Security and immigration cases. Responses to the third survey question were independently coded by two researchers for the type of case and document the practice covered, as well as redaction method.

Results

Clerks for 26 district courts and one court of appeals indicated in their survey response that their court has a policy regarding redacting non-government party names in selected Social Security case documents, without requiring a request by the party. Nine district courts and one court of appeals identified such a policy in immigration cases. Ten of these 27 courts have a single policy that covers both Social Security and immigration cases; no court reported a stand-alone immigration policy. The website search of non-response courts uncovered one additional district court policy regarding redaction in Social Security case filings.

Additionally, five courts reported they have instituted a rule, order, or court practice that only allows redaction of non-government party names in Social Security and immigration case filings upon request from a party and at the court's discretion.

As seen in Table 1, redaction policies are most commonly court practices, which are often informal and unwritten. Court practices account for all immigration case policies (10) and two-thirds of Social Security case policies (66%, 19). One district court has both entered a court order and implemented a court practice.

7. Social Security and immigration cases do not fall under the jurisdiction of the Court of Appeals for the Federal Circuit.

Table 1: Type of Redaction Policy

	Social Security	Immigration
<i>Rule</i>	2 (6.9%)	0 (0%)
<i>Order</i>	8 (27.6%)	0 (0%)
<i>Court Practice</i>	19 (65.5%)	10 (100%)
Redaction Policies	29	10

Written local rules and orders were adopted or entered between 2018 and 2024, presumably in response to the Committee’s 2018 memorandum. See Table 2.

Table 2: Written Social Security Policy Promulgation, by Year and Type (Excludes Court Practices)

	2018	2019	2020	2021	2022	2023	2024	Total
<i>Rule</i>	0 (0%)	1 (50%)	0 (0%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2 (100%)
<i>Order</i>	1 (12.5%)	0 (0%)	1 (12.5%)	2 (25%)	3 (37.5%)	0 (0%)	1 (12.5%)	8 (100%)

Table 3 shows the documents covered by the policies. Only one of the 28 Social Security policies (4%) does not apply to opinions. Nine (33%) Social Security and four (40%) immigration policies that apply to opinions expand the redaction of non-government party names to other documents filed in the case.

**Table 3: Documents Covered by
Non-Government Name Redaction Policy**

	Social Security	Immigration
<i>Opinions</i>	27 (96.4%)	9 (90%)
<i>Other documents, to include:</i>	10 (35.7%)	4 (40%)
Orders	3 (10.7%)	2 (20%)
All Documents	2 (7.1%)	1 (10%)
Any Order, Judgment, or Other Disposition	2 (7.1%)	0 (0%)
Initial Pleadings	1 (3.6%)	1 (10%)
Order Accompanying Memorandum of Opinion	1 (3.6%)	0 (0%)
Substantive Orders	1 (3.6%)	0 (0%)
Total Courts	28	10

Review of Publicly Available Social Security Case Documents

Method

To assess courts' implementation of the guidance for redaction in Social Security cases in the Committee's 2023 memorandum, the Center identified, downloaded, coded, and analyzed a sample of 17,397 publicly available dispositive documents⁸ from 8,170 cases filed in district courts and 282 from the courts of appeals. These cases have a termination date between June 1, 2023, and December 31, 2023, and have any of the following natures of suit, or have been identified as administrative agency appeals of decisions made by the Social Security Administration.

Code	Title	Description ⁹
861	HIA (1395ff)	Action filed with regard to social security benefits associated with Health Insurance Part A Medicare.
862	Black Lung (923)	Action filed with regard to social security benefits provided for those who contracted Black Lung or their beneficiaries.
863	DIWC/DIWW (405(g))	Action filed with regard to social security benefits provided to disabled individuals: worker or child, or widow.
864	SSID Title XVI	Action filed with regard to social security benefits provided to Supplemental Security Income Disability under Title XVI.
865	RSI (405(g))	Action filed with regard to social security benefits provided for Retirement, Survivor Insurance under 42 U.S.C. § 405.

The data were gathered from the 12 regional courts of appeals and 91 of the 94 district courts.¹⁰ Coders looked at the case caption in each document to determine if the name of a non-government party was redacted and, if so, the manner in which it was redacted. Each document was then assigned a redaction type code by two independent Center researchers using the following coding scheme.

