Filing a Sealed Document or Motion in a Civil or Criminal Case

Table of Contents

Filling Preparation:

Review the following procedures and rules before you file:

➢ [Judge Chamber's Procedures](#)

➢ [ECF Filing Procedures IV(B) - Privacy and Confidentiality: Sealed Documents](#)

➢ [Local Civil Rules (LCR) 5(g) - Sealing and Redacting of Court Records](#)

➢ [Local Criminal Rules (LCrR) 55(b) and (c): Records: Matters to be Filed under Seal and Motions to Seal](#)

➢ [Federal Rules of Civil Procedure, Rule 5.2– Privacy Protection For Filings Made with the Court](#)

➢ [Federal Rules of Criminal Procedure 49.1: Privacy Protection For Filing Made with the Court](#)

Important Notes:

➢ There is a strong presumption of public access to court files. Please review [Local Civil Rule 5(g)](#) in full for more detailed information.

➢ There are multiple third-party companies that scan for and publicly archive documents that have been filed in CM/ECF. Please contact the Court immediately if you file a document that should have been sealed. The Court may administratively seal your document, thus allowing you to file a redacted version. This in no way guarantees that the information has not already been publicly posted on the internet by a third party.

    The Court itself does not have any recourse for removal of such information once it is made public.

Filing a Sealed Document or Motion
in a Civil or Criminal Case

Filing instructions

Filing a sealed document or motion is usually a two-step process, unless exceptions apply per LCR 5(g) or LCrR 55(b). Documents should be filed in the order listed below:

   I. Filing a **Motion to Seal.**

  II. Filing a Sealed Pleading.

          A. Filing a **Sealed Document.**

          B. Filing a **Sealed Motion.**
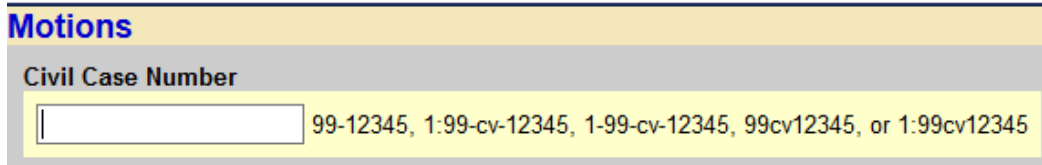
I. Filing a Motion to Seal

If the Court has not previously authorized a document to be filed under seal or the document does not fall under the exceptions outlined in the Local Civil Rules and Local Criminal Rules, then you must always file a Motion to Seal prior to filing any document or motion under seal. If there was a prior authorization, skip to Section II.

To file a Motion to Seal (screenshots are from the civil events menu for consistency, but the process is the same for criminal events except where indicated):

1. Go to **Civil** or **Criminal**> **Motions and Related Filings** > **Motions**.

Civil Events

Open A Case
  Attorney Case Opening

Initial Pleadings and Service
  Complaints and Other Initiating Documents
  Service of Process
  Answers to Complaints
  Other Answers

Motions and Related Filings
  Motions
  Sealed Motions
  Responses, Replies and Supporting Documents

Other Filings
  Discovery Documents
  Notices
  Trial Documents
  Appeal Documents
  Other Documents
  Sealed Documents

2. Enter your case number in **Civil (or Criminal) Case Number**, then select **Next**.

Motions

Civil Case Number

[   ] 99-12345, 1:99-cv-12345, 1-99-cv-12345, 99cv12345, or 1:99cv12345

3. For Criminal filings, select the Party for which/whom you are filing, then select **Next**.

For Civil cases, skip to step 4.

Select the filer.

Select the Party:

USA [pla]
Up, Show [dft]

Next   Clear
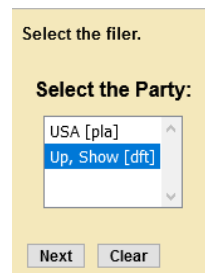
4. Type **Seal** In the search box. The **Available Events list** filters as you type.

| se | Click your selection, or use arrows to highlight it and press Enter. |

Available Events (click to select an event)

Interpleader Deposit (28 U.S.C. Section 1335)
Interpleader Disbursement (28 U.S.C. Section 1335)
Seal
Set Aside
Set Aside Default
Sever
Stipulated Motion to Seal

[Next] [Clear]

5. Select **Seal** (civil cases) or **Seal Document** (criminal cases). The selected event shows up in the **Selected Event** list. Then select **Next**.

