



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-150

For business meeting on October 24, 2025

Title

Civil Practice and Procedure: Confidential
Information Form for Doxing Cases

Report Type

Action Required

Effective Date

January 1, 2026

Rules, Forms, Standards, or Statutes Affected

Revise form MC-125

Date of Report

September 30, 2025

Recommended by

Civil and Small Claims Advisory Committee
Hon. Samantha P. Jessner, Chair

Contact

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Executive Summary

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 bill creates a statutory procedure to allow plaintiffs in these cases to use a pseudonym and requires the Judicial Council to adopt or revise forms as necessary to implement that procedure. The Civil and Small Claims Advisory Committee recommends revising one form to fulfill this statutory mandate.

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026, revise *Confidential Information Form Under Civil Code Section 1708.85* (form MC-125) to implement the statutory procedure for using a pseudonym when bringing a case under Civil Code section 1708.89.

The proposed revised form is attached at pages 4–5.

Relevant Previous Council Action

The council adopted form MC-125 effective July 1, 2015, to implement Civil Code section 1708.85. The form was last revised effective January 1, 2019, to reflect amendments to section 1708.85.

Analysis/Rationale

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. The bill creates a statutory procedure to allow plaintiffs in these cases to use a pseudonym and requires the Judicial Council to adopt or revise forms as necessary to implement that procedure.¹ The court is required to keep the plaintiff’s name and certain characteristics confidential, and, upon request, limit access to court records.²

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 1708.85.³ Apart from their defined terms and use of those terms, Civil Code sections 1708.85 and 1708.89 are essentially identical.

The Civil and Small Claims Advisory Committee recommends revising form MC-125 for use in cases brought under Civil Code section 1708.89. Specifically, the committee recommends revising the form title to include Civil Code section 1708.89, revising item 1 to ask the form user to identify the applicable Civil Code section, and revising the instructions on page 2 to include references to, and information from, section 1708.89. The committee also recommends revising several items in the instructions to make them easier to understand.

Policy implications

The revised form recommended by the committee will implement a statutory procedure for using a pseudonym when bringing an action against a person who publishes the plaintiff’s private information on the internet. Accordingly, the key policy implication is to ensure that this form correctly reflects the law. The recommended form revisions are consistent with the *Strategic Plan for California’s Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Quality of Justice and Service to the Public (Goal IV).

¹ Civ. Code, § 1708.89(h).

² *Id.*, § 1708.89(e).

³ Judicial Council of Cal., Advisory Comm. Rep., *Rules and Forms: Confidential Information Form Under Civil Code § 1708.85* (Mar. 19, 2015), courts.ca.gov/publication/rules-and-forms-confidential-information-form-under-civil-code-ss170885.

Comments

The proposed form revisions to implement AB 1979 circulated for public comment from April 14 to May 23, 2025, as part of the regular spring invitation-to-comment cycle. The proposal received six comments: three from superior courts, one from the Joint Rules Subcommittee (JRS) of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee, one from a county bar association, and one from an attorney. Five commenters approved of the proposal and one did not indicate a position. A chart with the full text of the comments received and the committee's responses is attached beginning at page 6.

JRS suggested revising the instructions on page 2 of the form to include information about "online identifiers," a term defined in the statute, and to remind form users that they will need to file a proof of service after serving form MC-125. The committee agreed with both suggestions and included them in its recommendations to the council.

The commenters did not make any other suggestions or raise any other issues.

Alternatives considered

The committee did not consider the alternative of taking no action because the council is required by AB 1979 to adopt and revise forms to the extent necessary to implement the law. As to proposed revisions that were not required by the terms of AB 1979, the committee considered taking no action but ultimately determined that the revisions were warranted in light of the benefits they would provide to court users.

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.

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.

Attachments and Links

1. Form MC-125, at pages 4–5
2. Chart of comments, at pages 6–9
3. Link A: Assem. Bill 1979 (Stats 2024, ch. 557),
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 08/26/2025 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	

Read page 2 for instructions explaining when and how to use and file this form.

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).

