

CHAMBERS OF
HON. KENNETH M. KARAS

Individual Rules of Practice FOR SENTENCING PROCEEDINGS

Except for submissions to be filed under seal or in redacted form, every document in a sentencing submission, including letters, must be filed on ECF. Letters should be grouped and filed together as attachments to a single document marked SENTENCING MEMORANDUM with the caption and docket number clearly indicated. The defendant is responsible for filing all letters submitted on behalf of the defendant, including those from friends and relatives. The Government is responsible for filing all letters from victims.

The parties are referred to E-Government Act of 2002 and the Southern District's ECF Privacy Policy ("Privacy Policy") and reminded not, unless necessary, to include the five categories of "sensitive information" in their submissions (i.e., social security numbers, names of minor children [use the initials only], dates of birth [use the year only], financial account numbers, and home addresses [use only the City and State]). Parties may redact the five categories of "sensitive information" and the six categories of information requiring caution (i.e., personal identifying number, medical records, treatment and diagnosis, employment history, individual financial information, proprietary or trade secret information, and information regarding an individual's cooperation with the government) as described in the Privacy Policy, without application to the Court. If any material is redacted from the publicly filed document, only those pages containing the redacted material will be filed under seal. Bring a copy of those pages to the sentencing proceeding, marked to indicate what information has been redacted from the publicly filed materials, to give to the Court for filing under seal.

The defendant's sentencing submission *must* be served two weeks in advance of the date set for sentence. Failure to follow this schedule may result in the adjournment of the sentence, or other appropriate remedies. If counsel has not received the Pre-Sentence Report in time to meet this deadline, counsel is to *promptly* notify the Court in writing. The Government's sentencing submission *must* be served one week in advance of the date set for sentence. The parties should provide the Court with one courtesy copy of each submission when it is served.

If a party redacts information beyond the eleven categories of information identified in the Privacy Policy, an application to do so must be served and filed at the time the sentencing submission is served. The application should clearly identify the redaction and explain the reasons for the redaction. The application will be addressed at the sentencing proceeding.

If you have any questions about these practices, contact the Courtroom Deputy Clerk, Ms. Dawn Bordes, at (914) 390-4146.