8. This sample includes judgments, orders, opinions, memoranda, and/or mandates disposing a case. Although only opinions and orders were specifically mentioned in the 2023 CACM memorandum, Fed. R. Civ. P. 5.2(c)(2)(B) references "an opinion, order, judgment, or other disposition of the court" as those parts of the case file available for remote electronic access.

9. https://www.uscourts.gov/sites/default/files/nos_code_descriptions_updated_v.2_4-07-22.pdf.

10. SSI is not available in most territories of the United States, including American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands, per 42 U.S.C. § 1382c(a)(1)(B)(i). Residents of these territories do not pay most federal income, gift, estate, or excise tax, and the U.S. Supreme Court held in *United States v. Vaello Madero* that this difference in taxation is a rational basis upon which Congress can choose not to extend SSI benefits to residents of these United States territories. 596 U.S. 159 (2022). SSI is available in the Northern Mariana Islands per 48 U.S.C. § 1801 note, but our sample did not include any Social Security cases from that court. None of the District of Puerto Rico cases in the sample had a nature of suit code of 861.

Code	Meaning	Example
1	Unredacted Name	John Smith
2	Redacted Name - First Name, Last Initial or First Name Only	John S. / John
3	Redacted Name - First Initial, Last Name or Last Name Only	J. Smith / Smith
4	Redacted Name - Initials Only	J.S.
5	Redacted Name - Other	Jon Doe
6	Two Names: Unredacted O/B/O & Redacted	John Smith o/b/o M.L.
7	Non-individual or Corporate Name	JSmith LLC
8	Two Names: No Last Name O/B/O & Redacted	John S. o/b/o M.L.

If the two coders disagreed, which only occurred for 1.3% of the documents, a senior member of the research team examined the document and made a final determination.

Results

The non-government party name is redacted in 28% (4,903) of sampled documents across all courts (see Table 4). Twenty-nine percent (4,882) of district court documents include redacted non-government party names and 4% (21) of courts of appeals documents include redacted names.

As shown in Table 4, the most common type of redaction of non-government party names in district court documents is the use of a first name and last initial (27%, 4,452), matching the method suggested in the Committee’s 2023 memorandum. The only other redaction type used in more than 1% of the district court documents is “initials only” (1.4%, 234).

Courts of appeals most often redacted using the parties’ initials (1.2%, 7). The only other redaction type used in more than 1% of the appeals court documents is redaction to a first initial and last name (1%, 6). Only three documents (less than 1%) were redacted using first name and last initial, as suggested in the 2023 memorandum.

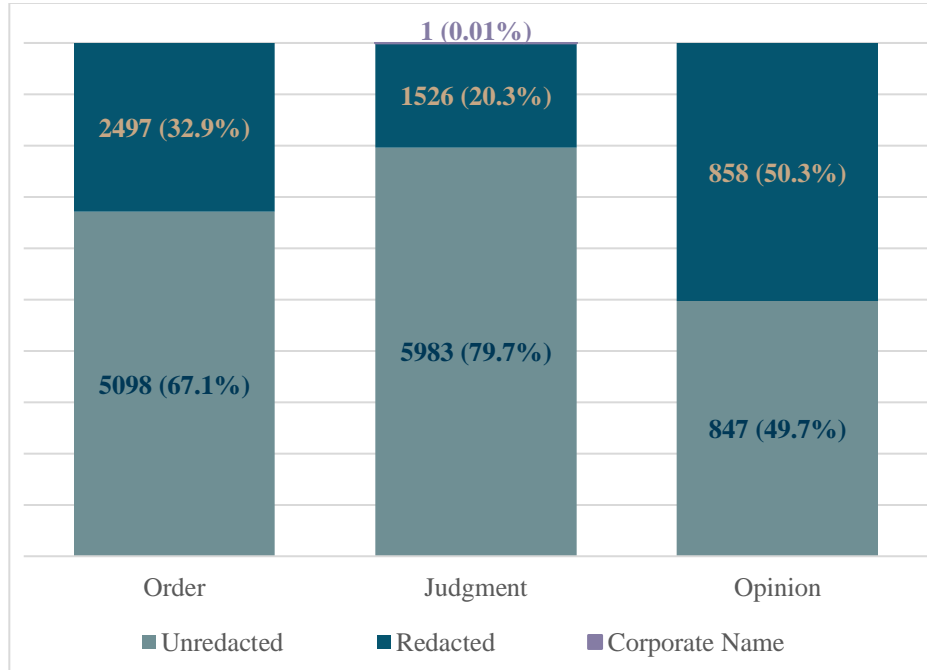
A small number of sampled documents (1%, 172) include two non-government party names: a parent or guardian who has filed on behalf of (“OBO”) a dependent. All dependent names in these 172 documents have been redacted, but 73% (126) include unredacted guardian names, and the remaining 27% (46) include guardian names that have been redacted to the first name and last initial or first name only.

