

SEALED DOCUMENTS IN CRIMINAL CASES

In conjunction with the move to attorneys' filing sealed documents electronically, the Court has amended LCrR12.2 effective immediately. In criminal cases, applications for leave to file motions or other documents under seal shall be filed electronically and may be filed under seal without leave of court. Leave of court, however, is required to file motions or other documents under seal, with limited exceptions such as motions for downward departure pursuant to § 5K of the United States Sentencing Guidelines or to reduce a sentence pursuant to Fed. R. Crim P. 35(b). The revised version of the rule reads as follows:

LCrR12.2 Motions to Seal.

Any party requesting that any pleading, document, or other matter be filed under seal shall electronically file under seal an application for leave to file the document under seal and shall submit a proposed order to the assigned judge through the Court's ECF System. Unless otherwise permitted by statute, the Federal Rules of Criminal Procedure, or the Court's Local Criminal Rules, the pleading, document, or other matter shall not be filed under seal without leave of court. Motions for downward departure pursuant to § 5K of the United States Sentencing Guidelines or to reduce a sentence pursuant to Fed. R. Crim. P. 35(b), however, may be filed under seal without a court order. Responses to sealed matters may likewise be filed under seal. A separate request to seal such a response is not necessary.