

Confidentiality of Addresses in Civil Proceedings

This Act provides that in any civil proceeding a court may, upon its own motion or upon the motion of any party, authorize any party to keep their address confidential from any adverse party in any pleadings or other papers submitted to the court, where a court finds that revealing such an address poses an unreasonable risk to the health or safety of a party.

Submitted as:

New York

[S5522-A](#)

Status: Enacted into law in 2004.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act may be cited as "An Act to Establish the Confidentiality
2 of Addresses in Civil Proceedings."
3

4 Section 2. [*Confidentiality of Addresses in Civil Proceedings.*]

5 (a) Notwithstanding any other provision of law, in any civil proceeding, whether or not
6 an order of protection or temporary order of protection is sought or has been sought in the past,
7 the court may, upon its own motion or upon the motion of any party, authorize any party to keep
8 their residential and business addresses and telephone numbers confidential from any party in
9 any pleadings or other papers submitted to the court, where the court makes specific findings on
10 the record supporting a conclusion that disclosure of such addresses or telephone numbers would
11 pose an unreasonable risk to the health or safety of a party. Pending such a finding, any such
12 addresses or telephone numbers of the party seeking confidentiality shall be safeguarded and
13 sealed in order to prevent its inadvertent or unauthorized use or disclosure.

14 (b) Notwithstanding any other provision of law, if a party has resided or resides in a
15 residential program for victims of domestic violence as defined in [insert citation], the present
16 address of such party and the address of the residential program for victims of domestic violence
17 shall not be revealed by the court or any court personnel who may have access to such
18 information.

19 (c) Upon such authorization, the court shall designate the clerk of the court or such other
20 disinterested person as it deems appropriate, with consent of such disinterested person, as the
21 agent for service of process for the party whose residential and business addresses or telephone
22 numbers are to remain confidential and shall notify the parties of such designation and the
23 address of the agent in writing. The clerk or disinterested person designated by the court shall,
24 when served with process on behalf of the party whose information is to remain confidential,
25 promptly notify such party whose information is to remain confidential and forward such process
26 to him or her in a manner calculated to be timely received.

27 (d) In any case in which such confidentiality authorization is made, the party whose
28 information is to remain confidential shall inform the clerk of the court or disinterested person
29 designated by the court of any change in address for purposes of receipt of service of process or
30 any papers.
31

32 Section 3. [*Severability.*] [Insert severability clause.]

33

34

Section 4. [*Repealer.*] [Insert repealer clause.]

35

36

Section 5. [*Effective Date.*] [Insert effective date.]