Table 4: Redaction of Non-Government Party Names in Social Security Documents, by Court Type

	District Courts	Courts of Appeals	All Courts
<i>Unredacted</i>	11,928 (71.0%)	566 (96.4%)	12,494 (71.8%)
<i>First Name, Last Initial</i>	4,452 (26.5%)	3 (0.5%)	4,455 (25.6%)
<i>Initials Only</i>	234 (1.4%)	7 (1.2%)	241 (1.4%)
<i>Two Names; Guardian Unredacted OBO, Redacted Dependent</i>	121 (0.7%)	5 (0.9%)	126 (0.7%)
<i>Two Names; Guardian First Name or First Name and Last Initial OBO, Redacted Dependent</i>	46 (0.3%)	0 (0%)	46 (0.3%)
<i>First Initial, Last Name</i>	25 (0.1%)	6 (1.0%)	31 (0.2%)
<i>Other</i>	3 (0.02%)	0 (0%)	3 (0.02%)
<i>Corporate Name</i>	1 (0.01%)	0 (0%)	1 (0.01%)
<i>Total</i>	16,810 (100%)	587 (100%)	17,397 (100%)

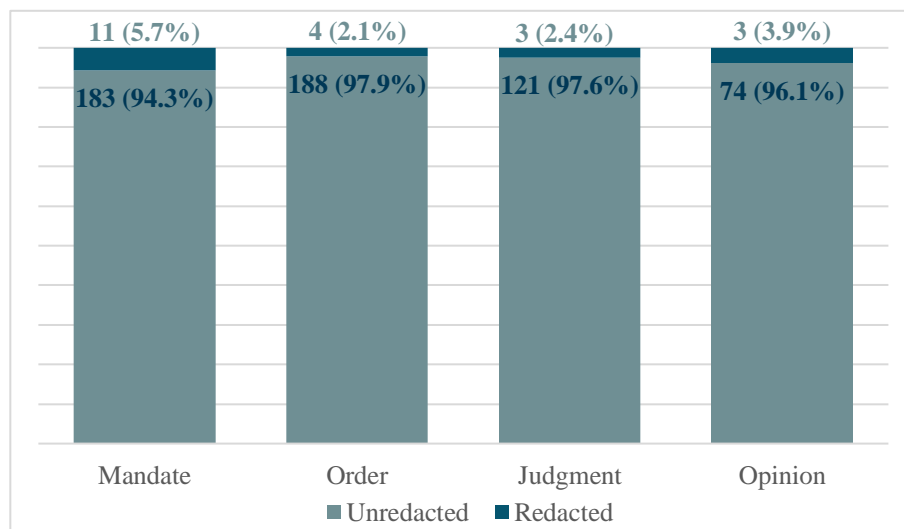
Twenty-percent (1,526) of judgments in the sampled documents have redacted non-government party names, followed by about a third (33%, 2,497) of orders and just over half of opinions (50%, 858) (see Figure 1).

Figure 1: Redaction of Non-Government Party Names in District Court Documents, by Document Type



