**FILING BY PSEUDONYM - STATE BY STATE ANALYSIS**

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| **STATE** | **PSEUDONYM LAW & CASELAW** | **SPECIFIC PSEUDONYMITY CASES** | **FILING REQUIREMENTS**  | **RELEVANT STATUTES** |
| Alabama | While there are cases that have anonymous plaintiffs, there is no law that addresses plaintiff pseudonymity. Alabama does explicitly code extra confidentiality for juveniles and victims of sex crimes in the court system. | *Doe v. Swift*, 570 So.2d 1209 (Ala. 1990)*Alabama Coalition for Equity, Inc. v. Hunt*, Not Reported in So2d, 1993 WL 204083*Doe v. Markham*, 776 so. 2d 757 (Ala. 2000) | ALA. R. CIV. P. Rule 17 (2010): Parties plaintiff and defendant; capacity.(a) Real party in interest: Every action shall be prosecuted in the name of the real party in interest...No action shall be dismissed on the ground that it is not prosecuted in the name of the real party in interest until a reasonable time has been allowed after objection for ratification of commencement of the action by, or joinder or substitution of, the real party in interest | CODE OF ALA § 26-23A-11 (2010) provides for sealing court records and proceedings and the use of pseudonyms to preserve anonymity of women who sue under the chapter and have had an abortionALA R. APPELLATE PRO. Rule 52: In any case involving a juvenile who has been the subject of a proceeding in the juvenile court, a victim of child abuse or sex offense, the appellate court shal make a resonable effort to preserve the anonymity of such a personCODE OF ALA. § 22-11A-64 (2010): Infected Health Care Workers: Appeal of Orders(i) All proceedings under this section shall be confidential and anonymous |
| Alaska | One reported Alaska case brought by a Doe plaintiff involves the right to privacy, but no cases directly address the plaintiff pseudonymity. However, analogy to cases involving minors is more difficult given the codification of extra privacy protection. | *Doe v. Alaska Superior Court*, Third Judicial Dist., 721 P.2d 617 (Alaska 1986)*Doe v. Hughes*, 838 P.2d 804 (Alaska 1992)*Doe v. State*, 189 P.3d 88 (Alaska 2001) | ALASKA R. CIV. PRO. 10. Form of Pleadings.(a) Caption - Name of PArties. Every pleading shall contain a caption setting forth the title of the court, the judicial district in which the action is filed, the city in which the court in located, the title of action (i.e. the names of the parties), the case number, and a designation as in Rule 7(a). In the complaint the title of the action shall include the names of all parties, but in other pleading it is sufficient to state the name of the first party on each side with an appropriate indication of other parties. | ALASKA R. APP. PROC. 512.5 (2009): Public Documents(a) Records on Appeal. -- A record on appeal is open to public inspection..(b)(2) Counsel in appellate matters arising out of closed proceedings in the trial courts shall, wherever possible, avoid the use of full names of parties or other detailed identifying information...Descriptive terms, first names, or initials should be usedALASKA STAT. § 25.20.120 (2010) At any stage of a proceeding involving custody of a child the court may, if it is in the best interest of the child, close the proceeding to the public or order the court records closed to the public temporarily or permanently. |
| Arizona | No reported Arizona cases are directly on point or address plaintiff pseudonymity. Victims’ names and other personal information can be kept out of public records by filing suits under pseudonyms, such as Jane or John Doe.  | *Doe v. Arpaio*§, 150 P.3d 1258 (Ariz. Ct. App. 2007)*Doe v. Roe*, 931 P.2d 1115 (Ariz. App. 1996), vacated, 955 P.2d 951*Planned Parenthood Center of Tucson, Inc. v. Marks*, 487 P.2d 534 (Ariz. App. 1972) | ARIZ. R. CIV. PRO. 10. Form of Pleading(a) Caption; names of parties -- Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number, and a designation as in Rule 7(a). In the complaint the title of the action shall include the names of all parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties. | ARIZ. REV. STAT. ANN. § 8-208 (2010): Juvenile court records; public inspection; exceptionsG. The court may order that the records be kept confidential and withheld from public inspection if the court determines that the subject matter of any record involves a clear public interest in confidentialityARIZ. REV. STAT. ANN § 8-525 (2010): Open court proceedings; closure; recordsD. At the beginning of a hearing [related to dependent children, permanent guardianship and termination of parental rights] that is open to the public, the court shall do the following (1) Admonish all attendees that they are prohibited from disclosing any information that may identify the child and the child’s siblings, parents, guardians and caregivers, and any other person whose identity will be disclosed during the proceeding |
| Arkansas | One reported case from Arkansas treats the appeal of a trial court’s denial of plaintiff’s motion to proceed pseudonymously. However, other cases demonstrate fact patterns for which trial courts will grant use of pseudonyms.  | *Doe v. Arkansas Dept. of Human Services*, 182 S.W.3d 107 (Ark. 2004)*Matter of Adoption of S.J.B.*, 294 Ark. 598, 745 S.W.2d 606 (Ark. 1988) | ARK. R. CIV. PRO. 10 (2010)(a) Caption; Names of Parties: Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number and a designation as in Rule 7(a). In the complaint, the title of the action shall include the names of all the parties, but in other pleadings, it is sufficient to state the name of the first party on each side with an appropriate indication of other parties. | ARK. SUP. CT. & CT. OF APP 6-3 (2010): Anonymity in certain appellate proceedings opinions and case styles(a) Scope. In an appeal in which counsel for either side believes that a person’s identity should be protected by the Court, counsel may move the Court to do so. These cases may include, but are not limited to, adoptions and appeals in juvenile cases. [Includes use of initials].AR. SUP. CT. ADM. ORDER NO. 19 § 7 (2010): Court Records Excluded from Public AccessArkansas also protected the identity of women suing under abortion laws |
