The Placeholder Card: Stripping Client Identifiers

From: John A. Kelly

Date: August 5, 2026

Re: Placeholder card: stripping client identifiers before AI use (backs Quick Reference item 6)

Companion to item 6 of the Staff Quick Reference and Section 4 of the policy. Post it next to the checklist. The full policy controls.

The one rule that makes this work

The substitution happens **before** the text reaches the tool. Pasting client text into a cloud AI "to anonymize it" is itself the disclosure; the anonymizing came too late. Three compliant paths:

1. **Find and replace in Word.** For most prompts this takes two minutes and needs no technology decision at all.
2. **A local model on firm hardware.** If the volume justifies it, a small model running entirely on a firm machine can do the substitution without anything leaving the building. This is an Approved Tool List decision for the Administrator, not a workaround for staff to improvise.
3. **Inside a Tier 2 session.** If the account is already cleared for the underlying material (enterprise configuration, training off; see the account posture below), the tool itself may do the substitution, for example to turn matter-specific work into a shareable form. The prompt for that is at the bottom of this card.

Substitution conventions

Use the same fictitious names every time; familiarity is the point. Assign them in order of appearance and keep roles consistent within a matter.

First party or family. Placeholder: John Doe, Jane Doe

Second (usually adverse) party or family. Placeholder: Richard Roe, Mary Roe

Third parties, witnesses. Placeholder: Peter Poe, Paula Poe; then Carl Coe, Carol Coe

Groups (heirs, class members, employees). Placeholder: Doe 1, Doe 2, Doe 3

Real property, in order of appearance. Placeholder: Blackacre, Whiteacre, Greenacre

Business entities. Placeholder: Acme Corp., Beta LLC, Gamma Partners

Case numbers, docket numbers. Placeholder: [CASE NO.]

Addresses. Placeholder: "the property," "the office"

Account, policy, VIN, SSN, medical record numbers. Placeholder: [ACCT-1], [POLICY-1], and so on

Email addresses and phone numbers. Placeholder: delete them; they are almost never needed for the legal question

Dates. If the analysis turns on timing, preserve sequence and duration (Day 1, Day 45, "six months later") rather than pasting real dates. If timing is incidental, generalize ("in early 2024").

Amounts. Ordinary figures can usually stay; strip or round an amount when the figure itself identifies the matter (a distinctive settlement or verdict number).

Distinctive facts. The residual test, and the one that catches what the table misses: *if opposing counsel read this prompt, would they know whose matter it is?* A one-of-a-kind fact pattern (the only winery in the county with that easement dispute) identifies the client as surely as a name. Generalize the distinctive detail or move the work to a Tier 2 session.

The key stays home

Keep the substitution key (which placeholder maps to which real name) in the matter file. It is attorney work product (Code Civ. Proc. § 2018.030) and it never gets pasted into any tool. Without the key, a leaked or retained prompt is a law school hypothetical; with it, it is your client's file.

Account posture (why the tiers are what they are)

- **Tier 1 material** (public facts, properly anonymized hypotheticals) can go to any approved tool. This card is what "properly anonymized" means.
- **Tier 2 material** (client documents, matter facts) belongs on an enterprise account with training on inputs disabled and zero data retention terms where the vendor offers them. That is an account-configuration fact, not a vibe; the Approved Tool List records it per tool.
- **Know the retention window.** As of August 2026 at least one major vendor's newest models keep a 30 day safety retention window even under zero data retention terms, and flagged content can be held longer. The Tool List should record the exact period for each tool. Where the firm wants to use a retained-window tool on client matters, that is a client-communication decision under Section 7 of the policy (the client should understand the scope of the vendor's retention), not a silent default.
- **Flag risk varies by practice area.** Content that trips a vendor's trust-and-safety filters can be held past the standard window and reviewed by vendor personnel. Criminal-defense material and similar subject matter trips those filters far more often than transactional text does. A firm with that kind of docket should treat team-tier retention as a Tier 3 consideration for those matters and use an enterprise account or a vetted legal-specific tool instead.
- **An add-in inherits its account.** A Word add-in feels local, but the open document goes to the vendor account the add-in is signed into, on that account's retention terms. The Tool List records which account that is; check it before opening a client document with the add-in enabled. (Document 11 maps the full data footprint of chat, add-in, and harness work.)
- **When in doubt, treat it as Tier 3 and ask.**

The substitution prompt (Tier 2 sessions only)

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Rewrite the attached text, replacing every person, entity, property,

case number, address, and identifying number with neutral placeholders:

Doe and Roe for parties, Poe and Coe for witnesses, Blackacre and

Whiteacre for real property, Acme Corp. and Beta LLC for entities,

[CASE NO.] and [ACCT-1] style tags for numbers. Preserve the legal

issues, the sequence of events, and durations. Generalize any fact

distinctive enough to identify the matter, and list each

generalization you made. Output the rewritten text, then a two-column substitution key. Do not add facts.

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Move the key out of the session and into the matter file, then delete the session per firm disposition practice.