

## HOW WILL THIS AFFECT YOU?

1. **How do I file sealed documents?**

We have created specific events for documents that are often filed under seal (e.g., Objection to Presentence Investigation Report, Motion to Debrief and Motion for Downward Departure). If you are filing a document that does not fall under a specific sealed event, you will be able to file your document using a more general event, such as Sealed Motion, Sealed Response or Sealed Document.

2. **How will the sealed document be reflected on the docket sheet?**

The description of the document may appear or it may simply show "sealed document," depending on the nature of the pleading. Titles of certain documents that may reveal the status of the case, or place a party in jeopardy will automatically be reflected on the docket sheet as "sealed document."

3. **How secure is this application?**

The Case Management/Electronic Case Filing application was developed and tested by the Administrative Office of the United States Courts, incorporating modern security measures such as those used in commercial web sites in its design. The Judicial Conference has approved this system for use by the Courts, and it has been determined that the application is a secure environment for sealed court documents.

4. **Who will be able to see the sealed document?**

Only authorized sealed user group members will have access to the electronic image of the document. The sealed user group is comprised of the Judge and any persons that the Judge authorizes within the Court to view sealed documents.

5. **All case participants currently receive e-mail notice when a sealed document is filed. Will this continue?**

Yes. All case participants will receive e-mail notice on sealed entries; however, they will only be able to view the docket entry text and not the image (pdf) of the document. Our Administrative Procedures direct that all documents filed under seal be conventionally served.

6. **Can I still file a sealed document in paper with the Clerk's office?**

Local Rule 5.1 requires electronic filing of documents except as expressly provided or unless permitted by the presiding judge.

7. **Will I be able to file a new civil case under seal?**

Yes. You must ask permission to file a new case under seal (L. R. 83.6). You will open a miscellaneous case electronically, adding only "Sealed Filer" as a party to the case. You will then file your motion by selecting the "Motion to Seal Complaint" event from the complaints and other initiating documents category. Next, you will file your proposed sealed complaint using the "Sealed Complaint" event found in the sealed category. Only members of the judge's sealed user group will have access to the

documents. Once the Court has granted the motion the Clerk will open the sealed civil case. After consulting with the presiding judge the Clerk will provide you with instructions on how you will file other documents in this case.

**8 What happens if I choose the wrong event and file a document under seal by mistake?**

You must file a motion to unseal the document along with a proposed order. The document will remain sealed until the Court directs the Clerk to unseal the document. The presiding Judge may order the sealing or unsealing of any document.

**9. I have voluminous exhibits to a motion for summary judgment that must be filed under seal. How do I do that?**

Simply choose the event "sealed exhibit." A filing user may submit as exhibits only those excerpts of the referenced documents that are material to the matters under consideration. The current size limitation for electronically filed documents is 5 megabytes. While this limit will not likely affect electronically created documents, in the case of imaged documents it would be the equivalent of approximately 80 pages.