

## Motion to File Paper Under Seal – Bankruptcy and Adversary

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### Docketing Event

- Bankruptcy > Motions/Applications/Objections > Motion to File Paper under Seal
  - Adversary > Motions/Applications > Motion to File Paper under Seal
  - Bankruptcy > Miscellaneous > Sealed Paper
  - Adversary > Miscellaneous > Sealed Paper
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**Negative Notice: No**

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**Accompanying Orders: Yes. Attorney prepares the order.**

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**Code and Rule References:**

[Local Rule 5005-4](#)

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**Fee: N/A**

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**Applicable Chapters: 7, 11, 12, 13**

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**Implemented: 2/9/2016**

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**Last Revision: 9/9/2020 10:13:33 AM**

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### Description

Under [Local Rule 5005-4](#), with a few limited exceptions, papers may be filed under seal only after entry of an order granting a Motion to File Papers under Seal. Before June 15, 2015, sealed papers were submitted in paper. These items are maintained by the Clerk.

After June 15, 2015, CM/ECF sealed paper functionality was improved to allow filing sealed papers electronically. Between June 15, 2015 and June 30, 2016, all motions that sought to file papers under seal and the related orders were sealed. Entries for the motion and order were not viewable externally.

- ❖ **Note:** Due to the viewing restrictions, filers may notice that there are missing or skipped paper numbers on the public docket. This reflects that the item is an internal court document.

### **Motion to File Paper under Seal**

Except for the limited exceptions listed in in [Local Rule 5005-4](#), a motion to file a paper under seal must be filed and granted before a paper may be filed under seal.

If the filer chooses to do so, the Motion to File Paper under Seal docket entry and the image of the motion will be viewable only by the filer of the motion, the U.S. Trustee, the Trustee appointed to the case (if applicable), and internal Court users. The filer may view the motion at the time of filing on the electronic filing receipt and also on the case docket sheet. Other external CM/ECF users will not be able to view the docket entry or the image of the motion. The paper to be filed under seal must not be attached or submitted with the motion. No Notice of Electronic Filing (NEF) is generated to any case participants.

### **Order on Motion to File Paper under Seal**

If the underlying Motion to File Paper under Seal was docketed with viewing restrictions, the docket entry and image of the Order Granting Motion to File Paper under Seal will be viewable only by the filer of the underlying Motion to File Paper under Seal, the U.S. Trustee, the Trustee appointed to the case (if applicable), and internal Court users. Upon entry of the Order Granting Motion to File Paper under Seal, the filer of the motion will be notified and may file the sealed paper electronically. No Notice of Electronic Filing (NEF) is generated to any case participants.

### **Filing of Sealed Paper**

After the entry of an Order Granting Motion to File Paper under Seal, the sealed paper may be filed via CM/ECF using the event “Sealed Paper.” The docket entry and image for the sealed document will be viewable only by the assigned judge, authorized staff members, the U.S. Trustee, and the Trustee appointed to the case (if applicable). Chambers staff will be notified when the sealed paper has been filed. Upon completion of electronic filing, no Notice of Electronic Filing (NEF) confirmation screen will appear, and no NEF is generated to any case participants.

### **Orders on Sealed Papers**

If the sealed paper is a motion or application that requests a court order, the movant shall submit the proposed order using the eOrder program. Upon receipt, the order will be routed to the appropriate person and, if signed, will be docketed internally as a sealed order. The docket entry and image of the sealed order will only be viewable by the filer of the underlying motion, the U.S. Trustee, the Trustee appointed to the case (if applicable), the assigned judge, and authorized staff members. The Court will notify the movant of the entry of the sealed order and will provide special access to the sealed order via CM/ECF. Each situation will be addressed on a case-by-case basis. No Notice of Electronic Filing (NEF) is generated to any case participants.

### **Other Papers filed with Viewing Restriction**

Section (d) of [Local Rule 5005-4](#) lists several items that do not require prior approval to file under seal. Each of these items will be docketed using events specific to the item. Viewing restrictions are set in these individual events and therefore these items do not need to be filed using the Sealed Paper event.

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### **Filing Checklist**

Review the Motion to File Paper under Seal to determine if:

- The motion is signed;
- Has the attorney’s name and address complete and consistent with the filing attorney’s name and address in CM/ECF;
- The motion is properly served and includes a proper certificate of service; and
- Proposed sealed paper is not attached.

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**Forms**

[Motion to File Paper Under Seal - Bankruptcy](#)

[Order Granting Emergency Motion for Authority to File Paper Under Seal – Bankruptcy](#)

[Motion to File Paper Under Seal – Adversary](#)

[Order Granting Emergency Motion for Authority to File Paper Under Seal - Adversary](#)