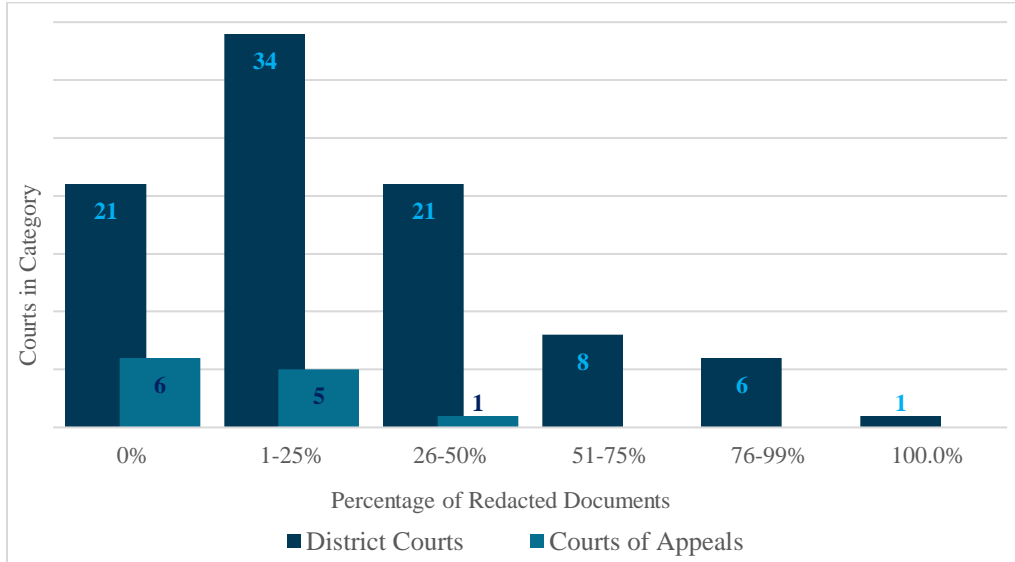
Four percent (21) of sampled courts of appeals documents include redacted non-government party names. As shown in Figure 2, the percentage of redacted documents did not vary significantly by document type, ranging from 5.7% (11) for mandates to 2.1% (4) for orders.

Figure 2: Redaction of Non-Government Party Names in Courts of Appeals Documents, by Document Type



At the court level, 15 district courts (17%) redacted non-government party names in more than 50% of the sampled documents. Conversely, 21 (23%) of the district courts and 6 (50%) of the courts of appeals did not redact *any* sampled documents with non-government party names (see Figure 3).

Figure 3: Courts by Percentage of Documents with Redacted Non-Government Party Names

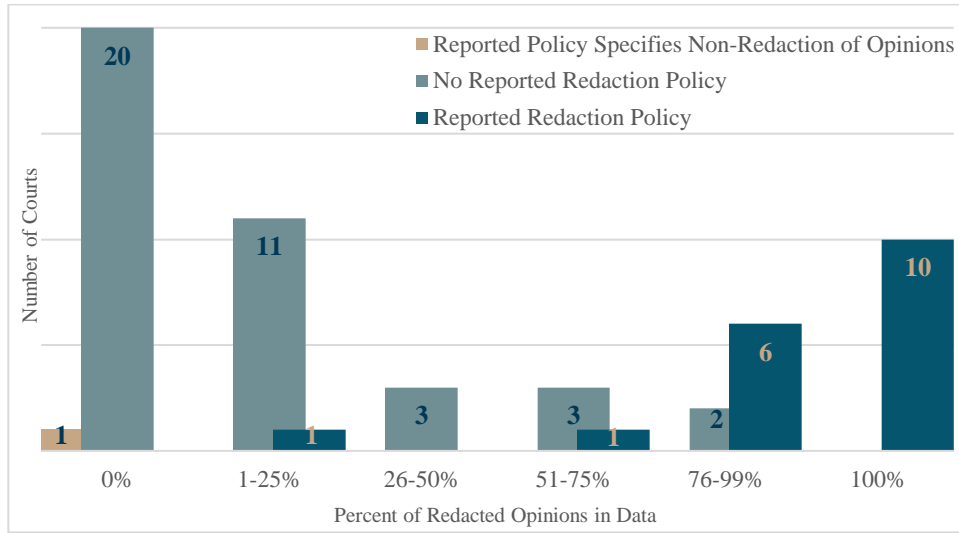


Unsurprisingly, the percentage of opinions with redacted non-government party names is higher in district courts¹¹ with redaction policies that cover opinions¹² (see Figure 4). Ten of these courts (56%) redacted 100% of the opinions sampled for their courts. Five district courts with no reported policies redacted non-government names in more than half of the opinions sampled for their courts.

11. Only one clerk of court representing a court of appeals reported a redaction policy for non-government party names in Social Security cases.

