

RULE 57.4: Motions to Seal Information Contained Within Court Records

1. A request to seal information contained within a court record shall be made by written motion. If the motion is filed simultaneously with the information that is the subject of the motion, then the subject information shall be sealed pending the Court's ruling on the motion. If the motion is filed after the filing of the information that is the subject of the motion, then the subject information shall remain open to the public pending the Court's ruling on the motion.

2. The motion to seal information in a court record may be made by any party to a case, by the individual about whom information is disclosed in the record, or on the Court's own motion.

3. The movant shall give notice of the motion to seal, and of the hearing date, time, and place, in accordance with the applicable Civil Rules, to all parties in the case and to any additional persons that the Court may order.

4. The Court may seal information in a court record if it finds that the presumption of public access is outweighed by an interest greater than that of the public's right to access. In making its decision, the Court shall consider, without limitation, the following factors:

- a. Risk of injury to individuals;
- b. Individual privacy rights and interests;
- c. Proprietary business information; and
- d. Public safety.

5. When sealing information contained within a court record, the Court shall use the least restrictive means available, including, where possible, redacting specified information from the underlying document rather than restricting access to the entire document.

6. Upon granting a motion to seal, the Court shall separately maintain the sealed information, along with a copy of the Court's sealing order, and may require counsel for the movant to file a redacted copy for the public record.

7. For purposes of public access to Court records, the Court manages its paper file the same as its electronic file. Generally, the Court will not restrict access to one such file-type without restricting access to the other.