| California | Filing Using True Names: Two cases present seemingly contradictory results; one in which the plaintiff was allowed to use the Doe caption and her true name was removed from all public court records, with the approval of the court. However, the second case, the woman was denied to use her initials as caption, in part because she revealed her true name in her initial filing. | *Doe v. Brown*, 99 Cal. Rptr. 3d 209 (Cal. Ct. App. 2009)*Taus v. Loftus*, 151 P3d 1185 (Cal. 2007)*M.P. v. City of Sacramento*, 98 Cal.Rptr.3d 812 (Cal. Ct. APp. 2009)*Doe v. Saenz*, 45 Cal. Rptr. 3d 126 (Cal. App. 2006) | CAL. CODE CIV. PRO. § 367: “Every action must be prosecuted in the name of the real party in interest, except as otherwise provided by statute.” | CAL. RULES OF COURT, Rule 8.401 (2010): Juvenile Appeals and Writs: Confidentiality(a) Access to filed documents: (1) Except as provided in (3), the record on appeal and documents filed by the parties in proceedings under this chapter may be inspected only by the reviewing court and appellate project personnel, the parties or their attorneys, and other persons the court may designate. (2) To protect anonymity, a party must be referred to by first name and last initial in all file documents and court orders and opinion; but if the first name is unusual or other circumstances would defeat the objective of anonymity, the party’s initials may be used.CAL. CIV. CODE § 3427.3 (2009): Protection of individual privacy and prevention of harassmentThe court having jurisdiction over a civil proceeding under this title shall take all steps reasonably necessary to safeguard the individual privacy and prevent harassmentCAL. CIV. CODE § 1708.85California statutory law specifically allows a party to bring a private cause of action using pseudonym against any person who, without consent, intentionally distributes intimate or sexual imagery of a person where there was a reasonable expectation that the material would remain private and there is some harm |
| Colorado | Colorado appellate courts have considered the use of pseudonyms in one prominent case, adopting the federal Stegall balance test. However there is one case in which a plaintiff bringing privacy torts successfully sued as Doe. | *Doe v. Heitler*, 26 P.3d 539 (Colorado Ct. App. 2001)*Anderson v. Home Insurance Co.*, 924 P.2d 1123 (Colo. Ct. App. 1996)*Doe v. High-Tech Institute, Inc.*, 972 P.2d 1060 (Colo. Ct. App. 1998) | COL. R. CIV. PRO. 10 (2010): Form and Quality of Pleadings, Motions and other Documents: Annotation II. The public has an interest in disclosure of who the parties to an action are. A party may use a pseudonym for the name of a party upon a motion to the court. The court determining whether use of a pseudonym for a party is appropriate shall evaluate: Whether the justification asserted by the requesting party is merely to avoid the annoyance and criticism that may attend any litigation or is to preserve privacy in a matter of a sensitive and highly personal nature; whether identification poses a risk of retaliatory physical or mental harm to the requesting party or to innocent non-parties; whether the action is against a governmental or private party; whether the plaintiff would be compelled to admit his or her intention to engage in illegal conduct, thereby risking criminal prosecution; and the risk of unfairness to the opposing party from allowing an action against it to proceed anonymously. A pseudonym may not be used merely to avoid embarrassment, humiliation, or economic loss.  | COL. R. CIV. PRO. 121 (2010): Local Rules -- Statewide Practice Standards: District Court Practice Standards: Section 1-5: Limitation of Access to Court Filesi. Nature of OrderUpon motion by any party named in any civil action, the court may limit access to court files. The order of limitation shall specify the nature of limitation, the duration of the limitation, and the reason for limitation.ii. When Order GrantedAn order limiting access shall not be granted except upon a finding that the harm to the privacy of a person in interest outweighs the public interest.iii. Application for OrderA motion for limitation of access may be granted, ex parte, upon motion filed with the complaint, accompanied by supporting affidavit or at a hearing concerning the motion.iv. Review by OrderUpon notice to all parties of record, and after hearing, an order limiting access may be reviewed by the court at any time on its own motion or upon the motion of any person. |
| Connecticut | Connecticut has determined a correct procedure for filing pseudonymously in CONN. PRACTICE BOOK § 11-20A (2010). Several cases examine the procedural requirements and substantive privacy risks faced by plaintiffs requesting to proceed pseudonymously. Many cases have minor sue pseudonymously for claims arising in sexual abuse, however, Connecticut has codified protections, including privacy, for victims of secual abuse, which weigh in favor of a court’s decision to grant pseudonymity.  | *Jacobs (as PPA for John Doe) v. NAFI, Connecticut, Inc.*, No CV075012305S, 2007 WL 4571159*Doe v. Curtis*, No. CV095028697, 2010 WL 936781 (Conn. Super. CT. 2010)*Doe v. St. John*, No. CV055000443S, 2006 WL 1149224 (Conn. Super. Ct. 2006) | CONN. PRACTICE BOOK § 11-20 (2010): Sealing Rules of Limiting Disclosure of Documents in Civil Cases(h)(1) Pseudonyms may be used in place of the name of a party or parties only with the prior approval of the judicial authority and only if the judicial authority concludes that such order is necessary to preserve an interest which is determined to override the public’s interest in knowing the name of the party or parties.  | CONN. GEN. STAT. § 19a-583 (2010): Limitations on disclosure of HIV-related information(10) Any person allowed access to such information [i.e., a person with access to confidential HIV-related information] by a court order which is issued in compliance with the following provisions:...(B) Pleadings pertaining to disclosure of confidential HIV-related information shall substitute a pseudonym for the true name of the subject of the test. The disclosure to the parties of the subject’s true name shall be communicated confidentially, in documents not filed with the court. |
| Delaware | Delaware has no officially reported cases in which plaintiffs proceed as Does. Unreported cases with Doe plaintiffs are only civil action brought on behalf of child victims of sexual assault. | *Doe v. Green***,** No. 06c-04-005 ESB, 2008 WL 282319 (Del. Super. Ct. 2008)*Doe v. Hollingsworth*, No. 06C-07-031-RFS, 2007 WL 4575839 (Del. Super. Ct. 2007) | DEL. SUPER. CT. CIV. R. 10 (2010). Form of pleadings(a) Caption: Names of parties. -- Every pleading shall contain a caption setting forth the name of the Court, the title of action, and a designation as in Rule 7(a). In the complaint the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.  | DEL. SUP. CT. R. 8 (2010): Commencement of appeal(d) Use of pseudonyms. -- All appeals concerning domestic relations matters shall be captioned and reported with the full names of the individual parties, except that the following shall be captioned and reported by use of appropriate pseudonyms selected by the Court: matters concerning adoption, termination of parental rights, child custody and visitation, juvenile delinquency proceedings and any other domestic relations matter16 DEL. C. § 711 (2010): Sexually Transmitted Diseases: Confidentiality of records and information(5) Release is made during the course of civil or criminal litigation to a person allowed access to said records by a court order which is issued in compliance with the following provisions:...(b) Pleadings pertaining to disclosure of such records shall substitute a pseudonym for the true name of the subject of the records.16 DEL. C. § 1203 (2010): Informed Consent and Confidentiality: HIV-related tests; Confidentiality(10) A person allowed access to said [confidential HIV health] record by a court order which is issued in compliance with the following provisions:…(b). Pleadings pertaining to disclosure of test results shall substitute a pseudonym for the true name of the subject of the test. |