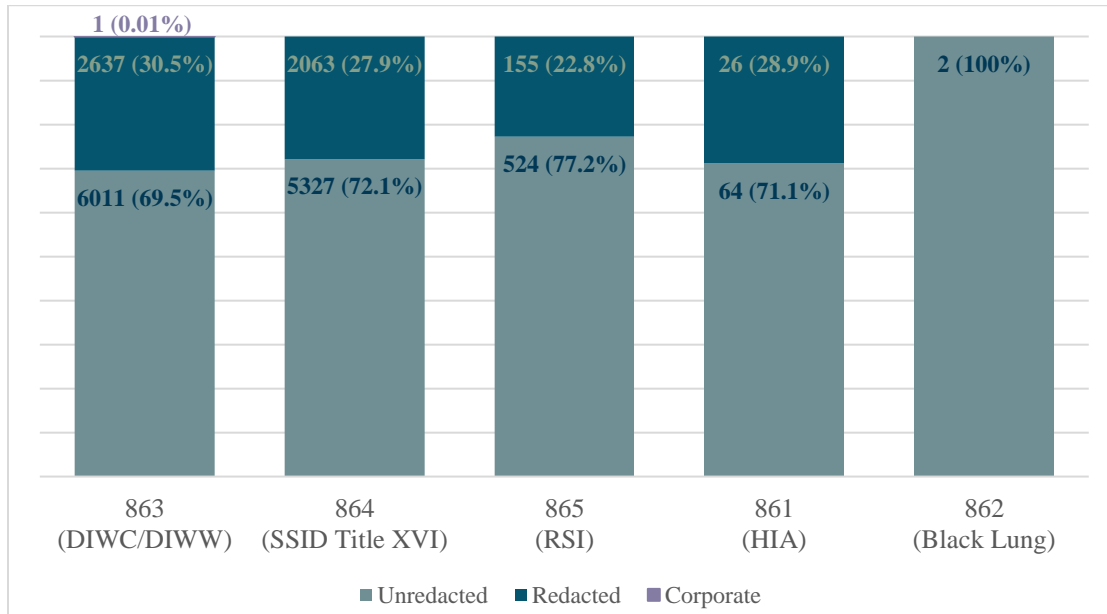
12. Nine of the courts whose clerk of court reported a redaction policy for non-government names in Social Security case opinions did not have any opinions filed that met this sample's criteria.

Figure 4: District Courts, by Percent of Opinions Redacted and Reported Redaction Policy



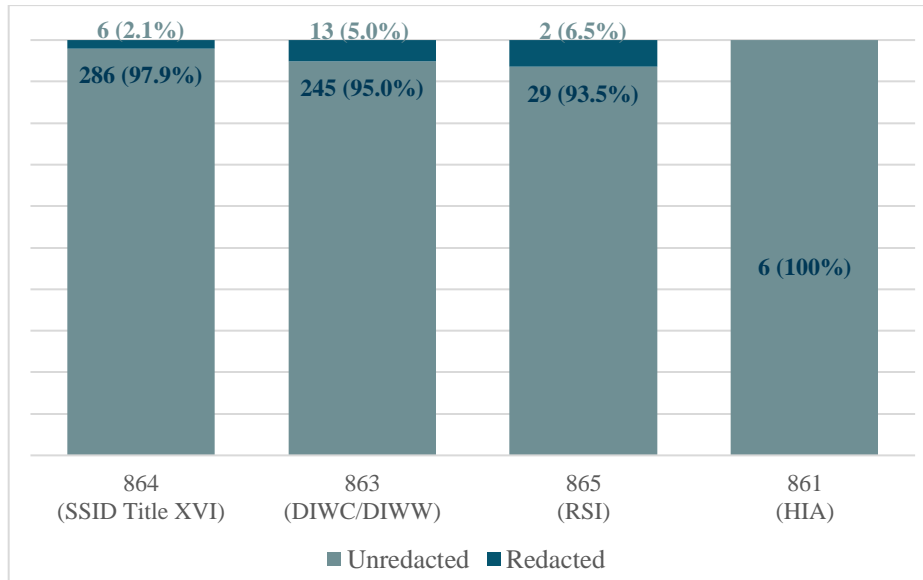
The nature of suit (NOS) of a case does not appear to affect the percentage of documents with redacted non-government party names. With the exception of black lung cases (NOS code 862), which accounted for just two documents (less than 0.01%) in the sample, the percentage of district court documents with redacted non-government party names ranges from 31% (NOS code 863, DIWC/DIWW) to 23% (NOS code 865, RSI) (see Figure 5).

Figure 5: Redaction of Non-Government Party Names in District Court Documents, by Nature of Suit Code



In the courts of appeals, the percentage of documents with redacted non-government party names does not vary much by nature of suit code, ranging from 7% (NOS Code 865, RSI) to 0% (NOS Code 861, HIS) (see Figure 6).

Figure 6: Redaction of Non-Government Party Names in Courts of Appeals Documents, by Nature of Suit Code



Review of Publicly Available Immigration Case Documents

Method

To assess courts’ implementation of the guidance for redaction in immigration cases in the Committee’s 2023 memorandum, the Center identified, downloaded, coded, and analyzed a sample of 7,456 publicly available dispositive documents.¹³ These documents derive from (i) 2,782 civil immigration cases filed in 73 district courts; (ii) 61 civil appeals filed in 11 regional courts of appeals; (iii) 267 criminal appeals filed in 10 regional courts of appeals; and (iv) 2,428 administrative agency appeals filed in 11 regional courts of appeals.¹⁴ All cases terminated between June 1, 2023, and December 31, 2023.

Civil cases and civil appeals have any of the following natures of suit:

Code	Title	Description
460	Deportation Action	Deportation Action filed under the Immigration Acts (Habeas Corpus & Review) 8:1101/18:1546
462	Naturalization Application Action	Naturalization Application Action seeking review of denial of an application for naturalization [8 U.S.C. § 1447(b)] or alleging failure to make a determination regarding an application for naturalization [8 U.S.C. § 1421(c)]
463	Detainee Immigration Habeas Petition	Alien Detainee Immigration habeas petition under 28 U.S.C. § 2241. All cases filed with this nature of suit code are restricted to case participants and public terminals. Petition is filed by an alien detainee.
465	Other Immigration Action	Other Immigration Actions Action (Immigration-related) that do not involve Naturalization Applications or petitions for Writ of Habeas Corpus, such as complaints alleging failure to adjudicate an application to adjust immigration status to permanent resident

13. This sample includes judgments, orders, opinions, memoranda, and/or mandates disposing a case. Although only opinions and orders were specifically mentioned in the 2023 CACM memorandum, Fed. R. Civ. P. 5.2(c)(2)(B) references “an opinion, order, judgment, or other disposition of the court” as those parts of the case file available for remote electronic access

14. Criminal immigration cases in district courts were not included in this sample as restrictions on remote access only apply to civil immigration actions and immigration proceedings under 28 U.S.C. § 2241 (*see* Fed. R. Civ. P. 5.2(c)(2); Fed. R. Crim. P. 49.1(c)). However, data on criminal appeals were initially included because it was unclear to researchers if appeals of decisions under 28 U.S.C. § 2241 would be categorized as civil or criminal appeals in PACER. These cases were ultimately identified in the civil appeals data. The Center decided to include in this report the results of the analysis of criminal appeals as it may still be of interest to the Committee.

Criminal appeals are those with the following natures of offense:

Code	Filing Statute	Title	Description
8710	8 U.S.C. § 1325	Illegal Entry	Immigration Laws, Illegal Entry - Improper entry by alien
8720	18 U.S.C. § 922(g)	Illegal Re-Entry, Firearms	Immigration Laws, Illegal Re-Entry - Unlawful transport of firearms by an alien
8720	8 U.S.C. § 1326	Illegal Re-Entry, Previously Removed	Immigration Laws, Illegal Re-Entry - Reentry of removed aliens
8730	8 U.S.C. § 1324	Bringing in/Harboring	Immigration Laws, Other - Bringing in and harboring certain aliens
8731	18 U.S.C. § 1546	Fraud/Misuse of Visa/Permits	Fraud and Misuse of Visa/Permits
8740	18 U.S.C. § 758	Illegal Entry, High Speed Flight	Immigration Laws, Illegal Entry - High speed flight from immigration checkpoint
8740	8 U.S.C. § 1327	Illegal Entry, Aiding or Assisting Entrance	Immigration Laws, Illegal Entry - Aiding or assisting certain aliens to enter

Administrative agency appeals are those identified as appeals of decisions by the Board of Immigration Appeals (BIA) or Immigration and Naturalization Services (INS).

