

FOR CRIMINAL FILINGS (*CIVIL FILINGS FOLLOW LOCAL RULES*)

PROCEDURES FOR FILING CRIMINAL UNDER SEAL DOCUMENTS

FOR REQUESTS TO SEAL DOCUMENTS ONLY, NOT THE APPLICATION AND ORDER:

1. Electronically file the application to seal and the declaration giving notice or proof of service.
2. Attach a proposed order to the electronically filed application (standard procedure for filing application with a proposed order).
3. Indicate which of the three following actions will be taken if the application is denied:
 - (1) Counsel will publically file the document(s) for consideration by the Court;
 - (2) Attorney will retrieve the chambers copy of the document(s); or
 - (3) Clerk will destroy the chambers copy of the document(s).
4. After electronically filing the application and proof of service, send an e-mail to RGK_Chambers@cacd.uscourts.gov with an attachment containing (1) an Adobe PDF version of the application to seal and declaration giving notice or a proof of service; (2) a Word or WP version of the proposed order (including the proposed action to be taken if the application is denied (see 3., above)); and (3) an Adobe PDF of the document(s) to be filed under seal with a caption page clearly marked "UNDER SEAL." The subject line of the e-mail should have the case number, plus the words "UNDER SEAL REQUEST".

FOR REQUESTS TO SEAL THE APPLICATION, ORDER AND DOCUMENT(S):

1. Electronically file a NOTICE OF MANUAL FILING indicating that the following have been submitted to the Court: (1) an application to seal; (2) a declaration giving notice or a proof of service; (3) a proposed order; and (4) the documents to be placed under seal.
2. Send an email to the chambers email at RGK_Chambers@cacd.uscourts.gov with an attachment containing (1) an Adobe PDF version of the application to seal and declaration giving notice or a proof of service; (2) a Word or WP version of the proposed order (including the proposed action to be taken if the application is denied); and (3) an Adobe PDF of the document(s) to be filed under seal **with a caption page**, clearly marked "UNDER SEAL." The subject line of the e-mail should have the case number, plus the words "UNDER SEAL REQUEST". Without a caption page, document title will be captured and will appear on the docket.

Please note: The title of the pleading will be placed on the public docket entry. For example: "Declaration of John Doe, Exhibit A." If approved, the document itself will be sealed and not viewable by the public, but the entry (title) will be viewable.

OTHER IMPORTANT INFORMATION REGARDING APPLICATIONS TO FILE UNDER SEAL:

1. All applications must provide reason(s) as to why the parties' interest to file the document(s) under seal outweighs the public's right to access.
2. All applications must indicate which portions of the documents to be filed under seal are confidential.
3. If a party submits an application to file under seal pursuant to a protective order only (i.e., no other reason is given), **the application will be denied** unless the Court receives within 48 hours from the notice of filing a document providing (1) the reasons the document should be filed under seal; and (2) the portions within the document that are confidential. This document shall be entitled: "ADDENDUM TO APPLICATION TO FILE UNDER SEAL PURSUANT TO PROTECTIVE ORDER".