| District of Columbia | No cases are directly on point or address plaintiff pseudonymity. Analogies can be drawn to the facts and claims of the following cases with pseudonymous plaintiffs. | *Doe v. Berabei & Wachtel, PLLC*, 116 A.3d 1262 (D.C. 2016)*A.R. v. F.C.*, 33 A.3d 403, 404 (D.C. 2011)*Doe v. Medlantic HealthCare Group, Inc.*, 814 A.2d 939 (D.C. 2003) | D.C. R. Civ. P. 10(a): (a) Caption; Names of Parties.Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number, a designation as in Rule 7(a), and the name or names of the party or parties on whose behalf the pleading is filed. | D.C. R. Civ. P. 5-III. Sealed or Confidential Documents(a) Absent statutory authority, no case or document may be sealed without an order from the Court. Any document filed with the intention of being sealed shall be accompanied by a motion to seal or an existing order. The document will be treated as sealed, pending a ruling on the motion. Failure to file a motion to seal will result in the pleading being placed in the public record.  |
| Florida | Florida courts generally allow a party to proceed anonymously if specific criteria are met. | *Roe, II v. Aware Woman Ctr. for Choice, Inc.,* 253 F.3d 678 (11th Cir. 2001)*Plaintiff B. v. Francis*, 631 F.3d 1310 (11th Cir. 2011)*Doe v. Frank*, 951 F.2d 320 (11th Cir. 1992) | Fed. R. Civ. P. 10(a) requires that a complaint state the parties. But federal courts depart from this rule to protect a plaintiff’s privacy interests where he or she establishes that: (1) he or she is challenging government activity; (2) revealing his or her identity would disclose information of the utmost intimacy; or (3) he or she is being compelled to admit his or her intention to engage in illegal conduct, thereby risking criminal liability. The court should also consider the presence of other factors, such as whether a plaintiff was threatened with violence or physical harm by proceeding under his or her own name, and whether a plaintiff’s anonymity posed a unique theater of fundamental fairness to the defendant. A decision denying anonymity is a final appealable order under the collateral order doctrine. |  |
| Georgia | Georgia trial courts can allow the plaintiff to use a pseudonym, for example where confidential records are at issue. | *Doe v. Hall*, 579 S.E.2d 838 (Ga. Ct. App. 2003)*Doe v. Board of Regents of the University System of Georgia*, 452 S.E.2d 776 (Ga. Ct. App. 1994)*Metropolitan Atlanta Rapid Transit Authority v. Doe*, 664 S.E.2d 893 (Ga. Ct. App. 2008) | George’s Uniform Rules of Court -- Filing and Processing do not include a requirement that filings bear the name of parties:Rule 36.3. Caption.“Every document or pleading presented for filing in a superior court shall bear a caption which sets out the exact nature of the pleading or the type of complaint”Rule 39.2. The real names of parties will appear on the docket. “Each action in the civil docket shall be indexed by the names of all parties to the action number or the civil docket book and page number.” | GA. CODE ANN. § 31-9A-7 (2010): Woman’s Right to Know: Preservation of patient anonymity in civil proceedingsIn any civil proceeding or action relating to this chapter or a breach of duty under this chapter, the court shall rule whether the anonymity of any female upon whom an abortion has been performed shall be preserved from public disclosure if she does not give her consent to such disclosure. The court, upon motion or sua sponte, shall make such a ruling and, upon determining that her anonymity should be preserved, shall issue orders to the parties, witnesses, and counsel and shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard her identity from public disclosure. GA. UNIF. JUV. CT. R. 6.4 (2009): Style of Petition:[Guards the child’s anonymity, and upon appeal.] |
| Hawaii | Hawaii has three reported cases of actions against the state for claims invasions of privacy, inter alia, brought by Doe plaintiffs. Most reported cases with Doe plaintiffs, however, stem from family court proceedings as custody disputes. | *Doe v. City and County of Honolulu*, 816 P.2d 306 (Haw. Ct. App. 1991)*Doe v. City and County of Honolulu*, 6 P.3d 362 (Haw. Ct. App. 2000)*Kimberly v. State*, No. 23954, 2005 Haw. LEXIS 392 (Haw. 2005) (aff’d by 116 P.3d 7) | HAW. R. CIV. P. 10. Form of Pleadings.(a) Caption; name of parties. Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number, and a designation as in Rule 7(a). In the complaint the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties. | HAW. REV. STAT. § 325-101 Confidentiality of Records and Information[Provides for confidentiality of records relating to AIDS and HIV.] |
| Idaho | Idaho has accepted Doe pseudonyms for privacy tort claims cases in one reported, but unpublished, case. Other reported Doe cases are much less analogous, such as civil suits stemming from sexual assault of minors or parental rights cases.  | *Doe v. Haw*, No. CV OC 0205441D, 2003 WL 21015134 (Idaho, 2003) (not Reported in P.3d)*Roe v. Albertson’s Inc.*, 112 P.3d 812 (Idaho 2005)*Doe v. Sisters of Holy Cross*, 895 P.2d 1229 (Idaho Ct. App., 1995) | IDAHO R. CIV. PRO. 10(a)(1) (2010): Form of pleadings -- Caption -- Name of partiesEvery pleading, motion, notice, or judgement or order of the court shall … contain a caption setting forth the names of the parties … In the complaint the title of the action shall include the names of all the parties …  | IDAHO CODE ANN. RULE 32 (2010): Records of the judicial department -- Examination and copying -- Exemption from and limitations on disclosureThe statute provides for confidentiality of certain types of information in court records. In some cases, courts can allow pseudonymity to provide this confidentiality. |
| Illinois | There are many instances in which the plaintiff was allowed to file a civil suit under a pseudonym. Examples include sexual assault, medical privacy, HIV/AIDS exposure, and overall harrassment.  | *Doe v. Doe*, 668 N.E.2d 1160 (Ill. App. Ct. 1996)*Doe v. Illinois Dept. of Professional Regulation*, 793 N.E.2d 119 (Ill. App. Ct. 2003)*Doe v. Noe No. 1*, 707 N.E.2d 588 (Ill. App. Ct. 1998) | 735 ILL. COMP. STAT. 2-401(e)“...(e) Upon application and for good cause shown the parties may appear under fictitious names.” | 705 ILL. COMP. STAT. 405/1-8 (2010): Confidentiality and accessibility of juvenile records 735 ILCS 5/2-401(e): Partyi. IntroductionIf a victim of non-consensual publication of intimate images (a “WMC victim”) would like to protect her/his identity, s/he may petition the court for the right to proceed under a fictitious name. Generally, the right to bring suit under a pseudonym is disfavored by the courts, under the principle that “the public has a right to know who is utilizing the courts that its tax dollars support.” Therefore, a plaintiff will be granted a motion to proceed under a fictitious name only upon a showing of “good cause”.  |