<u>Pseudonym used</u>	<u>True name of plaintiff</u>
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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)
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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. If you are a plaintiff who uses a pseudonym, you 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 your true name to the court. You 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. If you are a party required to redact identifying characteristics from any pleading or document (other than a complaint) filed with the court, you **must** file this confidential information form with the court and serve a copy of the form on all parties. You must complete items 2 and 4, 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)(A), 1708.89(a)(5).) "Online identifiers" means any personally identifying information tying an individual to a particular electronic service, device, application, website, or account, such as account names, aliases, login names, URLs, and Internet Protocol (IP) addresses. (Civ. Code, §§ 1708.85(f)(3)(B), 1708.89(a)(7).)
5. If you need more space to describe all the redactions in a pleading or document, you may attach form MC-025 with information provided in the same format as in item 4 of this form.
6. You must complete a copy of this form each time you file a pleading or document redacted under Civil Code section 1708.85 or 1708.89, and you must serve and file a copy of this form along with the redacted document. You will also need to file a proof of service after serving this form.

SPR25-09**Civil Practice and Procedure: Confidential Information Form for Doxing Cases (Revise form MC-125)**

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
1.	Mark G. Griffin Interim Chair California Lawyers Association, Law Practice Management and Technology Section	A	It is my hope that the Judicial Council continues to evaluate the threat of doxing through out all stages of litigation. I enthusiastically support the proposal and the Judicial Council's efforts.	The committee appreciates the response.
2.	Orange County Bar Association by Mei Tsang, President	A	Amendments address stated purpose.	The committee appreciates the response.
3.	Superior Court of California, County of Los Angeles by Stephanie Kuo	A	In response to the Judicial Council of California's ITC, "Civil Practice and Procedure: Confidential Information Form for Doxing Cases," the Court agrees with the proposal and has no other comments.	The committee appreciates the response.
4.	Superior Court of California, County of San Bernardino Staff Civil Committee	NI	Q: Does the proposal appropriately address the stated purpose? A: Yes, the proposal appropriately addresses the stated purpose. Q: Would the proposal provide cost savings? If so, please quantify A: No cost savings. Q: 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? A: Minimal change will be required. Clerk's Office, Judicial Assistants, and Judges would	The committee appreciates the information.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

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	Commenter	Position	Comment	Committee Response
			need to be informed of the change. This can be done by email. No additional training required. Possibly brief revising needed for clerk's office procedures manual. Time would be needed for the clerk's office to update any forms in office with the revised forms and time would be needed for court tech to make sure correct forms are online. (1 day) No changes in the case management system would be needed. Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? A: Yes. Q: How well would this proposal work in courts of different sizes? A: This will work well in any size court.	
5.	Superior Court of California, County of San Diego by Mike Roddy, Executive Officer	A	Q: Does the proposal appropriately address the stated purpose? A: Yes. Q: Would the proposal provide cost savings? If so, please quantify. A: No.	The committee appreciates the information.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

SPR25-09

Civil Practice and Procedure: Confidential Information Form for Doxing Cases (Revise form MC-125)

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	Commenter	Position	Comment	Committee Response
			Q: 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? A: Updating internal procedures, renaming the filing in the case management system, and training staff. Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? A: Yes, provided the final versions of the forms are provided at that time. Q: How well would this proposal work in courts of different sizes? A: It appears the proposal would work for courts of all sizes.	
6.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) (TCPJAC/CEAC Joint Rules Subcommittee)	A	The JRS [Joint Rules Subcommittee] also notes the following impact to court operations: - Increases court staff workload. - If not filed with complaint, what, if any, action would the court clerks need to take regarding previously filed documents? If this form is filed after the complaint, would the clerk be responsible for redacting anything filed	The committee appreciates the information. Civil Code section 1708.89(e)(3) states: “The responsibility for excluding or redacting the name or identifying characteristics of the plaintiff from all documents filed with the court shall be the responsibility of the parties and their attorneys. This section does not require the court to review

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	Commenter	Position	Comment	Committee Response
			previously? If so, this would increase staff workload. Suggested modification(s): Suggested/helpful changes would be to add a proof of service to the form or a statement “Attached to MC-125 is the proof of service mandated under Civil Code 1708.85 or 1708.89” just a reminder to unrepresented parties. As part of the instructions clarify “online identifiers”. An example is “... social media profiles, online identifiers (e.g. screen name, user name, IP address)...”	pleadings or other papers for compliance with this subdivision.” The committee agrees that it would be helpful to include a reminder about the proof of service. The committee has recommended revising item 6 of the instructions on page 2 to include the following sentence: “You will also need to file a proof of service after serving this form.” The committee agrees and has recommended revising item 4 of the instructions on page 2 of form MC-125 to include a sentence defining “online identifiers” and providing examples.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated