

Rule 9018-1

Secret, Confidential, Scandalous, or Defamatory Matter

(a) Motion to Seal

- (1) A motion to seal may be made on an ex parte basis without notice on any grounds permitted by law, and shall contain the basis for why sealing is required. The order shall be submitted in the manner required by LBR 9013-1(c).
- (2) As soon as practicable the document to be sealed shall be filed in the manner prescribed by sub-paragraph (b) of this rule. The document shall be filed provisionally under seal, and will remain provisionally under seal until the court rules on the motion.
- (3) If discussion of protected materials or information is necessary to support the motion, such discussion shall be limited to an affidavit or declaration under penalty of perjury, which shall also be provisionally sealed.

(b) Filing of Sealed or Provisionally Sealed Document

- (1) *Any document to be filed under seal or provisional seal shall be filed electronically using the docket event specifically designated for sealed documents.*
- (2) *In the event a party has been excepted from filing electronically as provided in LBR 5005-3(d), Any document filed under seal or provisional seal shall be contained in a sealed envelope to which shall be affixed a captioned pleading that identifies the document, contains language to clearly indicate that the document in the sealed envelope has been filed under seal **or provisional seal**, and is not to be opened without an order of the court and that makes references to the motion or order by which the document **is** was sealed **or provisionally sealed**.*

(c) Motion to Unseal

A motion to unseal a document may be made on any grounds permitted by law. Notice of such a motion shall be in accordance with LBR 9013-1, with fourteen (14) days' notice to the party that requested the document be sealed.

(d) Disposition of Documents filed Under Seal

*Any sealed or provisionally sealed Documents filed **conventionally (in paper)** under seal shall be scanned **and electronically sealed on the docket**, then destroyed.*

(e) Viewing by Court Personnel

Unless otherwise *ordered* ~~stated in the motion or the order to seal~~, the seal will not preclude court staff from viewing sealed materials.

Related Provisions

FRBP 9018	Secret, Confidential, Scandalous, or Defamatory Matter
FRBP 9013	Motions: Form and Service
FRBP 9037	Privacy Protection for Filings Made with the Court
LBR 2002-1	Notice to Creditors & Other Interested Parties
LBR 9013-1(b)	Motions and Orders
LBR 9037-1	Privacy Protection for Filings Made with the Court
11 USC 102	Rules of Construction
11 USC 107	Public Access to Records