| Indiana | Indiana does not have a state statute pertaining to the use of pseudonyms when filing a cause of action. Indiana courts have recognized “that proceeding under a fictitious name is an unusual measure reserved for exception cases” and that “[t]here is no simple formula for determining when this unusual procedure is appropriate.” | *Doe v. Town of Plainfield*, 860 N.E.2d 1204 (Ind. Ct. App. 2007)*Doe v. Methodist Hosp.*, 690 N.E.2d 681 (Ind.1997)*Roe v. North Adams Community School Corp*., 647 N.E.2d 655 (Ind. Ct. Ap. 1995) | Ind. R. Trial P. 10 (2009): Form of pleading(a) Caption -- Names of parties: Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number, and a designation as in Rule 7(A). In the complaint the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties. | IND. ADMIN. RULE 9(A): Access to court records.This rule outlines the state’s rule regarding public access to court records. |
| Iowa | Iowa courts have both accepted and declined the plaintiffs’ request to file pseudonymously. Most cases that are granted the right to do so stem from sexual abuse and or domestic violence cases. However, there is no legislative rule giving plaintiffs the right to do this, therefore, there is little guidance in Iowa. Yet, there is statutory confidentiality regarding disciplinary investigations against doctors and other similar professions. | *Riniker v. Wilson*, 623 N.W.2d 220 (Iowa Ct. App. 2000)*Doe v. Iowa Dist. Court for Scott County*, 734 N.W.2d 486 (Iowa Ct. App. 2007) *Doe v. Iowa State Bd. of Physical Therapy and Occupational Therapy Examiners*, 320 N.W.2d 557 (Iowa 1982) | IOWA R. CIV. PRO. 1.411 (2010); Caption and Signature“Required information. Each appearance, notice, motion, or pleading shall be captioned with the title of the case, naming the court, parties, and instruments…” | IOWA CODE § 22.7 (2008): Confidential Records:This denotes types of information and the types of records to be kept confidential, although it does not directly mention court records.IOWA CODE § 141A.9 (2008): AIDS: Confidentiality of Informationg. To a person allowed access to an HIV-related test result by a court order which is issued in compliance with the following provisions:...(2) Pleadings pertaining to disclosure of test results shall substitute a pseudonym for the true name of the subject of the test. The disclosure to the parties of the subject’s true name shall be communicated confidentiality in documents not filed with the court. |
| Kansas | A specific Kansas case demonstrates that Kansas Supreme Court allows pseudonymous plaintiffs and adopts a nine factor test derived from federal caselaw. | *Unwitting Victim v. C.S.*, 47 P.3d 392 (Ka. 2002) | KAN. STAT. ANN. § 60-210 (2009): Pleadings allowed, forms of motions and petitions:(a) Caption; names of parties. Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number, and a designation as in K.S.A. 60-207 (a). In the petition the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties. | KAN. STAT. ANN. § 45-221 (2009): Certain records not required to be openThi statute determines which public records are to be maintained confidentially but does not on its face mention court records.  |
| Kentucky | One reported case provides a possible analogy for other plaintiffs to seek pseudonymity (that sets precedent) while other cases have tacitly allowed pseudonymous plaintiffs. | *Doe. Golden & Walters, PLLC*, 173 S.W.3d. 260 (Ky. Ct. App. 2005)*Doe v. Roman Catholic Diocese of Covington*, No 03-CI-00181, 2006 WL 250694 (Ky. Cir. Ct. 2006). | Every pleading shall have a caption setting forth the name of the court, the style of the action, the file number, and a designation as in Rule 7.01. In the complaint the style of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.  | For confidentiality of juvenile court records, see KY. REV. STAT. ANN. § 610.340 (2010)Other confidentiality/expungement statutes include: KY. REV. STAT. ANN. § 202A.091 (2010) (hospitalization of the mentally ill)See also KY. REV. STAT. ANN. § 214.625 (2010) [AIDS Confidentiality]  |
| Louisiana | Reported caselaw from Louisiana with Doe plaintiffs falls into two broad categories: one that treats medically-related claims and one that treats cases stemming from sexual abuse, both in minors and adults.There has only been one wildcard case that did not fit either of these categories. | *Doe v. McNulty*, 630 So,2d 825 (La. Ct. App. 1993)*Doe v. Our Lady of Lake Hosp*., 633 So.2d 237 (La. Ct. App. 1993)*Doe v. Doe*, 657 So.2d 628 (La. Ct. App. 1995) | Louisiana’s rule for form of pleadings in the trial courts does not mention the name of parties | LA. CHILD. STAT. Ann. § 40:1299.35.6 (2010) A Woman’s Right to Know:This gives a civil plaintiff in proceedings arising from violation of this statute, which deals with abortion, the ability to procee using initials or a pseudonym to preserve her privacy. |
| Maine | There has only been one Doe case from Maine that could potentially support the future filings of cases under pseudonyms. | *Doe v. Department of Mental Health, Mental Retardation, and Substance Abuse Services*, 699 A.2d 422 (Me. 1997) | ME. R. CIV. P. 10 (2010): Form of Pleadings(a) Caption; Names of Parties. Every pleading shall contain a caption setting forth the name of the court, the county in Superior Court, the location of the District Court, the title of the action, the docket number, and a designation as in Rule 7(a). In the complaint the title of the action shall include the names of all the parties, but in other pleading it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.  | None noted. |
| Maryland | Maryland’s appellate courts have taken a detailed look at sealed records in conjunction with the presumption of open courts, but did not formulate as formulaic a rule as in federal courts. Other reported cases from Maryland with Doe plaintiffs, but less discussion of pseudonymity in the opinions, run the gamut. | *Doe v. Shady Grove Adventist Hosp*., 598 A.2d 507 (Md. Ct. Spec. App. 1991)*Doe v. Board of Educ. of Montgomery County*, 453 A.2d 814 (Md. 1982)*Doe v. Maskell*, 679 A.2d 1087 (Md. 1996) | MD. RULE 1-301 (2009): Form of court papers(a) Caption and titling. Every pleading and paper filed shall contain a caption setting forth (1) the parties or, where appropriate, the matter (2) the name of the court, (3) the assigned docket reference, and (4) a brief descriptive title of the pleading or paper which indicates its nature. An original pleading shall contain the names and address, including zip code, of all parties to the action if the names and addresses are known to the person filing the pleading. MD. RULE 2-201 (2009): “Every action shall be prosecuted in the name of the real party in interest…” | None noted. |
