

Updated FAQs: Tips regarding filing redacted briefs during the pilot project, per Order M-274-21

Which briefs does Order M-274-21 apply to?

The Order refers to all unsealed briefs in all appeals with a CV case number: appellant's initial brief, appellee's brief, reply brief any amended/corrected or supplemental briefing in the case (*see* intro to [Order M-274-21](#)). Each brief filed with the court shall include a Redaction Certification Disclosure Form even if nothing needs to be redacted; the efiler is certifying they have checked the filing and either have redacted the filing or it does not need to be redacted and the brief can be made available for public viewing. (the form can be found on the Court's [website](#)).

NOTE: Please remember that if your documents are rejected for any reason due to non-compliance of the Order of M-274-21 and not filed by the scheduled due date, you will be required to file a motion for leave to file the brief out of time.

What if nothing needs to be redacted from my brief? Do I still choose the "Redacted brief" docket entry when filing?

Yes, if nothing needs to be redacted, efilers must still attach the Redaction Certification Disclosure Form, and still file that brief as "Redacted." Briefs (all civil types) filed with the Redaction Certification Disclosure Form will become available to the public online. Whether a brief needs to be redacted or not, efilers are certifying their filing can be made public, and therefore, must choose the "Redacted Brief" docket entry when efilings. If you do not choose that option, efilers are stating the brief cannot be made public, i.e., it should be filed under seal.

Do I have to file two briefs? One redacted and one un-redacted copy?

Filing a redacted brief is optional. An unredacted brief (under seal) is required only when filing a brief that includes additional information that should not be made public and is necessary for the court's understanding of the brief.

How do I redact a brief?

See the Court's previous FAQ for guidance for [Tips on Redacting](#).

What is the Redaction Certification Disclosure Form and where can I find it?

The Redaction Certification Disclosure Form states that the person filing the brief has reviewed Super. Ct. Civ. R. 5.2. It is available on the Court's [website](#).

Where do I attach the certificate?

The certificate should be attached at the end of the brief.

Does an appendix need to be redacted? What do I do with the appendix?

Any appendix must be filed separately from the brief and need not be redacted. Appendices will *not* be made electronically available during this pilot project.

What docket entry subtype options do efilers have to choose from during this pilot project?

The following docket option entries are available:

BRIEF- Brief (Redacted)

BRIEF- Amended/Corrected Brief (Redacted)

BRIEF- Reply Brief (Redacted)

BRIEF- Supplemental Brief (Redacted)

How will I file the redacted version of the brief?

Choose the document file type indicating it is redacted when e-filing your document.

For the docket entry type select: Brief

For the docket entry subtype, select one of the following options that apply:

Brief (redacted)

Amended/Corrected Brief (redacted)

Reply Brief (redacted)

Supplemental Brief (redacted)

What if my civil case is sealed? Do I still have to file a redacted brief?

No. All sealed cases will remain sealed and there is no need to file redacted briefs in sealed cases.

What if I do not have an attorney? Do I still have to file a redacted brief?

Yes. Persons without attorneys must redact their briefs filed in civil cases, effective August 1, 2021. Please see Order M-274-21 (linked above) for details.

Do I have to seek leave of the court to file an unredacted brief under seal?

No, please do not seek leave of the court to file an unredacted brief under seal.