Available Events (click to select an event)   **Selected Event**

Preliminary Injunction   Seal
Produce
Return of Property
Sanctions
Seal

[Next] [Clear]

6. Select whether you are requesting an oral argument.

7. Upload the **Motion to Seal** (PDF) as the **Main Document.**

8. Upload the **Proposed Order** (PDF) under **Attachments.**

9. Select **Proposed Order** for **Category**, then select **Next**.

Note: Do not upload the document(s) you wish to file under seal. Any documents uploaded here will *NOT* be under seal and will be viewable by the public.

Please attach the proposed order to the motion.

REMEMBER! After filing, email the proposed order in Word or WordPerfect format to the appropriate judge. Include the case number, case short title, and the title of the order in the subject line of the email.

Select the PDF document and any attachments.

Main Document
[Browse...] Motion.pdf

| **Attachments** | **Category** | **Description** | |
| 1. [Browse...] Proposed Order.pdf | Proposed Order ⌄ | | [Remove] |

10. For Civil cases: Select the party you represent under **Select the Party**, then select **Next**.

    For Criminal cases, skip to step 11 as you will select the parties later in the filing process.

[Pick Filer]

Collapse All   Expand All
⊞ Evergreen Gardens pla
  Grass Roots Inc dft
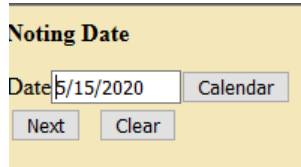
Select the filer.

Select the Party:

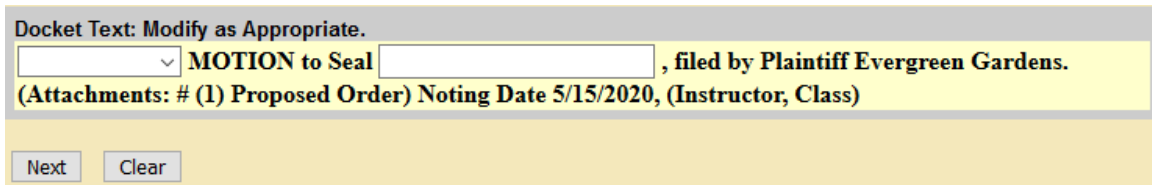Evergreen Gardens [pla]
Grass Roots Inc [dft]

[Next] [Clear] [New Filer]

11. Review LCR 7, LCrR 12, or the assigned Judge Chamber's Procedures to determine the appropriate noting date to use for your motion, then select **Next**.

12. Enter the correct **Noting Date** (if any) in **Date**, then select **Next.**
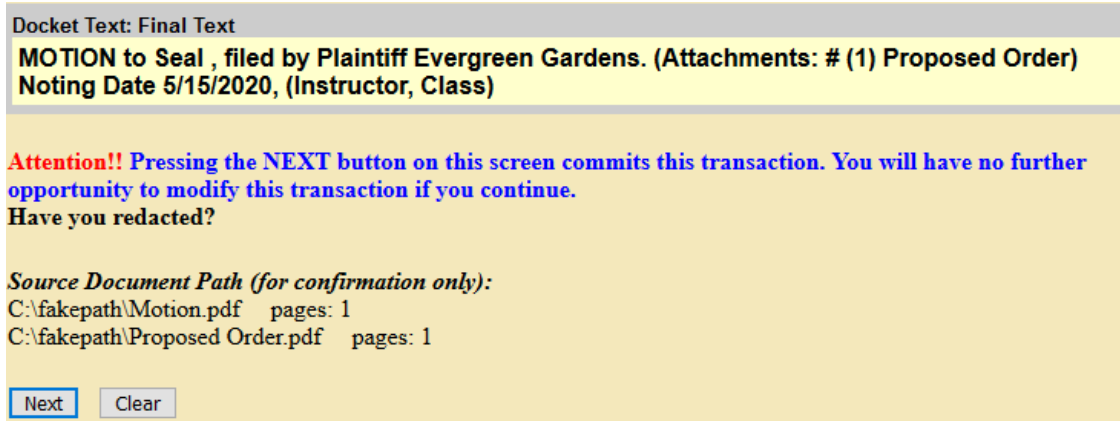
Noting Date

Date 5/15/2020   Calendar

Next   Clear

13. If needed, enter additional descriptions for your **Motion to Seal**, then select **Next**.

Note: These are optional fields and can be left blank if no additional description is required.

Docket Text: Modify as Appropriate.

