

DEAR POINT AND CLICK:
Answers to technical questions

Question: I have a paper that we would like to file under seal. Do I need Court approval?

Answer: Prior approval is required before filing a paper under seal. To request approval, a party must file a Motion to File Paper under Seal. When filing the motion in CM/ECF, it is very important to use the filing event Motion to File Paper under Seal, which is located in the Motions/Applications/Objections event categories under both the Bankruptcy and Adversary menus. Immediately after filing the motion, a proposed order should be submitted using the Courts eOrders process.

Question: Should I attach a copy of the paper to be filed under seal?

Answer: It is very important that a filer not attach a copy of the paper to be filed under seal to ensure the proposed sealed paper is not viewable. Only after an order granting the motion is entered should the paper be filed.

Question: How do I submit the sealed paper to the Court?

Answer: The sealed paper may be filed electronically using the Sealed Paper docketing event located in the Miscellaneous event categories located under both the Bankruptcy and Adversary menus. Upon filing, the Judge assigned to the case is notified of the filing.

Question: Who may view the sealed papers?

Answer: The Court has set viewing restrictions based on the CM/ECF docket event being used. Therefore, using the correct event is crucial. Viewing restrictions on events related to filing a sealed paper are as follows:

Motion to File Paper under Seal – Viewable by the filer and all internal court staff.

Orders on Motions to File Papers under Seal – Viewable by the filer of the underlying motion and all internal court staff.

Sealed Paper – Any paper filed using this event is viewable only by the Judge assigned to the case. The Judge assigned to the case may grant viewing rights to designated chambers personnel (e.g., law clerk, judicial assistant).

For each of these filings, the Judge assigned to the case may allow viewing rights to be expanded on a case-by-case basis.

Further information on filing papers under seal may be obtained on the Court's website on the Procedures page, via the Procedure Manual link. It is also advisable to review Administrative Order FLMB-2015-3 posted on the Administrative Orders page of the Court's website.

Please note that on July 1, 2016, the Court anticipates implementing an amendment to Local Rule 5005-4 incorporating sealed paper filing provisions currently contained in Administrative Order FLMB-2015-3.