

FILING SEALED DOCUMENTS AND EX PARTE MOTIONS¹

Filing a sealed document in an unsealed case

- For detailed instructions see CM/ECF Rule 12.2
http://tned.uscourts.gov/sites/tned/files/ecf_rules_procedures.pdf
- Docket motion in CM/ECF using the *Leave to File Document Under Seal* motion event. The motion will NOT be sealed. Service will be effected by CM/ECF to all attorneys who are CM/ECF users.
- Do NOT attach the document sought to be sealed to the motion. Docket the document separately from the motion using the *Proposed Sealed Document* event.
 - The document will be automatically sealed.
 - A notice of the filing will be sent by CM/ECF to all attorneys who are CM/ECF users.
 - Non-court users will not be able to access the document. Counsel must serve the proposed sealed document in some other manner allowed under the *Federal Rules of Civil Procedure* or *Federal Rules of Criminal Procedure*.
- If the motion is granted, the clerk's office will retrieve the document and redocket it.
- If the motion is denied, the clerk's office will delete the document.

Filing a document in a sealed case

- The document must be filed on paper in the clerk's office.
- CM/ECF will NOT effect service—counsel must serve the document in some other manner allowed under the *Federal Rules of Civil Procedure* or *Federal Rules of Criminal Procedure*.

Ex parte motion

- The motion **must** be filed on paper in the clerk's office.
- CM/ECF will NOT effect service—counsel must serve the motion on any party entitled to service in some other manner allowed under the *Federal Rules of Civil Procedure* or *Federal Rules of Criminal Procedure*.

¹ These procedures do not apply to motions and orders sealing criminal complaints, indictments and informations, which are governed by Local Rule 26.2 (c) and CM/ECF Rules 4.5.1 and 4.5.2.