[dropdown] **MOTION to Seal** [text field] **, filed by Plaintiff Evergreen Gardens. (Attachments: # (1) Proposed Order) Noting Date 5/15/2020, (Instructor, Class)**

Next   Clear

14. Review the docket text to ensure the entry is correct and includes all required elements:

Docket Text: Final Text

MOTION to Seal , filed by Plaintiff Evergreen Gardens. (Attachments: # (1) Proposed Order) Noting Date 5/15/2020, (Instructor, Class)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.
Have you redacted?

Source Document Path (for confirmation only):
C:\fakepath\Motion.pdf   pages: 1
C:\fakepath\Proposed Order.pdf   pages: 1

Next   Clear

   a. Correct Event: **Motion to Seal** or **Motion to Seal Document.**

   b. Correct Party: Party for whom you are filing.

   c. Correct Attachments: **Proposed Order.**

   d. Correct Noting Date: Review LCR 7, LCrR 12, or the assigned Judge's Chambers Procedures.

   e. Correct Attorney Name: Must match one signature on the Motion.

   ➤ If the docket text is correct, select **Next**.

   ➤ If the docket text is not correct, select **Civil** or **Criminal** from the main menu and start over.

   Note: Do not use the browser back button; this can cause duplicate submissions and may cause an error with your filing.

15. The **Notice of Electronic Filing** is sent to all parties on the case who are currently signed up for electronic notice.

U.S. District Court

[Train Application] United States District Court for the Western District of Washington

Notice of Electronic Filing

The following transaction was entered by Instructor, Class on 4/27/2020 at 3:53 PM PDT and filed on 4/27/2020
Case Name: Evergreen Gardens v. Grass Roots Inc
Case Number: 2:18-cv-00001-JGR
Filer: Evergreen Gardens
Document Number: 4

Docket Text:
MOTION to Seal , filed by Plaintiff Evergreen Gardens. (Attachments: # (1) Proposed Order) Noting Date 5/15/2020, (Instructor, Class)

2:18-cv-00001-JGR Notice has been electronically mailed to:

Michael Clayton   testattorney@example.com

2:18-cv-00001-JGR Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Note: Any party listed under **Notice will not be electronically mailed to:** will not receive electronic notice. It is your responsibility to serve case documents to them by traditional means. For example:

Docket Text:
MOTION to Seal filed by Plaintiff Smith. (Attachments: # (1) Proposed Order) Noting Date 3/12/2021

2:18-cv-00025 Notice has been electronically mailed to:

2:18-cv-00025 Notice will not be electronically mailed to:

Smith

A Leonard Smith
123 MAIN STREET
SEATTLE, WA 98103

The following document(s) are associated with this transaction:

16. Remember to send the Word version of your **Proposed Order** to the Judge via the individual Judge's Orders email address (see Judges page).

II. Filing a Sealed Pleading

Once you file your Motion to Seal or receive Court authorization granting permission to file the document(s) under seal, you can file the document(s).

There are two main types of sealed categories in CM/ECF: **Sealed Document** and **Sealed Motion**. Each category has a different process to follow. You must use either of the two listed options to file a document under seal. If any other event is used, the document will not be sealed.

Filing a Sealed Document or Motion
in a Civil or Criminal Case

A. Filing a Sealed Document

This category should be used for filing any type of document under seal that is not a motion. Motions should be filed as Sealed Motions.

To file a **Sealed Document**:

1. Go to **Civil** or **Criminal**> **Other Filings** > **Sealed Documents**.

2. Enter your case number in the **Case Number field**, then select **Next**.

3. The next screen shows you the full case number and short title for your case. If it is the correct case, select **Next**.

4. Select the type of sealed document you need to file under **Available Events**. Once you select the event, it should show up in the **Selected Event list**. Then select **Next**.

ATTENTION! If you are filing a motion under seal, please use an event in the *SEALED MOTIONS* category.

Available Events (click to select an event)

Ex Parte-Sealed Document
SEALED Social Security Certified Administrative Record - Answer
Sealed Administrative Record- Non Social Security
Sealed Document
Sealed Financial Affidavit
Sealed State Court Record
Unredacted Sealed Document

Next   Clear

Selected Event

Sealed Document

5. For Criminal cases: Select whether the document falls under the LCrR 55 exceptions or not.

   Select the type of document that you are filing under seal.

   ○ Document listed in LCrR 55
   ⊙ Other Sealed Document

   Next   Clear

   a. If Yes, skip to step 8.

   b. If No, go to step 6.