| Massachusetts | Massachusetts has allowed on multiple occasions for plaintiffs to file claims under pseudonyms, making it into caselaw. There were no remarks by the court when these people filed their cases.  | *Singer v. Rosenkranz*, 903 N.E.2d 191 (Mass. 2009)*White v. Gurnon*, 855 N.E.2d 1124 (Mass. App. Ct. 2006) | MASS. R. CIV. P. 10 (a): Caption: Name of Parties:“...In the complaint the title of the action shall include the names of all the parties.” | Massachusetts has codified a right to privacy, at MASS. GEN. LAWS ch. 214 § 1B (2010):A person shall have a right against unreasonable, substantial or serious interference with his privacy. The superior court shall have jurisdiction in equity to enforce such a right and in connection therewith the award damages. |
| Michigan | There have been multiple cases in which plaintiffs have been allowed to file claims under pseudonyms, including cases on sexual assault and abuse, family law cases, and HIV/AIDS issues. While Michigan does not have a pseudonym statute, courts have allowed plaintiffs to proceed in certain cases.  | *Doe v. Bodwin*, 326 N.W.2d 473 (Mich. Ct. App. 1982)*Doe v. Mills*, 536 N.W.2d 824 (Mich. Ct. App. 1995)*Doe v. American Medical Pharmacies, Inc.*, 2002 WL 857766 (Mich. Ct. App. 2002). | MICH. COMP. LAWS ANN. § 2.113 (2004)(D)(1) “In a complaint, the title of the action must include the names of all the parties, with the plaintiff’s name place first.” | None noted. |
| Minnesota | Minnesota caselaw does not treat the issue of filing pseudonymously directly, but cases tacitly allow pseudonym in relation to claims of confidential records. Most other reported cases with Doe plaintiffs include underlying claims relating to sexual assault or harassment.  | *Doe v. Anoka County Bd. Of Com’rs*, No. C8-92-544, 1992 WL 238373 (Minn. Ct. App. 1992)*Doe v. Archdiocese of St. Paul and Minneapolis*, No. C5-03-11896, 2005 WL 517772 | MINN. R. CIV. P. 10.01 (2010): Caption -- Names of PArties“...In the complaint, the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the first party on each side with an appropriate indication of other parties.” | MINN. STAT. § 145.4247 provides for pseudonymity of a woman proceeding in court for violations of the Woman’s Right to Know Act (relating to abortions).MINN. R. JUV. PROT. P. 8.04 (2010) states what records are not available to the public, including those from juvenile court proceedings, relating to HIV, etc. MINN. R. PUB. ACCESS REC’DS JUD. BR. 8 (2010) provides for public access to records.MINN. R. CIV. APP. P. 112.01 (2010) relates to sealing the record. |
| Mississippi | Noted caselaw from Mississippi with Doe plaintiffs is limited to sexual abuse claims brought by minors. There is no discussion by courts of the use of a Doe pseudonym. | *Doe ex rel. Doe v. Salvation Army*, 835 So.2d 76 (Miss. 2003) | MINN. R. CIV. PRO. 10 (2010): Form of Pleadings(a) Caption; names of parties. Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number, and a designation as in Rule 7(a). In the complaint the title of the action shall include the names of all parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.  | Youth court records are kept confidential under MISS. CODE ANN § 43-21-251(2) (2010). |
| Missouri | Missouri courts of appeal have considered motions to proceed pseudonymously involving emotional harm, sexual abuse for minors, and the subsequent sexual offenders. | *Doe v. Visionaire Corp*., 13 S.W.3d 674 (Mo. Ct. App. 2000)*Doe v. Hamilton*, 202 S.W.3d 621 (Mo. Ct. App. 2006) | MO. SUP. CT. R. 55.02 (2010) provides, in part, “In the petition, the title of the civil action shall include the names of all the parties.” | MO. REV. STAT. § 191.657 (2010) provides for general confidentiality of HIV related records.MO. REV. STAT. § 211.321 (2010) provides for confidentiality of juvenile court recordsMO. REV. STAT. § 630.140(5) (2010) provides for confidentiality of mental health records in court records.Mo. S. Ct. Rule 4.24 (2010) provides for confidentiality of many types of records and allows for sealing other records for “good cause shown”. |
| Montana | There has been one case reported in Montana that has a Doe plaintiff bringing invasion of privacy claim, but does not discuss the pseudonym. Obviously it is possible to bring privacy actions with a pseudonym in Montana, but there is little breadth in the caselaw to which to analogize.  | *Doe v. State through Dept. of Revenue*, 846 P.2d 1018 (Mont. 1993) | MONT. CODE ANNO. §§ 35-4-101 to 104 describe the designation of parties in civil actions, but do not state the need to file under the true name of a plaintiff.MONT. CODE ANNO. Ch. 20, Rule 17(a): Real Party in Interest (2009) is the state’s equivalent to Fed. R. Civ. Pro. 17 | MONT. CODE ANNO., § 41-5-216 (2009) provides in part for sealing youth court records.MONT. CODE ANNO. § 50-20-308 (2009): Woman’s Right to Know: Protection of privacy in court proceedings.[Allows for anonymity of a woman suing under this law in courts, unless waived.] |
| Nebraska | Reported caselaw from Nebraska with Doe plaintiffs in very thin, and contains no discussion of a rule for proceedings pseudonymously. Analogy could be made to the underlying claims and harm to Doe if identity revealed.  | *Doe v. Golnick*, 251 Neb. 184, 556 N.W.2d 20 (Neb. 1996) | NEB. CT. R. § 6-1110. Form of pleadings.(a) Caption: Names of Parties. Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number, and designation as in § 6-1107(a). In the complaint the title of the action shall include the names of all the parties.  | NEB. REV. STAT. §. 43-2,108 (2010) provides for confidentiality of certain juvenile records in courtNEB. CT. R. § 6-1521 (2009) provides for the protection of PII appearing in court records. |
| Nevada | None noted. | None noted. | NEV. R. CIV. PRO. 10 (2009): Form of Pleadings(a) Caption; names of parties. Every pleading shall contain a caption setting forth the name of the court and county, the title of the action, the file number, and a designation as in Rule 7(a). In the complaint the title of the action shall include the names of all the parties... | NEV. REV. STAT. ANN. § 200.3772 (2009) provides for substitution of a pseudonym for the name of victims of sexual assault. |
