

SEALED & EX PARTE E-FILING GUIDELINES

Civil Cases

Below identifies five categories available for e-filing sealed documents and ex parte documents in civil cases. For each category there is a description of the events available to select, viewing restriction applied if any, NEF results, and other information applicable to the category.

Sealed Documents

Below pertains to e-filing sealed documents in a public case. (Note: Documents intended for a sealed case must be submitted in paper form. Attorneys are not authorized to e-file in sealed civil cases.)

Category: Sealed Other Documents

- There are five event selections: Reply to Response to Motion (NEF)
Response to Motion (NEF)
Response to Motion for Partial Summary Judgment (NEF)
Response to Motion for Summary Judgment (NEF)
Response to Motion to Dismiss for Lack of Jurisdiction (NEF)
- The docket text associated with the entry is available for viewing via PACER. The pdf document is sealed and it is not available for viewing via PACER or at the courthouse.
- NEF issues to all counsel in the case.
- The events in this category are intended to be used to file under seal a response or reply to a previously sealed motion. **IMPORTANT!** Use only if the court had previously and specifically granted leave for the response and/or reply to be filed under seal.

Category: Sealed Lodged Proposed Documents

- There is one event selection: Sealed Lodged Proposed Document (NEF)
- The docket text associated with the entry is available for viewing via PACER. The pdf document is sealed and it is not available for viewing via PACER or at the courthouse.
- NEF issues to all counsel in the case.
- **IMPORTANT!** See below section Lodging Proposed Sealed Documents for proper use of this category.

Lodging Proposed Sealed Documents

Pursuant to LRCiv 5.6, a filer generally may not file anything under seal without leave of court. Below outlines the steps for obtaining an order to file a document under seal and which encompasses use of the category Sealed Lodged Proposed Documents.

1. Use public event Seal Document from the Motions or Amended Motions category or event Stipulation from the Other Documents category when motioning to seal a proposed document. **DO NOT ATTACH THE PROPOSED SEALED DOCUMENT TO THIS PUBLIC ENTRY!**
2. Use event Sealed Lodged Proposed Document (NEF) from the category Sealed Lodged Proposed Document to lodge the sealed document which is the subject of the motion or stipulation to seal document. The event prompts user with Description of Proposed Document and then prompts user to link to the motion which requests leave of court to file the proposed document. This information is inserted into the docket text of the entry.
3. If the motion or stipulation is granted, the Clerk will e-file the lodged document under seal. If denied, the lodged proposed document remains sealed and will not be considered. The filer has the option of resubmitting the document in the public record.

Ex Parte Motions

Category: Ex Parte Motion for Investigative/Expert Services (CJA Attorney)

- There is one event selection: Investigative/Expert/Other Services (No NEF).
- The entire entry is sealed and is not available for viewing via PACER or at the courthouse.
- NEF does not issue to any counsel in the case.
- The event is intended for CJA appointed attorneys in Petition for Writ of Habeas Corpus cases. Leave of court is not required to e-file under seal.

Category: Motions

- This category is used generally for most motion entries.
- The docket text entry and pdf document is available for viewing by all users via PACER and at the courthouse.
- NEF issues to all counsel in the case.
- Prompt appears “Is this motion Ex Parte?” with Yes/No radio buttons. Default is to No.
- If Yes radio button is selected, two things happen: 1) At the next screen a message displays advising the event is public and if the event is to be sealed to use motion to seal and separately

lodge the document, and 2) EX PARTE is auto-generated in the docket text entry.

Category: Amended Motions

All of the same information for the Motions category applies.