6. Answer **Is there a Motion to Seal, Stipulated Motion to Seal, Order, or Minute Entry previously filed in this case requesting or approving the filing of this document(s) under seal?**

   a. If you filed a **Motion to Seal** as shown in the previous section, then select **YES**.

   b. If the Court previously authorized filing this particular type of document under seal, then select **YES**.

   c. If none of the above apply, select **NO**. You will be unable to continue filing until you file a Motion to Seal.

7. Select the Motion or Order/Minute Entry requesting or granting you approval to file this document under seal. If you filed a **Motion to Seal** as shown in the previous section, select that docket entry, then select **Next**.

> **Select the MOTION TO SEAL, STIPULATED MOTION TO SEAL, ORDER, or MINUTE ENTRY previously filed in this case requesting or approving the filing of this document(s) under seal.**
>
> *Select the appropriate event(s) to which your event relates:*
>
> ☑ 01/25/2021 2 MOTION to Seal , filed by Plaintiff Evergreen Gardens. (Attachments: # 1 Proposed Order) Noting Date 2/12/2021, (Instructor, Class)
> **If applicable, you may link this document to other filings on the next screen**
>
> [Next] [Clear]

8. Answer: **Should the document you are filing link to another document in this case?**

   a. If you do not need to link the document to an additional document in the case, do not select anything, then select **Next.**

   > ☐ **Should the document you are filing link to another document in this case?**
   > **Filed** [____] **to** [____]
   > **Documents** [____] **to** [____]
   > [Next] [Clear]

   b. If you wish to link the sealed document to an additional document in the case (for example if this is a supporting document to a motion), select the box next to: **Should the document you are filing link to another document in this case?** then select **Next.**

      i. Select the document(s) you wish to link to the sealed document, then select **Next**.

      > *Select the appropriate event(s) to which your event relates:*
      >
      > ☑ 09/10/2018 1 COMPLAINT against defendant(s) Grass Roots Inc with JURY DEMAND (Receipt # 12345), filed by Evergreen Gardens. (Attachments: # 1 Civil Cover Sheet, # 2 Summons)(VB)
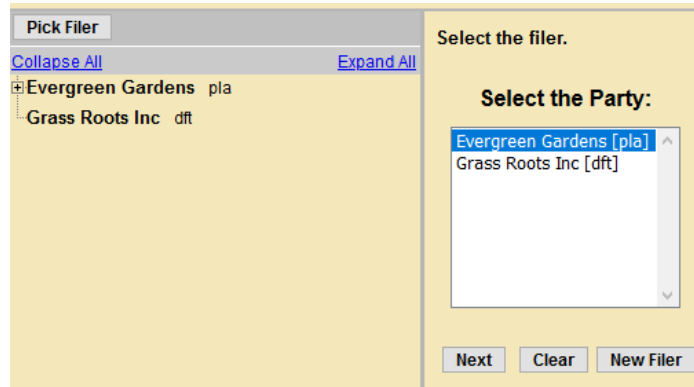   > ☐ 09/10/2018 John G Roberts added. (VB)
      > ☐ 12/05/2019 2 MOTION to Seal *medical records*, filed by Plaintiff Evergreen Gardens. (Attachments: # 1 Proposed Order) Noting Date 12/20/2019, (VTrainer,)
      > ☐ 12/05/2019 3 **SEALED DOCUMENT** *medical records* by Plaintiff Evergreen Gardens re 2 MOTION to Seal *medical records* (VTrainer,)
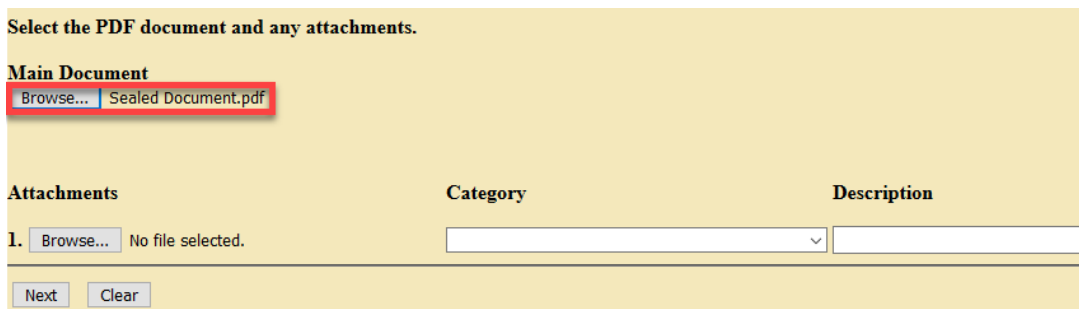   > ☐ 04/27/2020 4 MOTION to Seal , filed by Plaintiff Evergreen Gardens. (Attachments: # 1 Proposed Order) Noting Date 5/15/2020, (Instructor, Class)
      > [Next] [Clear]