| New Hampshire | New Hampshire reported cases with Doe plaintiffs are almost exclusively limited to family law or child abuse or sexual abuse of minors, and include no discussion of pseudonymity. Thus, a victim who is a minor can be covered by statutory laws while an adult plaintiff may have difficulty preserving anonymity.  | *Niedzielski v. St. Paul Fire & Marine Ins. Co.,* 589 A.2d 130 (N.H. 1991) | New Hampshire civil procedure rules do not exactly track the federal rules.N.H. SUPER. CT. R. 2-A (2010) provides: Writs will not be accepted for entry unless the mail address and actual street address of each party plaintiff appear thereon (except domestic violence petitions, in accordance with RSA 173-B:3), and no appearance card shall be filed unless it contains the mail address and actual street address of each party defendant included in said appearance card. For good cause shown, any writ or appearance card rejected for non-compliance with this rule may, upon motion and compliance, be admitted for filing. | N.H. REV. STAT. ANN. § 169-B:35 (2010) provides for confidential court records for juvenile casesN.H. REV. STAT. ANN. § 169-D:25 (2010) provides for confidential court records where “children are in need of services.” Similarly, under N.H. REV. STAT. ANN. § 169-C:25 (2010), court records under the Child Prosecution Act are to be confidential. N.H. SUP. CT. R. 12 (2010) provides the procedure for seeking confidentiality of Supreme Court records; note however, that confidentiality is akin to sealing records, and does not include pseudonymity.  |
| New Jersey | Several cases from New Jersey provide examples of what courts consider sufficient under a court-made “compelling interest” balance test (citing, but not following Stegall), and what is considered insufficient, for a plaintiff to proceed under pseudonym. | *A.B.C. v. XYZ Corp.*, 660 A.2d 1199 (N.J. Super. Ct. App. Div. 1995)*Doe v. XYC Corp.*, 887 A.2d 1156 (N.J. Super. Ct. App. Div. 2005) | N.J. COURT RULES, R. 1:4-1 (2010): Caption:“In complaint in a civil action, the title of the action shall include the names of all the parties…”N.J. COURT RULES, R. 1:2-1 (2010): Proceeding in Open Court:All trials...and appeals shall be conducted in open court unless otherwise provided by rule or statute. If proceeding is required to be conducted in open court, no record of any portion thereof shall be sealed by order of the court except for good cause shown... | N.J. COURT RULES, R. 1:38-3 (2010) describes certain classes of court records that are excluded from public access, including victim statements, records relatio to child abuse, victims of domestic violence, juvenile court records, pertaining to AIDS or HIV, and others.N.J. COURT RULES, R. 1:38-7 (2010) generally prohibits submission of PII such as social security numbers and the like in filings with the courts. |
| New Mexico | Cases from New Mexico courts do not discuss why certain plaintiffs are allowed to proceed pseudonymously.  | *Protection and Advocacy System v. City of Albuquerque*, 195 P.3d 1 (N.M. Ct. App. 2008)*Does I through III v. Roman Catholic Church of Archdiocese of Santa Fe, Inc.*, 924 P.2d 273 (N.M. Ct. App. 1996) | N.M. DIST. CT. R. CIV. PRO. 1-008.1 (2010): Pleadings and papers; captionsPleadings and papers filed in the district courts shall have a caption or heading which shall briefly include:...B. the names of the parties; and…C. a title which describes the cause of action or relief requested. The title of a pleading or paper shall have no legal effect in the action. | N.M. STAT. ANN. § 14-2-1 (2009) states a general right of the public to inspect records, with exceptions covering PIIN.M. DIST. CT. R. CIV. PRO. § 1-079 (2010) states a presumption of access to court records, but also provides exceptions under other acts, such as those for adult protective services, the mental health code, and to protection PII. It also provides for the procedure for sealing and unsealing court records. |
| New York | There may be certain situations in which a WMC plaintiff will seek to protect his or her privacy through pseudonym litigation. New York courts generally allow a party to proceed anonymously if specific criteria are met.  | *Anonymous v. Anonymous*, 744 N.Y.S.2d 659 (N.Y. Sup. Ct. 2002)*“J. Doe No. 1” v. CBS Broad, Inc.*, 806 N.Y.S.2d 38 (N.Y. App. Div. 2005)*Doe v. New York Univ.*, 786 N.Y.S.2d 892 (N.Y. Gen. Term 2004) | None noted. | None noted. |
| North Carolina | Caselaw from North Carolina does not discuss a rule or even reasons for granting the use of pseudonyms, although several reported cases have Doe plaintiffs.  | *ACT-UP Triangle (AIDS Coalition to Unleash Power Triangle) v. Comm’n for Health*, 472 S.E.2d 605 (N.C. Ct. App. 1996)*Doe v. Duke University*, 455 S.E.2d 470 (N.C. Ct. App. 1995)*Doe v. Jenkins*, 547 S.E.2d 124 (N.C. Ct. App. 2001) | N.C. GEN. STAT. § 3-10(a): Form of pleadings“...In the complaint the title of the action shall include the names of all the parties…” | N.C. GEN. STAT. § 7B-2901 (2010) provides for confidentiality of juvenile court recordsN.C. GEN. STAT. § 122C-207 (2010) provides for confidentiality of court proceedings under the Mental Health, Development Disabilities, and Substance Abuse Act of 1985 |
| North Dakota | North Dakota courts have not stated a rule for assessing proceeding under a pseudonym, and cases in which Doe plaintiffs are tacitly allowed are sparse, offering little for analogies. | *Fargo Women’s Health Organization, Inc. v. Larson*, 381 N.W.2d 176 (N.D. 1986)*Roe v. Rothe-Seeger*, 608 N.W.2d 286 (N.D. 2000) | N.D.R. CIV. P. R. 10 (2010): Caption -- Name of parties“...In the complaint the title of the action shall include the names of all the parties…” | N.D.R. CT. RULE 3.4 (2010) provides for the protection of PII in court records.N.D. SUP. CT. ADMIN. RULE 41 (2010) sets out a right of public access to court records generally, with exceptions for narrow categories of materials appearing in the record.  |
| Ohio | The Ohio Court of Appeals accepts Doe plaintiffs, but no reported cases outline the procedure or test used to determine whether a plaintiff may proceed pseudonymously. The underlying facts of the Lodi Hospital appeal give some indication of the type of fact pattern for which trial courts may grant permission to proceed pseudonymously, and suggests that some defamation or other privacy-based tort plaintiffs may be able to successfully move for use of pseudonym.  | *Doe v. Lodi Hospital*, No. 2955-M, 2000 WL 1825095 (Ohio Ct. App. 2000)*Doe v. Hi-Stat Mfg. Co., Inc.,* 2001 WL 1782657 (Ohio Ct. App. 2001)*Doe v. State Board of Health*, Not Reported in N.E.2d, 1985 WL 6712 (Ohio CT. App. 1985) | OHIO CIV. R. 10 (2010): Form of Pleadings“...In the complaint the title of the action shall include the names and addresses of all the parties…” | Not noted. |
| Oklahoma | Oklahoma caselaw does not apply, or even discuss in any way, the use of Doe pseudonyms. However, it is possible to sue as Doe as seen in the following, but note that sexual abuse of minors is generally accorded extra statutory privacy protection. | *Doe v. Independent Schl. Dist. No. 1-89*, 780 P.2d 659 (Okla. 1988) | OKLA. STAT. 12 § 2010 (2009): Form of PleadingsA. Caption; Names of Parties...In the petition the title of the action shall include the names of all the parties…Each of the judicial districts also have local rules relating to the names of parties in the pleadings.(F). In all cases, excluding those filed in the Juvenile Division, unless the parties shall be properly names of identified, the Court shall not conduct any hearing, approve any order, or grant any relief. In those cases where the petition has been filed without the parties being properly named or identified, an amended petition shall be filed clarifying the caption of the case. | OKLA. STAT. 10A § 1-6-102 (2009) states confidential children’s records. See also 10A Okl. St. § 2-6-102 (2009). |
