



Judicial Council of California

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INVITATION TO COMMENT

SPR25-09

Title	Action Requested
Civil Practice and Procedure: Confidential Information Form for Doxing Cases	Review and submit comments by May 23, 2025
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Revise form MC-125	January 1, 2026
Proposed by	Contact
Civil and Small Claims Advisory Committee Hon. Donald J. Proietti, Chair	Jenny Grantz, 415-865-4394 jenny.grantz@jud.ca.gov

Executive Summary and Origin

Assembly Bill 1979 (Stats. 2024, ch. 557) creates a private cause of action against a person who publishes private information about an individual on the internet (referred to as “doxing”). The Civil and Small Claims Advisory Committee recommends revising one form to allow plaintiffs in these cases to use a pseudonym, as required by law.

Background

The Doxing Victims Recourse Act (AB 1979, see Link A) added Civil Code section 1708.89, which creates a private cause of action against a person who “doxes” another person by publishing personal identifying information on the internet.¹ A plaintiff in such a case may use a pseudonym; if they do, the court is required to keep the plaintiff’s name and certain characteristics confidential, and, upon request, limit access to court records.² The Judicial Council is required to create or revise rules and forms as necessary to allow plaintiffs in these cases to use pseudonyms.³

¹ Civ. Code, § 1708.89.

² *Id.*, § 1708.89(e).

³ *Id.*, § 1708.89(h).

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

Civil Code section 1708.89 is modeled on Civil Code section 1708.85. Section 1708.85 allows plaintiffs to use pseudonyms in cases involving distribution of sexually explicit material. The Judicial Council adopted *Confidential Information Form Under Civil Code Section 1708.85* (form MC-125), effective July 1, 2025, to implement section 1708.85.⁴

Apart from their defined terms and use of those terms, Civil Code sections 1708.85 and 1708.89 are essentially identical.

The Proposal

The committee proposes revising form MC-125 so it can also be used for cases under Civil Code section 1708.89. Specifically, the committee proposes:

- Revising the form title to refer to Civil Code sections 1708.85 and 1708.89;
- Revising item 1 to ask which Civil Code section applies; and
- Revising the instructions on page 2 to refer to both Civil Code sections.

The committee considered creating a new form to implement AB 1979 instead of revising form MC-125 but determined it would be less confusing for court users if there were only one form for both case types. The two forms would have been so similar that it might have been difficult for court users to tell them apart, especially court users who are less familiar with the relevant statutory citations.

Alternatives Considered

The committee did not consider the alternative of taking no action because AB 1979 requires the Judicial Council to create or revise rules and forms as necessary to implement the law and existing forms are not sufficient to comply with AB 1979. As discussed in the explanation of the proposal, the committee considered alternatives when drafting the proposed form and concluded that the current proposal best satisfies the statutory mandate.

Fiscal and Operational Impacts

The new statute will require training of court staff and judicial officers. The revised form is intended to facilitate courts' and parties' implementation of the new statute and will require education and possibly some changes to computerized case management systems. Because the revisions are required to implement a new law, these operational impacts cannot be avoided.

⁴ Judicial Council of Cal., Advisory Comm. Rep., *Rules and Forms: Confidential Information Form Under Civil Code § 1708.85* (Mar. 19, 2015), www.courts.ca.gov/documents/jc-20150417-itemA1.pdf.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Form MC-125, at pages 4–5
2. Link A: Assem. Bill 1979,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1979

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NUMBER: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (party name or pseudonym): _____	FOR COURT USE ONLY DRAFT 03/07/2025 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
SHORT TITLE: _____	
CONFIDENTIAL INFORMATION FORM UNDER CIVIL CODE SECTION 1708.85 OR 1708.89	CASE NUMBER: _____
TO COURT CLERK: THIS FORM IS CONFIDENTIAL	

INSTRUCTIONS FOR FILER ARE ON **PAGE 2**

1. This action includes a claim under **(check one)**:
 - a. Civil Code section 1708.85 (distribution of sexually explicit material).
 - b. Civil Code section 1708.89 (doxing).

2. The document with which this form is being filed is a
 - a. complaint or other pleading.
 - b. discovery document.
 - c. other (describe): _____

3. **Name of Plaintiff** (complete if being filed with the complaint)
 - a. Plaintiff did not use a pseudonym in the complaint.
 - b. Plaintiff used a pseudonym in the complaint (complete the following for each plaintiff for whom a pseudonym was used).

Pseudonym used

True name of plaintiff

4. **Redacted Information** (complete for any pleading or document that includes redactions)

	LOCATION OF REDACTION (page and line where the redaction occurs)	INFORMATION REDACTED (text that has been redacted)
1.		
2.		
3.		

Continued on next page.

SHORT TITLE:	CASE NUMBER:
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	LOCATION OF REDACTION <i>(page and line where the redaction occurs)</i>	INFORMATION REDACTED <i>(text that has been redacted)</i>
4.		
5.		
6.		
7.		

Additional pages are attached. Number of pages attached: _____

Date:

_____ ▶ _____
 (TYPE OR PRINT NAME) (SIGNATURE)

INSTRUCTIONS

(Note: This form may be used only in cases brought under Civil Code section 1708.85 or 1708.89.)

1. To protect personal privacy, parties who bring an action under Civil Code section 1708.85 (distribution of sexually explicit material) or section 1708.89 (doxing) may use a pseudonym in place of the true name of the plaintiff and may exclude or redact from all pleadings and documents other identifying characteristics. (Civ. Code, §§ 1708.85(f)(1), 1708.89(e)(1).) In such cases, papers filed by other parties **must** be worded so as to protect the name or other identifying characteristics of the plaintiff from public revelation. (Civ. Code, §§ 1708.85(f)(2), 1708.89(e)(2).)
2. A plaintiff who uses a pseudonym must file this confidential information form with the court at the time of filing the complaint, with items 2 and 3 completed, in order to provide their true name to the court. Plaintiff must also serve the form on defendant along with the complaint and summons. Counsel for a party filing under a pseudonym may provide the pseudonym for the name of the represented party in the attorney/party information box at the top of the form. Any other party must also use this form when necessary.
3. Any party required to redact identifying characteristics from any pleading or document filed with the court other than a complaint **must** file with the court and serve on all parties this confidential information form, with items 2 and 4 completed, providing any identifying characteristics that have been redacted from the pleading or document and stating where the information was redacted.
4. "Identifying characteristics" that the plaintiff may and all other parties **must** redact include, but are not limited to, name or any part thereof, address or any part thereof, city or unincorporated area of residence, age, marital status, relationship to defendant, race or ethnic background, telephone number, email address, social media profiles, online identifiers, contact information, or any other information, including images of the plaintiff, from which the plaintiff's identity can be discerned. (Civ. Code, §§ 1708.85(f)(3), 1708.89(a)(5); for a list of "online identifiers," see Civ. Code, §§ 1708.85(f)(3)(B), 1708.89(a)(7).)
5. If more space is needed to describe all the redactions in a pleading or document, form MC-025 may be attached, with information provided in the same format as in item 4.
6. A copy of this form should be completed each time a pleading or document redacted under Civil Code section 1708.85 or 1708.89 is filed, and a copy of this form should be served and filed along with the redacted document.

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form