9. Select the party you represent under **Select the Party**, then select **Next**.

Pick Filer

Collapse All	Expand All
⊞ Evergreen Gardens pla	
Grass Roots Inc dft	

Select the filer.

Select the Party:

Evergreen Gardens [pla]
Grass Roots Inc [dft]

[Next] [Clear] [New Filer]

10. Upload the document you wish to file under seal under **Main Document**.

Select the PDF document and any attachments.

Main Document
[Browse...] Sealed Document.pdf

Attachments	Category	Description
1. [Browse...] No file selected.	[⌄]	[ ]

[Next] [Clear]

Note: If you have multiple documents to file under seal, you can upload additional documents under **Attachments**. Be sure to select a **Category** and/or **Description** for each document you upload under **Attachments**.

11. Once all documents are uploaded, select **Next**.

12. Review the text directing how to serve your sealed document(s) to parties in the case, then select **Next**.
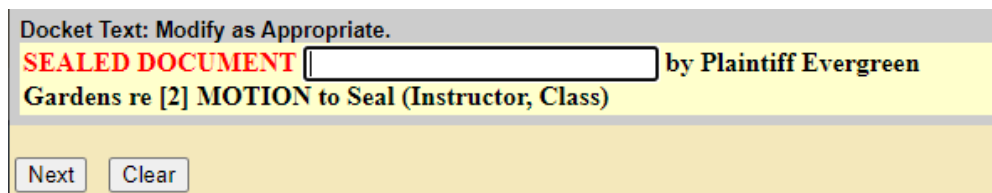
Please serve your SEALED DOCUMENT by conventional means. Although all registered parties will receive electronic notice of this filing, they will NOT be able to access the document via the hyperlink in the e-mail.

This entry WILL appear on the docket. If this is not your intent, please use EX PARTE-SEALED event.

[Next] [Clear]

13. If needed, enter an additional description for your **Sealed Document**, then select **Next**.

Note: This is an optional field and can be left blank if no additional description is required.

Docket Text: Modify as Appropriate.
SEALED DOCUMENT [   ] by Plaintiff Evergreen Gardens re [2] MOTION to Seal (Instructor, Class)

[Next] [Clear]

14. Review the docket text to ensure the entry is correct and includes all required elements:

> **Docket Text: Final Text**
>
> **SEALED DOCUMENT** by Plaintiff Evergreen Gardens re [2] MOTION to Seal (Instructor, Class)
>
> **Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.**
> **Have you redacted?**
>
> *Source Document Path (for confirmation only):*
> C:\fakepath\Sealed Document.pdf   pages: 1
>
> Next   Clear

   a. Correct Event: **Sealed Document**.

   b. Correct Party: Party for whom you are filing.

   c. Correctly linked to the **Motion to Seal** or **Order/Minute Entry** and any document it supports.

   d. Correct Attachments, if any.

   e. Correct Attorney Name.

   ➢ If the docket text is correct, select **Next**.

   ➢ If the docket text is not correct, select **Civil** or **Criminal** from the main menu and start over.

   Note: Do not use the browser back button; this can cause duplicate submissions and may cause an error with your filing.

15. The **Notice of Electronic Filing** is sent to all parties on the case who are currently signed up for electronic notice.

> **U.S. District Court**
>
> **United States District Court for the Western District of Washington**
>
> **Notice of Electronic Filing**
>
> The following transaction was entered by Instructor, Class on 1/25/2021 at 2:08 PM PST and filed on 1/25/2021
> **Case Name:**   Evergreen Gardens v. Grass Roots Inc
> **Case Number:**   2:18-cv-00001-JGR
> **Filer:**   Evergreen Gardens
> **Document Number:** 3
>
> **Docket Text:**
> **SEALED DOCUMENT** by Plaintiff Evergreen Gardens re [2] MOTION to Seal (Instructor, Class)
>
> **2:18-cv-00001-JGR Notice has been electronically mailed to:**
>
> Michael Clayton   testattorney@example.com
>
> **2:18-cv-00001-JGR Notice will not be electronically mailed to:**
>
> The following document(s) are associated with this transaction:

   Note: Sealed documents must be served to **all** parties by traditional means (see previous step 12).