| Oregon | Oregon courts have not directly addressed a test or reasons for Doe pseudonyms. The facts of reported cases with Doe plaintiffs may be helpful in drawing analogies to the privacy interests that support pseudonymity.  | *Doe v. American Red Cross*, 910 P.2d 364 (Or. 1996)*Doe v. Medford School Dist.*, 221 P.3d 787 (Or. Ct. App. 2009) | OR. R. CIV. PRO. 16 (2009); Captions, Names of parties“...In the complaint the title of the action shall include the names of all the parties…” | OR. REV. STAT. § 192.420 (2009) states a right to inspect public records |
| Pennsylvania | While no specific statute or procedural rule permits suits to be filed under a pseudonym in Pennsylvania, there is case law supporting the practice in the context of sexual abuse and harassment. Accordingly, a plaintiff whose personal privacy has been violated may have a basis for seeking a court’s permission to proceed under a pseudonym. Verifications may need to be signed used the individual’s legal name, but can be placed under seal to maintain the plaintiff’s privacy. | *Doe v. Zarkin*, No. 5383 S 1996, 1998 WL 1093460*Doe v. Johns-Manville Corp.*, 15 Pa. D. & C.3d 135, 1980 WL 616 (Pa. D. & C.3d 1980) | PA.R.C.P. 1018:It provides in pertinent part that “[t]he caption of a complaint shall set forth...the names of all the parties…”PA.R.C.P. No. 1024: Verification of Pleading“(a) Every pleading containing an averment of fact not appearing of record in the action or containing a denial of fact shall state that the averment or denial is true upon the signer’s personal knowledge or information and belief and shall be verified…” | 42 PA. CON. STAT. § 6307 (2010) keeps juvenile court records confidential to some degree35 PA. STAT. ANN. § 7608 (2010) provides for confidentiality of records relating to HIV infection, and (d) allows for a pseudonym for an infected individual in court records. |
| Rhode Island | The Rhode Island Supreme Court considered plaintiffs’ use of pseudonym in two cases and there was a superior court case considered to become precedent for plaintiffs wishing to proceed pseudonymously. However, there is no law that gives plaintiffs the definitive right to file pseudonymously.  | *Doe v. Burkland*, 808 A.2d 1090 (R.I. 2002)*Pelland v. State*, 919 A.2d 373 (R.I. 2007) | R.I. R. CIV. PRO. 10 (2009): Form of Pleadings:“(a) Caption; Name of Parties...In the compliant the title of the action shall include the names of all the parties…” | R.I. GEN. LAWs § 11-37-8.5 (2010) provides for confidentiality of court records concerning the identity of children molested or sexually assaulted. |
| South Carolina | Courts in South Carolina have only noted the use of pseudonyms in passing however, the facts of the few reported cases with Doe plaintiffs could be used to draw analogies in terms of the privacy issues facing the plaintiffs with respect to their identities.  | *Doe v. Roe*, 475 S.E.2d 783 (S.C. App. 1996)*Doe v. American Red Cross Blood Services, S.C. Region*, 377 S.E.2d 323 (S.C. 1989) | Rule 10 SCRCP (2009): Form of Pleadings“(a) Caption, Name of Parties...In the summons and complaint the title of the action shall include the names of all parties…” | S.C. CODE ANN. § 63-7-2600 (2009) provides for the sealing of all court records pertaining to termination of parental rights.Rule 41.1 SCRCP (2009) states the rules and procedure for seeking court records to be sealedS.C. CODE ANN. § 44-29-136 (2009) allows for individuals with HIV/AIDS to use pseudonyms in proceedings relating disclosure of such records |
| South Dakota | Reported cases from South Dakota state courts are few. Three allow pseudonymous plaintiffs on appeal, but there is no mention in either of the procedure or any sort of court-applied balancing test of privacy interests. However, a hopeful Doe complainant could attempt to analogize to privacy interests of the plaintiffs. | *Doe v. Quiring*, 2004 SD 101 (S.D. 2004)*Doe v. Nelson*, 680 N.W.2d 302 (S.D. 2004)*Roe v. Doe*, 649 N.W.2d 566 (N.D. 2002) | S.D. CODIFIED LAWS § 15-6-10(a) (2009): Caption -- Title“...In the complaint the title of the action shall include the names of all the parties…” | S.D. CODIFIED LAWS § 15-15A-7 (2009) states what information in court records is not open to the publicS.D. CODIFIED LAWS § 15-15A-8 (2009) protects PII from being revealed in court recordsS.D. CODIFIED LAWS § 34-23A-23 (2009) allows women who have had abortions to use pseudonyms in court proceedings brought under the state’s public health safety laws.  |
| Tennessee | Tennessee reported cases give an example of why a court allows a plaintiff to proceed under a pseudonym, and under what circumstances a pseudonym cannot be used. | *Campbell v. Sundquist*, 926 S.W.2d 250 (Tenn. App. 1996)*Doe v. HCA Health Services of Tennessee, Inc.*, 46 S.W.3d 191 (Tenn. 2001)*Estate of Doe v. Vanderbilt University, Inc.*, 958 S.W.2d 117 (Tenn. App. 1997) | TENN. R. CIV. P. 10.01 (2010): Caption -- Names of parties“...In the complaint the title of the action shall include the names of all the parties…” | TENN. CODE ANN. § 37-1-153 (2010): juvenile court records are available only to limited classes of people |
| Texas | Dicta in one case reveals that Texas courts do grant motion to proceed with a pseudonym where defendants will not be prejudiced in privacy-based actions. Generally, Texas has scant caselaw to which a plaintiff seeking to proceed pseudonymously may analogize. | *Topheavy Studios, Inc. v. Doe*, No. 03-05-00022-CV, 2005 WL 1940159 (Tex. App. 2005)*Burdett v. Doe*, No. 03-06-00198-CV, 2008 WL 5264913 (Tex. App. 2008) | TEX. R. CIV. P. 79 (2010): The Petition“The petition shall state the names of the parties and their residence, if known, together with the contents prescribed in Rule 47 above.” | Tex. CIV. PRAC. & REM. CODE ANN. § 51.014 (2010): Appeal from Interlocutory OrderTEX. R. CIV. P. 76a (2010) sets forth the rule and procedure for sealing court records.TEX. CIV. PRAC. & REM. CODE ANN. § 30.013 (2010) allows for the use of pseudonyms in actions involving the sexual abuse of minors.TEX. CODE CRIM. PROC. ANN. art. 57.01 (2010) allows the use of pseudonyms by victims of sexual offenses in court records.TEX. CODE CRIM. PROC. ANN. art. 57B.01 (2010) allows the use of pseudonyms by victims of family violence. |