Consistent with the method described for documents in Social Security cases, coders looked at the case caption in every document to determine if the name of the non-government party was redacted and, if so, the manner in which it was redacted. Each document was then assigned a redaction type code by two independent Center researchers using the following coding scheme.

Code	Meaning	Example
1	Unredacted Name	John Smith
2	Redacted Name - First Name, Last Initial or First Name Only	John S. / John
3	Redacted Name - First Initial, Last Name or Last Name Only	J. Smith / Smith
4	Redacted Name - Initials Only	J.S.
5	Redacted Name - Other	Jon Doe
6	Two Names: Unredacted O/B/O & Redacted	John Smith o/b/o M.L.
7	Non-individual or Corporate Name	JSmith LLC
8	Two Names: No Last Name O/B/O & Redacted	John S. o/b/o M.L.

If the coders disagreed, which occurred for only 1.7% of civil, 0.6% of criminal, and 0.5% of administrative agency appeals case documents, a senior member of the research team examined the document and made a final determination.

Results

Civil Immigration Cases

Almost none of the sampled civil immigration documents (6%, 178) include redacted non-government party names, with a slightly lower percentage in district courts (6%, 170) than in courts of appeals (9%, 8) (see Table 5).

The most common redaction type found in district court documents is redaction to the parties' first initial and last name (1.8%, 51), followed by redaction to initials only (1.4%, 39). Only 15 documents (less than 1%) were redacted using first name and last initial, per the Committee's guidance.

In the courts of appeals, the only redaction of non-government party names occurred in documents with two names: an unredacted named party acting on behalf of a second, name-redacted, party. These three documents (3%) were filed by parents or guardians who were acting on behalf of their minor children. The names of companies or other groups, such as state agencies, appear in 32 (1%) district court documents and 5 (6%) documents filed in the courts of appeals.

**Table 5: Redaction of Non-Government Party Names
in Civil Immigration Documents, by Court Type**

	District Courts	Courts of Appeals	All Courts
<i>Unredacted</i>	2,587 (93.8%)	82 (91.1%)	2,669 (93.7%)
<i>Corporate Name</i>	32 (1.2%)	5 (5.6%)	37 (1.3%)
<i>First Initial, Last Name</i>	51 (1.8%)	0 (0%)	51 (1.8%)
<i>Initials Only</i>	39 (1.4%)	0 (0%)	39 (1.4%)
<i>Two Names; Unredacted OBO, Redacted</i>	19 (0.7%)	3 (3.3%)	22 (0.8%)
<i>First Name, Last Initial</i>	15 (0.5%)	0 (0%)	15 (0.5%)
<i>Other</i>	13 (0.5%)	0 (0%)	13 (0.5%)
<i>Two Names; First Name OBO, Redacted</i>	1 (0.04%)	0 (0%)	1 (0.04%)
Total	2,757 (100%)	90 (100%)	2,847 (100%)

In district courts, 7% (4) of opinions, 5% (124) of orders and 4% (10) of judgments included redacted non-government party names. All three of the redacted names in the courts of appeals sample are in opinions (see Table 6).

Table 6: Redaction of Non-Government Party Names, by Court and Document Type

	District Courts				Courts of Appeals			
	Unredacted	Redacted	Corporate	All	Unredacted	Redacted	Corporate	All
<i>Opinion</i>	56 (91.8%)	4 (6.6%)	1 (1.6%)	61 (100%)	11 (73.3%)	3 (20.0%)	1 (6.7%)	15 (100%)
<i>Order</i>	2,275 (93.9%)	124 (5.1%)	24 (1.0%)	2,423 (100%)	38 (92.7%)	0 (0%)	3 (7.3%)	41 (100%)
<i>Judgment</i>	232 (93.5%)	10 (4.0%)	6 (2.4%)	248 (100%)	20 (95.2%)	0 (0%)	1 (4.8%)	21 (100%)
<i>Memorandum</i>	24 (96.0%)	0 (0%)	1 (4.0%)	25 (100%)	7 (100%)	0 (0%)	0 (0%)	7 (100%)
<i>Mandate</i>	0 (0%)	0 (0%)	0 (0%)	0 (100%)	6 (100%)	0 (0%)	0 (0%)	6 (100%)
Total	2,587 (93.8%)	138 (5.0%)	32 (1.2%)	2,757 (100%)	82 (91.1%)	3 (3.3%)	5 (5.6%)	90 (100%)

There is only a slight difference among natures of suit in the percentage of district court documents with redacted non-government party names, ranging from 11% (24) in cases involving immigration habeas petitions under 28 U.S.C. § 2241 to 2% (3) in naturalization application actions (see Table 7).