Filing a Sealed Document or Motion
in a Civil or Criminal Case

B. Filing a Sealed Motion

The **Sealed Motion** category should only be used in cases where the Motion *itself* (not attached documents) contains information that should not be public. If you want to file any other pleadings under seal, use the Sealed Document category.

To file a **Sealed Motion**:

1. Go to **Civil** or **Criminal** > **Motions and Related Filings** > **Sealed Motions**.

2. Enter your case number in the **Case Number** field, then select **Next**.

3. The next screen shows you the full case number and short title for your case, select **Next**.

4. Select the type of sealed motion you need to file under **Available Events**. Once you select the event, it should show up in the **Selected Event list**. Then select **Next**.

5. Select the party you represent under **Select the Party**, then select **Next**.

6. Select whether you are requesting an oral argument in the caption of your motion.

7. Upload the **Motion** (PDF) you wish to file under seal as the **Main Document.**

8. Upload the **Proposed Order** (PDF) under **Attachments** and select **Proposed Order** for **Category**, then select **Next**.

Select the PDF document and any attachments.

Main Document
Browse...   Motion.pdf

Attachments	**Category**	**Description**	
1. Browse... Proposed Order.pdf	Proposed Order ⌄		Remove

   a. If there are additional attachments that contain material that must be under seal, add them as attachments.

   b. If there are additional attachments that DO NOT contain material that must be under seal, but are in support of the Sealed Motion, DO NOT add them as attachments here. Continue filing the Sealed Motion, then file the attachments as separate docket entries using the stand-alone events (i.e. for exhibits, use the **Exhibit** event) and link them back to the Sealed Motion.

9. Answer **Is there a Motion to Seal, Stipulated Motion to Seal, Order, or Minute Entry previously filed in this case requesting or approving the filing of this document(s) under seal?**

   a. If you filed a **Motion to Seal** as shown in the previous section, then select **YES**.

   b. If the Court previously authorized filing this particular type of document under seal, then select **YES**.

   c. If none of the above applies, select **NO** (You will be unable to continue filing until you file a Motion to Seal).

10. Select the Motion or Order/Minute Entry requesting or granting you approval to file this motion under seal. If you filed a **Motion to Seal** as shown in the Section I: Filing a **Motion to Seal**, select that docket entry, then select **Next**.

Select the appropriate event(s) to which your event relates:

☑ 12/05/2019 2 MOTION to Seal *medical records*, filed by Plaintiff Evergreen Gardens.
(Attachments: # 1 Proposed Order) Noting Date 12/20/2019, (VTrainer,)
If applicable, you may link this document to other filings on the next screen

Next   Clear

11. Answer: **Should the document you are filing link to another document in this case?**

   a. If you do not need to link the document to an additional document in the case, do not select anything, then select **Next.**

☐ **Should the document you are filing link to another document in this case?**
Filed [   ] to [   ]
Documents [   ] to [   ]
Next   Clear

b. If you wish to link the sealed document to an additional document in the case, select the box next to: **Should the document you are filing link to another document in this case?** then select **Next.**

      i. Select the document(s) you wish to link to the sealed document, then select **Next**.

Select the appropriate event(s) to which your event relates:

☑ 09/10/2018 1 COMPLAINT against defendant(s) Grass Roots Inc with JURY DEMAND (Receipt # 12345), filed by Evergreen Gardens. (Attachments: # 1 Civil Cover Sheet, # 2 Summons)(VB)
☐ 09/10/2018   John G Roberts added. (VB)
☐ 12/05/2019 2 MOTION to Seal *medical records*, filed by Plaintiff Evergreen Gardens. (Attachments: # 1 Proposed Order) Noting Date 12/20/2019, (VTrainer,)
☐ 12/05/2019 3 **SEALED DOCUMENT** *medical records* by Plaintiff Evergreen Gardens re 2 MOTION to Seal *medical records* (VTrainer,)
☐ 04/27/2020 4 MOTION to Seal , filed by Plaintiff Evergreen Gardens. (Attachments: # 1 Proposed Order) Noting Date 5/15/2020, (Instructor, Class)

Next   Clear

12. Review LCR 7, LCrR 12, or the assigned Judge's Chambers Procedures to determine the appropriate noting date to use for your motion, then select **Next.**