| Utah | Caselaw from Utah does not treat a test for pseudonymity. Several cases do tacitly allow adult plaintiffs to proceed pseudonymously, even at the state Supreme Court, with claims generally involving the revelation of medical records or conditions. Most reported caselaw from Utah courts with Doe plaintiffs, however, involves sexual abuse of minors and contains no discusssion of the use of these pseudonyms.  | *Doe v. Hafen*, 772 P.2d 456 (Utah App. 1989)*Doe v. Corp of President of Church of Jesus Christ of Latter-day Saints*, 98 P.3d 429 (Utah App. 2004) | URCP Rule 10 (2010): Form of Pleadings and other Papers“(a)(2) In the complaint, the title of the action shall include the names of all the parties…” | None noted. |
| Vermont | Reported Doe cases brought by civil plaintiffs in Vermont courts are limited to those with claims stemming from unlawful sexual relations. The opinions do not treat the use of pseudonyms, but the facts may be somewhat helpful for analogy for future plaintiffs wishing to proceed pseudonymously. | *Doe v. Forrest*, 853 A.2d 48 (Vt. 2004)*Doe v. Newbury Bible Church*, 182 Vy. 174, 933 A.2d 196 (Vt. 2007) | V.R.C.P. Rule 10 (2009): Form of Pleadings“(a) Caption; Names of Parties...In the complaint, the title of the action shall include the names of all the parties…” | VER. STAT. ANN. tit. 15A § 6-102 (2010) seals records of adoptionsVER. STAT. ANN. tit. 12 § 1705 (2010) provides for limited use of pseudonyms for proceedings regarding individuals infected with HIV.VT. PUB. ACC. CT. REC. Rule 6 (2009) provides for a general right of public access to court records, with several exceptions, including a juvenile and mental health proceedings, and financial information. |
| Virginia | Virginia provides fairly straightforward procedures for anonymous-filing all a plaintiff must do is file as “anonymous” or under a pseudonym. If the anonymous filing is challenged, a court will evaluate factors to determine whether the plaintiff should be forced to reveal his or her identity. Caselaw from Virginia’s courts does encompass discussion of why or when plaintiffs can use pseudonyms, using Virginia’s codification of the stegall test at VA. ANN. CODE § 8.01-15.1 | *Doe v. Briscoe*, 61 Va. Cir. 96 (2003)*Doe v. Swelling*, 270 Va. 594, 620 S.E.2d 750 (Va. 2005)*America Online, Inc. v. Anonymous Publicly Traded Co.*, 542 S.E.2d 377 (Va. 2001) | Virginia is unusual in that the Virginia legislature went so far as to codified a Stegall-like five-factor test for plaintiff pseudonymity. Virginia Annotated Code Section 8.01-15.1 was enacted in 2003 ad provides for a test for when a pseudonymous party is challenged by motion concerning the propriety of pseudonymity. The test, by implication, required “special circumstances” for which the plaintiff requests pseudonymity, and considers:[1] if the pseudonymity is merely to avoid the annoyance and criticism that may attend any litigation or is to preserve privacy in a sensitive and highly personal matter[2] whether identification poses a risk of physical or mental harm to the requesting party or to innocent nonparties[3] the age of the persons who privacy interests are sought to be prosecuted[4] whether the action is against a governmental or private party; and[5] the risk of unfairness to other parties if pseudonymity is maintainedIf pseudonymous in court filings, all parties and the court have the right to know the identity of the plaintiff. After an initial determination that the party may proceed pseudonymously, pseudonymity may nevertheless be challenged “at any stage of the litigation” when the circumstances warrant reconsideration. | VA. CODE ANN. § 16.1-305 (2010) provides for confidentiality of court records pertaining to juvenile proceedings and domestic relationsVA. CODE ANN. § 17.1-208 (2010) provides that in general, court records are open to inspection.Va. Code Ann. § 8.01-15.1 -- Anonymous plaintiff; motion for identification; factors to be considered by court.Va. Code Ann. § 19.2-11.2 -- Crime victim’s right to nondisclosure of certain information; exceptions; testimonial privilege. |
| Washington | Several reported cases in Washington have Doe plaintiffs bringing privacy claims. The opinions briefly treat the use of pseudonyms, demonstrating it is possible for privacy-tort plaintiffs to protect their identities. | *Doe v. Gonzaga University*, 24 P.3d 390 (Wash. 2001), rev’d by 536 U.S. 273*Bellevue John Does 1-11 v. Bellevue School District #405*, 120 P.3d 616 (Wash. App. 2005) | Wash. CR 10 (2009): Form of pleadings and other papers(a)(1) “Names of parties in the complaint the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.” | Wash. GR 15 (2009) presents the rules and procedure for sealing or redacting court recordsWash. GR 31 (2009) states that court records are in general open to public access.WASH. JISCR 15 (2009) pertains to dissemination of information in court records by computer. One factor to be considered before data is released is “(f)(3) Potential for infringement of personal privacy created by release of the information requested.” |
| West Virginia | Reported cases from West Virginia do not discuss rules or reasons for Doe plaintiffs. One case to which an analogy could be drawn with respect to the privacy interest of the Doe plaintiff. | *Doe v. Wal-Mart Stores, Inc.*, 558 S.E.2d 663 (W. Va. 2001) | VA. R.C.P., Rule 10 (2009): Form of pleadings“(a) Caption; names of parties...In the complaint the title of the action shall include the names of all the parties…” | VA. CODE § 49-7-1 (2009) provides that court records pertaining to juvenile or child court proceedings are to be confidential.VA. CODE § 16-21-6 (2009) allows women who have received abortions to used pseudonyms in court proceedings arising under the Women’s Right to Know Act.VA. CODE § 16-3C-3 (2009) provides for the use of a pseudonym for HIV infected individuals who would otherwise be identified in pleadings under the AIDS-related Medical Testing and Confidentiality.  |
| Wisconsin | There have been a few reported Wisconsin cases with Doe plaintiffs that demonstrate the privacy interests needed to sustain pseudonymity.  | *Local 2489, AFSCME, AFL-CIO v. Rock County*, 689 N.W.2d 644 (Wis. App. 2004)*Doe v. Ellis*, 309 N.W.2d 375 (Wis. App. 1981) | WIS. STAT. § 802.04 (2009): Form of Pleadings“(1) Caption...the title of the action shall include the names and addresses of all the parties, indicating the representative, if any, in which they sue or are sued…” | None noted. |
| Wyoming | Very little reported cases from Wyoming courts have Doe plaintiffs. One case tacitly allowed the plaintiffs to use pseudonyms where they bring a constitutional challenged against the state’s anti-abortion law/ | *Doe v. Burk*, 513 P.2d 643 (Wyo. 1973) | WYO. R. CIV. PROC. Rule 10 (2010): Form of Pleadings“(a) Caption: names of parties...In the complaint the title of the action shall include the names of all the parties…” | WYO. STAT. ANN. § 14-3-214 (2010) provides for confidentiality pertaining to child abuse or neglect. |

*Information taken from:* [*https://withoutmyconsent.org/50state/filing-pseudonymously/by-state/*](https://withoutmyconsent.org/50state/filing-pseudonymously/by-state/)