Table 7: Redaction of Non-Government Party Names, by Court Type and Nature of Suit

	District Courts			Courts of Appeals		
	Unredacted	Redacted	Corporate	Unredacted	Redacted	Corporate
<i>Other Immigration Action</i> (465)	2,208 (93.9%)	111 (4.7%)	32 (1.4%)	57 (87.7%)	3 (4.6%)	5 (7.7%)
<i>Alien Detainee: Immigration Habeas Petition</i> (463)	205 (89.5%)	24 (10.5%)	0 (0%)	22 (100%)	0 (0%)	0 (0%)
<i>Naturalization Application Action</i> (462)	170 (98.3%)	3 (1.7%)	0 (0%)	3 (100%)	0 (0%)	0 (0%)
<i>Deportation Action</i> (460)	4 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Total	2,587 (93.8%)	138 (5.0%)	32 (1.2%)	82 (91.1%)	3 (3.3%)	5 (5.6%)

Criminal and Administrative Agency Appeals

Again, very few redacted non-government party names appear in dispositive documents filed in criminal (4%, 20) and administrative agency (4%, 160) appeals (see Table 8). All 20 redacted documents found in criminal appeals were filed in three courts and made up 4–5% of those courts’ sampled documents. There were 17 (85%) orders, one (5%) memorandum, one (5%) opinion, and one (5%) mandate, all redacted using a first initial and last name.

The number of documents with redacted non-government party names in administrative agency appeals varied slightly by document type, ranging from 1% (5) of memoranda to 9% (64) of opinions.

Table 8: Redaction of Non-Government Party Names, by Case and Document Type

	Criminal Docket			Administrative Agency Appeals		
	Unredacted	Redacted to First Initial, Last Name	All Criminal	Unredacted	Redacted	All Agency
<i>Judgment</i>	212 (100%)	0 (0%)	212 (100%)	103 (94.5%)	6 (5.5%)	109 (100%)
<i>Opinion</i>	186 (99.5%)	1 (0.5%)	187 (100%)	646 (91.0%)	64 (9.0%)	710 (100%)
<i>Order</i>	41 (70.7%)	17 (29.3%)	58 (100%)	1,557 (95.6%)	71 (4.4%)	1,628 (100%)
<i>Memorandum</i>	13 (92.9%)	1 (7.1%)	14 (100%)	622 (99.2%)	5 (0.8%)	627 (100%)
<i>Mandate</i>	3 (75%)	1 (25%)	4 (100%)	995 (98.6%)	14 (1.4%)	1,009 (100%)
<i>Summary Order</i>	0 (0%)	0 (0%)	0 (100%)	51 (100%)	0 (0%)	51 (100%)
Total	455 (95.8%)	20 (4.2%)	475 (100%)	3,974 (96.1%)	160 (3.9%)	4,134 (100%)

As shown in Table 9, 9% (7) of appeals from district court charges of bringing in/harboring aliens include documents with redacted non-government party names, as do 3% (13) of illegal re-entry appeals.

Table 9: Redaction of Non-Government Party Names in Criminal Immigration Documents, by Nature of Offense and Filing Statute

	Unredacted	Redacted to First Initial, Last Name	All
<i>Illegal Re-Entry, Previously Removed (8720)</i>	376 (96.7%)	13 (3.3%)	389 (100%)
<i>Bringing in/Harboring (8730)</i>	74 (91.4%)	7 (8.6%)	81 (100%)
<i>Fraud/Misuse of Visa/Permits (8731)</i>	3 (100%)	0 (0%)	3 (100%)
<i>Illegal Entry (8710)</i>	2 (100%)	0 (0%)	2 (100%)
<i>Total</i>	455 (95.8%)	20 (4.2%)	475 (100%)