13. Enter the correct **Noting Date** (if any) in **Date**, then select **Next.**

Motion to Seal

Noting Date

Date 5/15/2020 Calendar
Next   Clear

14. Review the text directing how to serve your sealed motion to parties in the case, then select **Next**.

Please serve your **SEALED DOCUMENT** by conventional means. Although all registered parties will receive electronic notice of this filing, they will **NOT** be able to access the document via the hyperlink in the e-mail.
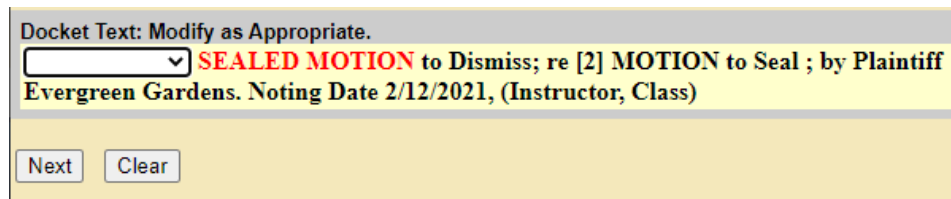
This entry **WILL** appear on the docket. If this is not your intent, please use **EX PARTE-SEALED** event.

Next   Clear

15. Enter the **Type of Motion** you are filing under **Motion to:**, then select **Next**.

16. If needed, select an additional description for your **Sealed Motion**, then select **Next**.
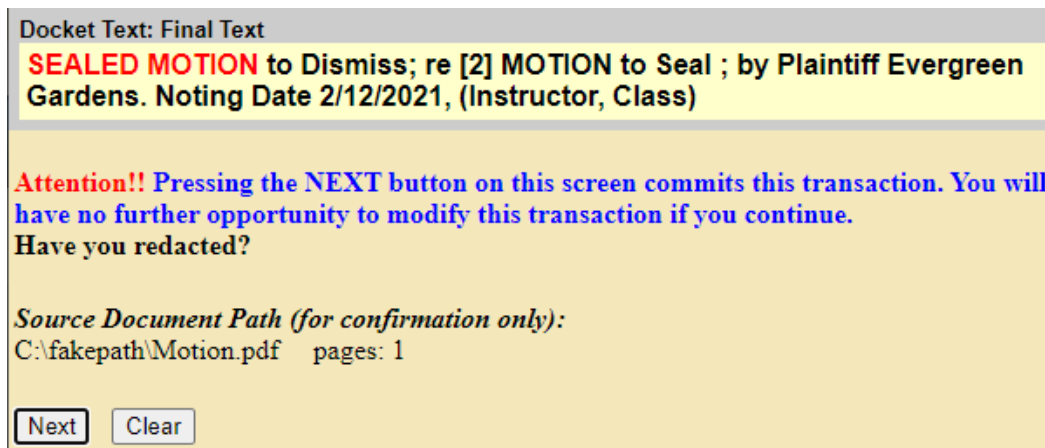   **Note:** This is an optional field and can be left blank if no additional description is required.

> Docket Text: Modify as Appropriate.
>
> [⌄] **SEALED MOTION** to Dismiss; re [2] MOTION to Seal ; by Plaintiff Evergreen Gardens. Noting Date 2/12/2021, (Instructor, Class)
>
> [Next] [Clear]

17. Review the docket text to ensure the entry is correct and includes all required elements:

> Docket Text: Final Text
>
> **SEALED MOTION** to Dismiss; re [2] MOTION to Seal ; by Plaintiff Evergreen Gardens. Noting Date 2/12/2021, (Instructor, Class)
>
> **Attention!!** Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.
> Have you redacted?
>
> *Source Document Path (for confirmation only):*
> C:\fakepath\Motion.pdf   pages: 1
>
> [Next] [Clear]

   a. Correct Event: **Sealed Motion**.

   b. Correct Party: Party for whom you are filing.

   c. Correctly linked to the **Motion to Seal** or **Order**.

   d. Correct Attachments: **Proposed Order**.

   e. Correct Attorney Name.

   ➢ If the docket text is correct, select **Next**.

   ➢ If the docket text is not correct, select **Civil** or **Criminal** from the main menu and start over.

   Note: Do not use the browser back button, this can cause duplicate submissions and may cause an error with your filing.

18. The **Notice of Electronic Filing** is sent to all parties on the case who are currently signed up for electronic notice.

