

ADDENDUM to Case Management Electronic Case Filing (CM/ECF) Administrative Procedures January 8, 2018

9A. Electronic Filing of Motions to Seal and Proposed Orders

Effective December 1, 2015, attorneys authorized to file electronically in the CM/ECF system must file sealed documents electronically in civil cases otherwise open to the public and civil ex parte matters.

Attorneys must upload motions to seal and the proposed order via CM/ECF using the “Motion to Seal” (public) event. Notices of Electronic Filing will be sent to CM/ECF users. Attorneys must continue to provide service to pro se parties and other non-ECF users.

The proposed sealed material shall not be filed unless the Court grants the motion to file under seal.

~~If the motion to seal is denied, the Clerk’s Office will process the matter as directed by the Court (e.g., replace the image of the proposed sealed filing with an image indicating the document has been replaced pursuant to Court order denying the motion to seal).~~

~~Attorneys requesting to file a motion to seal such that the motion itself will be “under seal” must file the request as a motion to seal and the proposed motion to seal (which will itself be sealed) must be filed as a proposed sealed document as instructed below.~~

In instances where the entire civil case is sealed, the initial complaint or other initiating document as well as subsequent sealed filings must continue to be filed conventionally (See Section 5).

9B. ~~Proposed~~ Sealed Filings and Subsequent Sealed Documents

Attorneys must file electronically proposed sealed filings separate from the motion to seal (which is public record), using “Sealed Motion or Sealed Document” events in CM/ECF. If the Court grants a motion to file under seal, then the moving party shall file any pleading, motion, memorandum, or other document that has been authorized to be filed under seal via CM/ECF using events specifically earmarked for sealed civil filings, but if a redacted filing previously has been made or is accompanying the sealed filing, then the material that is being filed under seal shall be filed as an attachment to a “Notice of Sealed Filing” which shall be filed via CM/ECF (using events specifically earmarked for sealed civil filings).

Attorneys also must electronically file any subsequent sealed filings required by Court order and motions to unseal using the “Sealed Motion or Sealed Document” events in CM/ECF. When uploading sealed documents, attorneys must indicate the authority under which the documents are being filed under seal ~~(e.g., Local Rule 5.4(b), sealed per previously entered protective order, or other Court order)~~, and the date and docket entry number of any applicable order.

Attorneys will not have access to their sealed filings via PACER. Attorneys must complete any required service of a sealed document [or Notice of Sealed Filing](#) conventionally, indicating the corresponding docket entry number of the sealed document [or Notice of Sealed Filing](#). Service of sealed filings is not completed via CM/ECF. The public docket will reflect that a restricted/sealed document has been filed.

If a sealed document is erroneously filed as a public document, attorneys must immediately call the CM/ECF Help Desk (1-888-318-2260).