U.S. District Court

United States District Court for the Western District of Washington

Notice of Electronic Filing

The following transaction was entered by Instructor, Class on 1/25/2021 at 2:21 PM PST and filed on 1/25/2021
Case Name: Evergreen Gardens v. Grass Roots Inc
Case Number: 2:18-cv-00001-JGR
Filer: Evergreen Gardens
Document Number: 4

Docket Text:
SEALED MOTION to Dismiss; re [2] MOTION to Seal ; by Plaintiff Evergreen Gardens. Noting Date 2/12/2021, (Instructor, Class)

2:18-cv-00001-JGR Notice has been electronically mailed to:

Michael Clayton   testattorney@example.com

2:18-cv-00001-JGR Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:
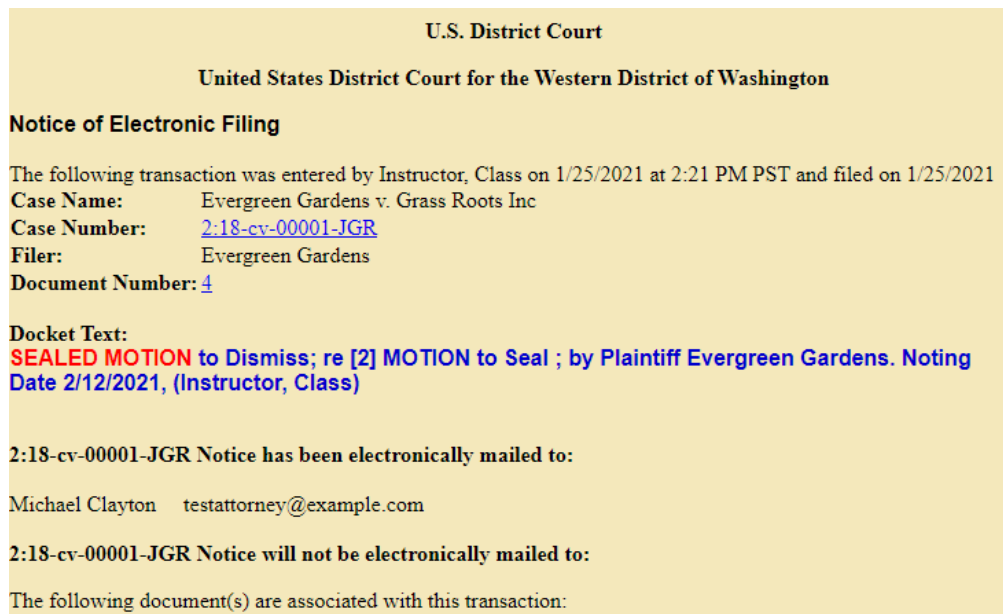
Note: Sealed motions must be served to **all** parties by traditional means (see step 14).

19. Remember to send the Word version of your Proposed Order to the Judge via the individual Judge's Orders email address (see Judges page).

III. Filing a Sealed Exhibit or Other Attachment

Per LCR 5(g)(4), parties must minimize the number of documents they file under seal and the length of each document they file under seal.

Sometimes e-filers must seal one exhibit or attachment in a group of attachments. For example, you have a **Motion** and three exhibits: **Exhibit A, B,** and **C,** but only **Exhibit B** needs to be sealed. In this case, you would follow the below procedures:

1. Do not file all documents under seal. Only file the attachment(s) containing the information that needs to be filed under seal.

2. File a **Motion to Seal** following the instructions listed previously.

3. File the **Motion** that the exhibit is in support of, **Exhibit A**, an Exhibit B place marker (a blank page reading "**EXHIBIT B FILED UNDER SEAL**"), and **Exhibit C** using the correct **Motion** event.

4. File **Exhibit B** using the **Sealed Document** event.

    a. You are required to link the **Sealed Document** to the **Motion to Seal**.

    b. You are given the option to link the **Sealed Document** to an additional docket entry. In this case, you may want to link the **Sealed Document** to the **Motion** that you filed in step 3.

IV. What to do if the Motion to Seal is Denied

If your **Motion to Seal** is denied by the Judge and you already filed your sealed document, you should follow the directions as outlined by the **Order**. Some common scenarios include:

- Judge requests you to file a redacted version of the sealed document.
    - File using the **Redacted Document** event under **Civil** or **Criminal** > **Other Filings** > **Other Documents.**
- Judge denies the Motion to Seal and orders court staff to unseal the document.
    - No action is required from the filer.